

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

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

WEDNESDAY, MAY 1, 2019

5:30 P.M. AT THE MUNICIPAL BUILDING,
CITY COUNCIL CHAMBERS, 2ND FLOOR
4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TEXAS

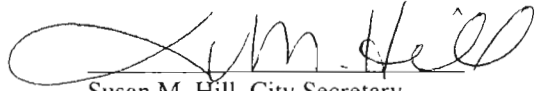
1. Call to order
2. Pledge of Allegiance and Texas Pledge
3. Public Comments and Announcements: *This is an opportunity for citizens to speak to Council relating to agenda or non-agenda items. Speakers are required to address Council at the podium and give their name before addressing their concerns. [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. Presentations and Proclamations:
 - a. Proclamation: National Travel and Tourism Week
5. Approve Consent Agenda:
 - a. Approve invoices for payment. (Gimenez)
 - b. Approve Resolution No. 2019-19 for the temporary closure of Highway 100 and portion of the Queen Isabella Causeway Memorial Bridge for the Ride For Rotary Across the Causeway on Sunday, October 6, 2019 and authorize the Interim City Manager to sign the Texas Department of Transportation agreement. (Huffman)
 - c. Approve Resolution 2019-20 to declare Case Tractor raking mechanism and counter weight as surplus property and authorize the Interim City Manager to dispose of such property in a manner that is beneficial to the City and in accordance with the Fixed Assets Policy. (Gimenez)
 - d. Approve acceptance of Texas Department of Transportation project grant agreement RPT 1903 in the amount of \$531,326 and authorize the Interim City Manager to enter into the grant agreement. (Arriaga)
 - e. Approve a budget amendment of Federal forfeiture funds in the amount of \$5,020 for additional Watch Guard video System. (O'Carroll)
 - f. Approve an excused absence request from Mayor Dennis Stahl for the May 1, 2019 City Council meeting. (Stahl)
 - g. Approve second and final reading of Ordinance No. 19-06 amending the City's fiscal year 2018-2019 operating budget to incorporate prior budget amendments and modifications for the months of October 2018 through February 2019. (Gimenez)

- h. Approve second and final reading of Ordinance No. 19-07 to allow for a Specific Use Permit for the expansion and operation of an “outdoor amusement” park with the addition of a zip-line ride at the property commonly known as 1201 Padre Boulevard. (Travis/Sanchez/Martinez)
- 6. Discussion and action to dedicate the South Padre Island Municipal Court to the late Judge David K. Colwell. (Ricco)
- 7. Discussion and action to select and move forward with potential projects and improvements based upon the Shoreline Master Plan. (Boburka)
- 8. Discussion and action to continue to work with our partners at United States Geological Survey (USGS), United States Army Corp of Engineers (USACE) and PARTRAC on the upcoming Beneficial Use of Dredged Material (BUDM) placement to carry on the particle tracing study. (Boburka)
- 9. Update on the twenty permanent, temporary restrooms that have been placed at eleven of the City’s beach accesses. (Boburka)
- 10. Discussion and action to appoint a City Council member to serve on the Lower Texas Coast’s Community Work Group (CWG) for the United States Army Corps of Engineer’s Texas Coastal Study. (Boburka)
- 11. Discussion and possible action regarding the PR 100 (Padre Boulevard) Median, Boardwalk and Sidewalk Improvement 95% plans. (Sanchez)
- 12. Discussion and possible action to approve Contract Amendment No. 13 (amount not to exceed \$160,000) with Kimley-Horn for supplemental construction phase services for Padre Boulevard (PR 100) Improvements for Sidewalks and Medians (Phase II). (Sanchez)
- 13. Discussion and action to direct the City Manager, Building Official, Environmental Health Director and up to three members of the community with building and/or real estate knowledge to develop a process/ordinance to address abandoned and blighted structures and properties. (Ricco)
- 14. Discussion and action regarding signs over and across Laguna Boulevard on the north and south sides of the “Entertainment” District. (Sanchez)
- 15. PUBLIC HEARING: to discuss a proposed text amendment to Chapter 20-11(D) of the Zoning Ordinance to Regulate the Construction and Operation of Temporary Structures within 150 feet of Padre Boulevard. (Travis/Sanchez/Martinez)
- 16. Discussion and action regarding a proposed text amendment to Chapter 20-11(D) of the Zoning Ordinance to Regulate the Construction and Operation of Temporary Structures within 150 feet of Padre Boulevard and approve first reading of ordinance. (Travis/Sanchez/Martinez)

17. Presentation regarding Pro Watercross 2019 event. (Caum)
18. Discussion and action to authorize the City Manager to execute a contract with Ink Publishing in the amount of \$95,000 to promote South Padre Island to United Airlines passengers during the peak summer travel months. (Caum)
19. Discussion and action to amend The Atkins Group contract and to approve a budget amendment in the amount of \$150,000 for the summer marketing push. (Caum)
20. 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 551.087, DISCUSS (1) COMMERCIAL OR FINANCIAL INFORMATION RECEIVED FROM A BUSINESS PROSPECT WITH WHICH THE CITY IS CONDUCTING NEGOTIATIONS, OR (2) FINANCIAL OR OTHER INCENTIVES TO THE BUSINESS PROJECT.

DATED THIS THE 26TH DAY OF APRIL 2019


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 **APRIL 26, 2019**, 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, DAVID TRAVIS; ADA DESIGNATED RESPONSIBLE PARTY AT (956) 761-8103.

**CITY COUNCIL MEETING
CITY OF SOUTH PADRE ISLAND
CONSENT AGENDA**

MEETING DATE: May 1, 2019

ITEM DESCRIPTION

NOTE: All matters listed under Consent Agenda are considered routine by the City Council of the City of South Padre Island and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and considered separately.

Items to be considered are:

- a. Approve invoices for payment. (Gimenez)
- b. Approve Resolution No. 2019-19 for the temporary closure of Highway 100 and portion of the Queen Isabella Causeway Memorial Bridge for the Ride For Rotary Across The Causeway on Sunday, October 6, 2019 and authorize the Interim City Manager to sign the Texas Department of Transportation agreement. (Huffman)
- c. Approve Resolution 2019-20 to declare Case Tractor raking mechanism and counter weight as surplus property and authorize the Interim City Manager to dispose of such property in a manner that is beneficial to the City and in accordance with the Fixed Assets Policy. (Gimenez)
- d. Approve acceptance of Texas Department of Transportation project grant agreement RPT 1903 in the amount of \$531,326 and authorize the Interim City Manager to enter into the grant agreement. (Arriaga)
- e. Approve a budget amendment of Federal forfeiture funds in the amount of \$5,020 for additional Watch Guard video System. (O'Carroll)
- f. Approve an excused absence request from Mayor Dennis Stahl for the May 1, 2019 City Council meeting. (Stahl)
- g. Approve second and final reading of Ordinance No. 19-06 amending the City's fiscal year 2018-2019 operating budget to incorporate prior budget amendments and modifications for the months of October 2018 through February 2019. (Gimenez)
- h. Approve second and final reading of Ordinance No. 19-07 to allow for a Specific Use Permit for the expansion and operation of an "outdoor amusement" park with the addition of a zip-line ride at the property commonly known as 1201 Padre Boulevard. (Travis/Sanchez/Martinez)

RECOMMENDATIONS/COMMENTS

Approve Consent Agenda.

5-1

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

MEETING DATE: May 1, 2019

NAME & TITLE: Rodrigo Gimenez, Chief Financial Officer

DEPARTMENT: Finance Department

ITEM

Approve invoices for payment by General Fund checks numbered 144270 through 144356 and EFT payments totaling \$1,529,790.40.

ITEM BACKGROUND

BUDGET/FINANCIAL SUMMARY

COMPREHENSIVE PLAN GOAL

LEGAL REVIEW

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

Comments:

RECOMMENDATIONS/COMMENTS

Approve payments.

VENDOR SET: 01 City of South Padre Islan

BANK: OPER

FUND : 01 GENERAL FUND

DEPARTMENT: N/A NON-DEPARTMENTAL

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-002434	CINDY BOUDLOCHE	I-DWE201904156422	01 2469	DEBTORS WAGE : CASE NO 16-10432		144273	1,513.02
						VENDOR 01-002434 TOTALS	1,513.02
01-003035	CALIFORNIA STATE DISBU	I-C2X201904156422	01 2473	CHILD SUPPORT: ORDER NO 0890195390-		144275	219.23
						VENDOR 01-003035 TOTALS	219.23
01-003185	OFFICE OF THE ATTY GEN	I-C10201904156422	01 2473	CHILD SUPPORT: A/N 2004094864B		000795	364.15
01-003185	OFFICE OF THE ATTY GEN	I-C13201904156422	01 2473	CHILD SUPPORT: A/N 0013262861		000795	182.31
01-003185	OFFICE OF THE ATTY GEN	I-C1C201904156422	01 2473	CHILD SUPPORT: ORDER NO 2015-DCL-56		000795	339.23
01-003185	OFFICE OF THE ATTY GEN	I-C1L201904156422	01 2473	CHILD SUPPORT: ORDER NO 2005063139E		000795	121.38
01-003185	OFFICE OF THE ATTY GEN	I-C1Q201904156422	01 2473	CHILD SUPPORT: CS 2014-DCL-08362		000795	191.54
01-003185	OFFICE OF THE ATTY GEN	I-C1R201904156422	01 2473	CHILD SUPPORT: ORDER NO 08-1471		000795	429.23
01-003185	OFFICE OF THE ATTY GEN	I-C21201904156422	01 2473	CHILD SUPPORT: A/N 0011549506		000795	369.23
01-003185	OFFICE OF THE ATTY GEN	I-C24201904156422	01 2473	CHILD SUPPORT: A/N 0011488748		000795	293.89
01-003185	OFFICE OF THE ATTY GEN	I-C2W201904156422	01 2473	CHILD SUPPORT: CASE ID 0012479628		000795	221.54
01-003185	OFFICE OF THE ATTY GEN	I-C2Y201904156422	01 2473	CHILD SUPPORT: ORDER # 2019-DCL-011		000795	163.85
01-003185	OFFICE OF THE ATTY GEN	I-C51201904156422	01 2473	CHILD SUPPORT: A/N 0012375322		000795	294.33
01-003185	OFFICE OF THE ATTY GEN	I-C77201904156422	01 2473	CHILD SUPPORT: A/N 0010353126		000795	159.23
01-003185	OFFICE OF THE ATTY GEN	I-C82201904156422	01 2473	CHILD SUPPORT: ORDER #2012-DCL-0866		000795	410.77
01-003185	OFFICE OF THE ATTY GEN	I-C91201904156422	01 2473	CHILD SUPPORT: AG 0012920905		000795	296.77
01-003185	OFFICE OF THE ATTY GEN	I-C93201904156422	01 2473	CHILD SUPPORT: ORDER # 99125207D		000795	101.54
01-003185	OFFICE OF THE ATTY GEN	I-C95201904156422	01 2473	CHILD SUPPORT: CASE #0013025749		000795	420.00
						VENDOR 01-003185 TOTALS	4,358.99
01-003444	CITIBANK	I-40319	01 2489	PURCHASING CA: MARCH 2019 P CARD PU		144319	89,574.37
						VENDOR 01-003444 TOTALS	89,574.37
01-006163	AMERICAN GENERAL LIFE	I-041619	01 2485	AMERICAN GENE: EMPLOYEE SALARY ALLO		144282	117.76
						VENDOR 01-006163 TOTALS	117.76
01-007001	ANA GARZA	I-C04201904156422	01 2473	CHILD SUPPORT: A/N 2003-03-1480-B		144284	194.88
						VENDOR 01-007001 TOTALS	194.88
01-013371	DIEGO MORENO	I-41819	01 2477	COBRA : REFUND OF COBRA PAYM		144336	89.31
						VENDOR 01-013371 TOTALS	89.31

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 2

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 01 GENERAL FUND

DEPARTMENT: N/A NON-DEPARTMENTAL

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-015101	OHIO CHILD SUPPORT PAY I-C3J201904156422		01 2473	CHILD SUPPORT: A/N: 7053542663		144296	56.31
						VENDOR 01-015101 TOTALS	56.31
01-019222	S.P.I. FIREFIGHTERS AS I-041619		01 2472	FIREFIGHTERS : ASSOCIATION DUES 4/1	144302		377.00
						VENDOR 01-019222 TOTALS	377.00
01-019327	SOUTH PADRE ISLAND PRO I-041619		01 2487	POLICE DEPT A: ASSOCIATION DUES 4/1	000196		75.00
						VENDOR 01-019327 TOTALS	75.00
01-1	MARY KUMPE	I-42419	01 47046	ANIMAL/COMPOS: MARY KUMPE: REFUND O	144356		20.00
						VENDOR 01-1 TOTALS	20.00

DEPARTMENT	NON-DEPARTMENTAL	TOTAL:	96,595.87
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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 3

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 01 GENERAL FUND

DEPARTMENT: 512 CITY MANAGERS OFFICE

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-006170	MICHAEL FLORES	I-41619	01 512-0550	TRAVEL EXPENS:	PER DIEM: AUSTIN TRI	000199	60.00
VENDOR 01-006170 TOTALS							60.00
01-011014	JUAN JOSE MORA	I-0991	01 512-0101	OFFICE SUPPLI:	EMBROIDER LOGO ON 3	144333	21.00
VENDOR 01-011014 TOTALS							21.00
01-015010	OFFICE DEPOT	I-303380340001	01 512-0101	OFFICE SUPPLI:	FLDRS, LABES, BINDER	144340	56.11
VENDOR 01-015010 TOTALS							56.11
01-016600	PT ISABEL/SO PADRE PRE I-031419		01 512-0540	ADVERTISING :	DISPLAY AD: ORD 19-0	144297	120.00
01-016600	PT ISABEL/SO PADRE PRE I-31419		01 512-0540	ADVERTISING :	DISPLAY AD: ORDINANC	144297	120.00
VENDOR 01-016600 TOTALS							240.00

DEPARTMENT 512 CITY MANAGERS OFFICE TOTAL: 377.11

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PAGE: 4

VENDOR SET: 01 City of South Padre Islan

BANK: OPER

FUND : 01 GENERAL FUND

DEPARTMENT: 514 PLANNING DEPARTMENT

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-016600	PT ISABEL/SO PADRE PRE	I-3142019	01 514-0540	ADVERTISING	: DISPLAY AD: PLANNING	144297	150.00
VENDOR 01-016600 TOTALS							150.00
DEPARTMENT 514 PLANNING DEPARTMENT TOTAL:							150.00

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 5

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 01 GENERAL FUND

DEPARTMENT: 515 TECHNOLOGY DEPARTMENT

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-004089	DEPT OF INFO RESOURCES	I-19030601N	01 515-0501	COMMUNICATION: TEX-AN CHARGES MARCH	000203		9.38
VENDOR 01-004089 TOTALS							9.38
01-019140	MITEL	I-31171886-1	01 515-0501	COMMUNICATION: VOIP PHONE SERVICES	144299		3,046.99
VENDOR 01-019140 TOTALS							3,046.99
01-019502	AT&T	I-040319	01 515-0501	COMMUNICATION: 7612424	144303		1,025.96
01-019502	AT&T	I-040319	01 515-0501	COMMUNICATION: 761-2819	144303		151.36
01-019502	AT&T	I-040319	01 515-0501	COMMUNICATION: 761-2792	144303		39.06
VENDOR 01-019502 TOTALS							1,216.38
01-020185	TIME WARNER CABLE	I-0024491031819	01 515-0415	SERVICE CONTR: SERVICE 3/28-4/27/19	144346		1,233.01
VENDOR 01-020185 TOTALS							1,233.01
DEPARTMENT 515 TECHNOLOGY DEPARTMENT TOTAL:							5,505.76

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 6

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 01 GENERAL FUND

DEPARTMENT: 516 HUMAN RESOURCES

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-004048	DEER OAKS EAP SERVICES	I-COSPI19-04	01 516-0530	PROFESSIONAL	: APRIL 2019 EAP SERVI	144322	139.50
VENDOR 01-004048 TOTALS							139.50
01-004090	WENDI DELGADO	I-031419	01 516-0550	TRAVEL EXPENS:	PER DIEM	000198	78.00
01-004090	WENDI DELGADO	I-031419	01 516-0550	TRAVEL EXPENS:	MILEAGE	000198	389.76
VENDOR 01-004090 TOTALS							467.76
01-015010	OFFICE DEPOT	I-304663569001	01 516-0101	OFFICE SUPPLI:	WITE OUT, DUSTER, PO	144340	42.75
VENDOR 01-015010 TOTALS							42.75
01-018127	RGV HR CONSORTIUM	I-RGVHRC-2019	01 516-0551	DUES & MEMBER:	MEMBERSHIP DUES 2019	144298	200.00
VENDOR 01-018127 TOTALS							200.00
01-018524	WENDY SALDANA	I-041119	01 516-0550	TRAVEL EXPENS:	MILEAGE REIMBURSEMEN	000200	45.47
VENDOR 01-018524 TOTALS							45.47
01-020235	TEXAS ALCOHOL & DRUG T	I-164432	01 516-0530	PROFESSIONAL	: MOBIL COLLECTION CHA	144347	308.40
VENDOR 01-020235 TOTALS							308.40

DEPARTMENT 516 HUMAN RESOURCES TOTAL: 1,203.88

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 7

VENDOR SET: 01 City of South Padre Islan

BANK: OPER

FUND : 01 GENERAL FUND

DEPARTMENT: 520 MUNICIPAL COURT

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-013410	MUNICIPAL SERVICES BUR I-734332		01 520-0531	WARRANT COLLE: FEB MUNICIPAL COURT		144294	3,159.25
VENDOR 01-013410 TOTALS							3,159.25
DEPARTMENT 520 MUNICIPAL COURT TOTAL:							3,159.25

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PAGE: 8

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 01 GENERAL FUND

DEPARTMENT: 521 POLICE DEPARTMENT

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-020231	TEXAS POLICE CHIEFS AS I-41919		01 521-0415	SERVICE CONTR: 2015 ANNUAL FEE FOR		144307	1,200.00
						VENDOR 01-020231 TOTALS	1,200.00
01-023058	WHATABURGER	I-12001701	01 521-0571	FOOD FOR PRIS: PRISONER MEALS		144351	9.28
01-023058	WHATABURGER	I-12001861	01 521-0571	FOOD FOR PRIS: PRISONER MEALS		144351	9.28
						VENDOR 01-023058 TOTALS	18.56
01-1	HOLIDAY INN SAN MARCOS I-541219		01 521-0550	TRAVEL EXPENS: HOLIDAY INN SAN MARC		144312	466.90
						VENDOR 01-1 TOTALS	466.90
DEPARTMENT 521 POLICE DEPARTMENT TOTAL:							1,685.46

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REGULAR DEPARTMENT PAYMENT REPORT

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VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 01 GENERAL FUND

DEPARTMENT: 522 FIRE DEPARTMENT

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-003444	CITIBANK	I-40319	01 522-0130	WEARING APPAR: TAX CREDIT		144319	8.25-
						VENDOR 01-003444 TOTALS	8.25-
01-007600	GULF COAST PAPER CO. I	I-1659014	01 522-0160	LAUNDRY & JAN: 2-CS M/F TOWELS	FI 144331		42.28
						VENDOR 01-007600 TOTALS	42.28
01-013506	METRO FIRE APPARATUS S	I-137057-1	01 522-0117	SAFETY SUPPLI: Helmets/		144338	590.00
						VENDOR 01-013506 TOTALS	590.00
DEPARTMENT 522 FIRE DEPARTMENT						TOTAL:	624.03

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 10

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 01 GENERAL FUND

DEPARTMENT: 532 HEALTH/CODE ENFORCEMENT

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-002861	JOE LEE BRYANT	I-331	01 532-0545	LOT MOWING	: MOWING ETC @ 113 E.	144317	80.00
VENDOR 01-002861 TOTALS							80.00
01-008133	MIGUEL ANGEL HERNANDEZ	I-01-29-19	01 532-0545	LOT MOWING	: MOWING @ 5703 LAGUNA	000194	30.00
01-008133	MIGUEL ANGEL HERNANDEZ	I-04-19	01 532-0545	LOT MOWING	: MOWING AND POSTS 121	000194	350.00
VENDOR 01-008133 TOTALS							380.00
01-020008	TEXAS ANIMAL CONTROL A	I-011119	01 532-0551	DUES & MEMBER:	TACA MEMBERSHIP RENE	144343	200.00
VENDOR 01-020008 TOTALS							200.00
01-020079	KEEP TEXAS BEAUTIFUL	I-41619	01 532-0513	TRAINING EXPE:	2019 KTB ANNUAL CONF	144345	420.00
VENDOR 01-020079 TOTALS							420.00

DEPARTMENT 532 HEALTH/CODE ENFORCEMENT TOTAL: 1,080.00

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BANK: OPER

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L	ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-012091	CINTAS UNIFORM	I-4020083646	01	540-0130	WEARING APPAR: UNIFORMS		144292	17.77
01-012091	CINTAS UNIFORM	I-4020515430	01	540-0130	WEARING APPAR: UNIFORMS, FLEET MAIN		144335	17.77
							VENDOR 01-012091 TOTALS	35.54
					DEPARTMENT 540	FLEET MANAGEMENT	TOTAL:	35.54

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 12

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 01 GENERAL FUND

DEPARTMENT: 541 BUILDING MAINTENANCE

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-007120	HELGESON PLUMBING, LLC	I-12306	01 541-0427	PLUMBING	: UNPLUG MAIN SEWER LI	144330	189.00
VENDOR 01-007120 TOTALS							189.00
01-009832	JOHNSON CONTROL INC.	I-1-83636060716	01 541-0410	MACHINERY & E	REPLACEMENT OF 6 IN.	144288	2,250.00
VENDOR 01-009832 TOTALS							2,250.00
01-012091	CINTAS UNIFORM	I-4020083646	01 541-0160	LAUNDRY & JAN:	UNIFORMS, MATS, MOPS	144292	193.92
01-012091	CINTAS UNIFORM	I-4020083646	01 541-0130	WEARING APPAR:	UNIFORMS	144292	17.77
01-012091	CINTAS UNIFORM	I-4020515430	01 541-0160	LAUNDRY & JAN:	MATS, MOPS, ETC	144335	193.92
01-012091	CINTAS UNIFORM	I-4020515430	01 541-0130	WEARING APPAR:	UNIFORMS FACILITY MA	144335	17.77
VENDOR 01-012091 TOTALS							423.38
01-020016	TERMINIX	I-384987953	01 541-0415	SERVICE CONTR:	PEST CONTROL 106 W R	144344	146.00
01-020016	TERMINIX	I-384989033	01 541-0415	SERVICE CONTR:	PEST CONTROL 4501 PA	144344	50.00
VENDOR 01-020016 TOTALS							196.00
DEPARTMENT 541 BUILDING MAINTENANCE						TOTAL:	3,058.38

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 13

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 01 GENERAL FUND

DEPARTMENT: 543 PUBLIC WORKS DEPARTMENT

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-001328	AMIGO IMPLEMENT COMPAN	I-13946W	01 543-0412	LANDSCAPE	: CORE AERATOR/GREENSC	144316	1,780.00
VENDOR 01-001328 TOTALS							1,780.00
01-003444	CITIBANK	I-40319	01 543-0416	STREETS & RIG:	TAX CREDIT ZERO TOOL	144319	13.09-
VENDOR 01-003444 TOTALS							13.09-
01-003704	CAMERON COUNTY	I-041819-1	01 543-0432	CAUSEWAY LIGH:	REPAIR/MAINT CAUSEWA	144321	5,943.06
01-003704	CAMERON COUNTY	I-41819	01 543-0432	CAUSEWAY LIGH:	CAUSEWAY LTNG 3/6-4/	144321	144.41
VENDOR 01-003704 TOTALS							6,087.47
01-006157	FRONTERA MATERIALS, IN	I-2192129	01 543-0416	STREETS & RIG:	14 TONS ASPHALT/COLD	144327	1,768.62
VENDOR 01-006157 TOTALS							1,768.62
01-006181	FOX MECHANICAL	I-7086	01 543-0411	BUILDINGS & S:	INSTALLATION OF CHIL	144283	1,762.50
01-006181	FOX MECHANICAL	I-7181	01 543-0411	BUILDINGS & S:	REPLACED COMPRESSOR	144283	475.00
VENDOR 01-006181 TOTALS							2,237.50
01-011117	KINNEY BONDED WAREHOUS	I-412914-00	01 543-0412	LANDSCAPE	: 7- LANDSCAPE PLANT F	144291	474.81
VENDOR 01-011117 TOTALS							474.81
01-012091	CINTAS UNIFORM	I-4020083646	01 543-0130	WEARING APPAR:	UNIFORMS	144292	158.44
01-012091	CINTAS UNIFORM	I-4020515430	01 543-0130	WEARING APPAR:	UNIFORMS, PULBIC WOR	144335	158.44
VENDOR 01-012091 TOTALS							316.88

DEPARTMENT 543 PUBLIC WORKS DEPARTMENT TOTAL: 12,652.19

VENDOR SET: 01 City of South Padre Islan

BANK: OPER

FUND : 01 GENERAL FUND

DEPARTMENT: 570 GENERAL SERVICES

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
=====							
01-012071	LAGUNA MADRE WATER DIS	I-040819-01	01 570-0581	WATER, SEWER, :	80 FT E. NEW CAUSEWA	000195	1,225.17
01-012071	LAGUNA MADRE WATER DIS	I-040819-04	01 570-0581	WATER, SEWER, :	904 PADRE BLVD MDN I	000195	24.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-05	01 570-0581	WATER, SEWER, :	1313 PADRE BLVD MDN	000195	24.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-06	01 570-0581	WATER, SEWER, :	911 PADRE BLVD MDN I	000195	28.06
01-012071	LAGUNA MADRE WATER DIS	I-040819-07	01 570-0581	WATER, SEWER, :	1201 PADRE BLVD MDN	000195	22.21
01-012071	LAGUNA MADRE WATER DIS	I-040819-08	01 570-0581	WATER, SEWER, :	1612 PADRE BLVD MDN	000195	24.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-09	01 570-0581	WATER, SEWER, :	2000 PADRE BLVD MDN	000195	40.54
01-012071	LAGUNA MADRE WATER DIS	I-040819-10	01 570-0581	WATER, SEWER, :	2412 PADRE BLVD MDN	000195	23.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-11	01 570-0581	WATER, SEWER, :	2700 PADRE BLVD MDN	000195	24.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-12	01 570-0581	WATER, SEWER, :	3000 PADRE BLVD MDN	000195	24.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-13	01 570-0581	WATER, SEWER, :	CRN PADRE & TARPON I	000195	24.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-14	01 570-0581	WATER, SEWER, :	1400 PADRE BLVD MDN	000195	24.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-15	01 570-0581	WATER, SEWER, :	1612 GULF BLVD IRR	000195	13.19
01-012071	LAGUNA MADRE WATER DIS	I-040819-16	01 570-0581	WATER, SEWER, :	1800 GULF BLVD	000195	107.09
01-012071	LAGUNA MADRE WATER DIS	I-040819-17	01 570-0581	WATER, SEWER, :	2414 GULF BLVD IRR	000195	13.19
01-012071	LAGUNA MADRE WATER DIS	I-040819-18	01 570-0581	WATER, SEWER, :	CRN SW GULF & MARLIN	000195	95.42
01-012071	LAGUNA MADRE WATER DIS	I-040819-19	01 570-0581	WATER, SEWER, :	2712 PADRE BLVD IRR	000195	13.19
01-012071	LAGUNA MADRE WATER DIS	I-040819-20	01 570-0581	WATER, SEWER, :	CRN W GULF & RED SNA	000195	24.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-21	01 570-0581	WATER, SEWER, :	3108 PADRE BLVD MDN	000195	24.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-22	01 570-0581	WATER, SEWER, :	3204 PADRE BLVD MDN	000195	24.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-23	01 570-0581	WATER, SEWER, :	3408 PADRE BLVD MDN	000195	24.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-24	01 570-0581	WATER, SEWER, :	3402 GULF BLVD -ACCE	000195	99.37
01-012071	LAGUNA MADRE WATER DIS	I-040819-25	01 570-0581	WATER, SEWER, :	3704 PADRE BLVD MDN	000195	24.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-26	01 570-0581	WATER, SEWER, :	13 B/A MOONLIGHT CIR	000195	62.13
01-012071	LAGUNA MADRE WATER DIS	I-040819-28	01 570-0581	WATER, SEWER, :	106 W. RETMA ST F/L	000195	50.25
01-012071	LAGUNA MADRE WATER DIS	I-040819-29	01 570-0581	WATER, SEWER, :	106 W. RETAMA ST	000195	400.53
01-012071	LAGUNA MADRE WATER DIS	I-040819-30	01 570-0581	WATER, SEWER, :	CRN NW GULF & CAPRIC	000195	101.10
01-012071	LAGUNA MADRE WATER DIS	I-040819-31	01 570-0581	WATER, SEWER, :	5222 GULF BLVD IRR	000195	13.19
01-012071	LAGUNA MADRE WATER DIS	I-040819-32	01 570-0581	WATER, SEWER, :	110 E MORNINGSIDE DR	000195	212.06
01-012071	LAGUNA MADRE WATER DIS	I-040819-33	01 570-0581	WATER, SEWER, :	5418 GULF BLVD -BEAC	000195	17.43
01-012071	LAGUNA MADRE WATER DIS	I-040819-34	01 570-0581	WATER, SEWER, :	S SIDE OF CORONADO &	000195	50.85
01-012071	LAGUNA MADRE WATER DIS	I-040819-35	01 570-0581	WATER, SEWER, :	6100 PADRE BLVD	000195	51.13
01-012071	LAGUNA MADRE WATER DIS	I-040819-36	01 570-0581	WATER, SEWER, :	6100 PADRE BLVD IRR	000195	134.11
01-012071	LAGUNA MADRE WATER DIS	I-040819-39	01 570-0581	WATER, SEWER, :	108 W HUISACHE ST	000195	53.21
01-012071	LAGUNA MADRE WATER DIS	I-040819-40	01 570-0581	WATER, SEWER, :	3900 PADRE BLVD MDN	000195	24.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-41	01 570-0581	WATER, SEWER, :	4400 PADRE BLVD MDN	000195	24.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-42	01 570-0581	WATER, SEWER, :	4900 PADRE BLVD MDN	000195	161.43
01-012071	LAGUNA MADRE WATER DIS	I-040819-43	01 570-0581	WATER, SEWER, :	4380 GULF BLVD IRR	000195	46.66
01-012071	LAGUNA MADRE WATER DIS	I-040819-44	01 570-0581	WATER, SEWER, :	4501 PADRE BLVD	000195	127.44
01-012071	LAGUNA MADRE WATER DIS	I-040819-45	01 570-0581	WATER, SEWER, :	4501 PADRE BLVD	000195	117.52
01-012071	LAGUNA MADRE WATER DIS	I-040819-46	01 570-0581	WATER, SEWER, :	4501 PADRE BLVD	000195	51.13
01-012071	LAGUNA MADRE WATER DIS	I-040819-47	01 570-0581	WATER, SEWER, :	4501 PADRE BLVD	000195	298.46
01-012071	LAGUNA MADRE WATER DIS	I-040819-48	01 570-0581	WATER, SEWER, :	4601 PADRE BLVD F/L	000195	50.25
01-012071	LAGUNA MADRE WATER DIS	I-040819-49	01 570-0581	WATER, SEWER, :	4601 PADRE BLVD	000195	597.90
01-012071	LAGUNA MADRE WATER DIS	I-040819-50	01 570-0581	WATER, SEWER, :	4818 GULF BLVD BEACH	000195	13.19
01-012071	LAGUNA MADRE WATER DIS	I-040819-51	01 570-0581	WATER, SEWER, :	5404 PADRE BLVD -MD	000195	24.80

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 15

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 01 GENERAL FUND

DEPARTMENT: 570 GENERAL SERVICES

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L	ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-012071	LAGUNA MADRE WATER DIS	I-040819-52	01	570-0581	WATER, SEWER, :	6001 PADRE BLVD -MDN	000195	24.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-53	01	570-0581	WATER, SEWER, :	6410 PADRE BLVD MDN	000195	24.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-54	01	570-0581	WATER, SEWER, :	6900 PADRE BLVD MDN	000195	24.80
01-012071	LAGUNA MADRE WATER DIS	I-040819-55	01	570-0581	WATER, SEWER, :	W SATURN & PADRE	000195	111.62
VENDOR 01-012071 TOTALS								4,849.22
01-013404	MOUNTAIN GLACIER, LLC	I-0301156977	01	570-0581	WATER, SEWER, :	BOTTLED WATER DEL. C	144337	85.50
01-013404	MOUNTAIN GLACIER, LLC	I-0301156983	01	570-0581	WATER, SEWER, :	BOTTLED WATER DEL. P	144337	31.50
VENDOR 01-013404 TOTALS								117.00
01-015010	OFFICE DEPOT	I-304663569001	01	570-0101	OFFICE SUPPLI:	WITE OUT, DUSTER, PO	144340	15.56
VENDOR 01-015010 TOTALS								15.56
01-016304	PITNEY BOWES	I-040319	01	570-0108	POSTAGE	: POSTAGE METER REFILL	144341	1,386.99
VENDOR 01-016304 TOTALS								1,386.99
01-023168	WRIGHT NATIONAL FLOOD	I-41319	01	570-9053	FLOOD INSURAN:	FLOOD INSURANCE 104	144354	2,393.28
VENDOR 01-023168 TOTALS								2,393.28
01-023900	XEROX CORPORATION	I-096506835	01	570-0510	RENTAL OF EQU:	ADM. COPIER/PRINTER	144311	965.72
01-023900	XEROX CORPORATION	I-096506838	01	570-0510	RENTAL OF EQU:	COPIER/PRINTER LEASE	144311	467.03
01-023900	XEROX CORPORATION	I-096506840	01	570-0510	RENTAL OF EQU:	COPIER LEASE PUB. WR	144311	1,021.00
01-023900	XEROX CORPORATION	I-096506841	01	570-0510	RENTAL OF EQU:	COPIER/ PD BOOKING A	144311	391.08
01-023900	XEROX CORPORATION	I-723169462	01	570-0510	RENTAL OF EQU:	COPIER/PRINTER PD -C	144311	905.00
VENDOR 01-023900 TOTALS								3,749.83

DEPARTMENT 570 GENERAL SERVICES TOTAL: 12,511.88

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 16

VENDOR SET: 01 City of South Padre Islan

BANK: OPER

FUND : 01 GENERAL FUND

DEPARTMENT: 572 SPECIAL PROJECTS

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-003073	CAMERON COUNTY	I-41619	01 572-0530	PROFESSIONAL :	FEASIBILITY STUDY	144276	26,000.00
VENDOR 01-003073 TOTALS							26,000.00
01-003913	CRUISE & PORT ADVISORS I-SPI011		01 572-0530	PROFESSIONAL :	CRUISE DEVELOPMENT	000202	5,000.00
VENDOR 01-003913 TOTALS							5,000.00
01-019342	ANGELIQUE SOTO	I-040819	01 572-9045	SPRING BREAK :	REIMBURSE PURCHASE O	000201	304.10
VENDOR 01-019342 TOTALS							304.10
DEPARTMENT 572 SPECIAL PROJECTS						TOTAL:	31,304.10
VENDOR SET 01 GENERAL FUND						TOTAL:	169,943.45

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 17

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 02 HOTEL/MOTEL TAX FUND

DEPARTMENT: N/A NON-DEPARTMENTAL

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-022252	VISA, U.S.A. INC.	C-00425419-2	02 2428	OTHER PAYABLE: CORRECTION		144350	35.00-
01-022252	VISA, U.S.A. INC.	C-022419	02 2428	OTHER PAYABLE: CORRECTION		144350	35.00-
01-022252	VISA, U.S.A. INC.	C-042419-C	02 2428	OTHER PAYABLE: CORRECTION		144350	35.00-
01-022252	VISA, U.S.A. INC.	I-042419	02 2428	OTHER PAYABLE: STOP PAYMENT FEE CK#	144350		35.00
01-022252	VISA, U.S.A. INC.	I-042419-C1	02 2428	OTHER PAYABLE: CORRECTION		144350	35.00

VENDOR 01-022252 TOTALS 35.00-

DEPARTMENT NON-DEPARTMENTAL TOTAL: 35.00-

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 18

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 02 HOTEL/MOTEL TAX FUND

DEPARTMENT: 550 VISITORS BUREAU

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-001239	JESUS ALVARADO	I-41919	02 590-1001	BUILDINGS & S:	CARPET INSTALL	144315	700.00
						VENDOR 01-001239 TOTALS	700.00
01-002893	BUGWORKS TERMITE & PES I-75997		02 590-0415	SERVICE CONTR:	PEST CONTROL VC	144274	49.16
						VENDOR 01-002893 TOTALS	49.16
01-004006	DEROUSIE, LILIA	I-040819	02 590-0550	TRAVEL EXPENS:	MILEAGE REIMBURSE HR	144279	38.56
						VENDOR 01-004006 TOTALS	38.56
01-004032	YOLANDA DAVILA	I-040819	02 590-0550	TRAVEL EXPENS:	MILEAGE AND GRND TRA	144280	50.25
						VENDOR 01-004032 TOTALS	50.25
01-004089	DEPT OF INFO RESOURCES I-19030601N		02 590-0501	COMMUNICATION:	TEX-AN CHARGES MARCH	000203	5.17
						VENDOR 01-004089 TOTALS	5.17
01-007007	ABEL GONZALES	I-041619	02 590-1001	BUILDINGS & S:	CONCRETE SLAB VC	000204	3,900.00
						VENDOR 01-007007 TOTALS	3,900.00
01-009970	JUAN DELGADILLO JR.	I-09719	02 590-0411	BUILDINGS & S:	MISC. REPAIRS ON EXT	144332	195.00
01-009970	JUAN DELGADILLO JR.	I-09720	02 590-1001	BUILDINGS & S:	REPLACE SWITCH OUTLE	144332	500.00
						VENDOR 01-009970 TOTALS	695.00
01-012071	LAGUNA MADRE WATER DIS I-040819-02		02 590-0581	WATER,SEWER &:	600 PADRE BLVD	000195	51.13
01-012071	LAGUNA MADRE WATER DIS I-040819-03		02 590-0581	WATER,SEWER &:	600 PADRE BLVD	000195	131.45
						VENDOR 01-012071 TOTALS	182.58
01-019140	MITEL	I-31171886	02 590-0501	COMMUNICATION:	VOIP PHONE SERV. MAY	144299	181.83
						VENDOR 01-019140 TOTALS	181.83

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 19

VENDOR SET: 01 City of South Padre Islan

BANK: OPER

FUND : 02 HOTEL/MOTEL TAX FUND

DEPARTMENT: 590 VISITORS BUREAU

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L	ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-021095	UNITED PARCEL SERVICE	I-0000648239149-1	02	590-0108	POSTAGE	: SHIPPING CHARGES	144310	29.00
01-021095	UNITED PARCEL SERVICE	I-000648239159-1	02	590-0108	POSTAGE	: SERVICE CHARGES	144349	29.00
							VENDOR 01-021095 TOTALS	58.00
01-023168	WRIGHT NATIONAL FLOOD	I-40719	02	590-0520	INSURANCE	: FLOOD INS. 610 PADRE	144353	2,229.00
							VENDOR 01-023168 TOTALS	2,229.00
DEPARTMENT 590 VISITORS BUREAU							TOTAL:	8,089.55

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 02 HOTEL/MOTEL TAX FUND

DEPARTMENT: 592 SALES & ADMINISTRATION

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-002882	BLIZZARD INTERNET MARK	I-2019-37590	02 592-0415	SERVICE CONTR:	BOOKING ENGINE FOR W	144318	3,038.00
						VENDOR 01-002882 TOTALS	3,038.00
01-003444	CITIBANK	I-40319	02 592-0551	DUES & MEMBER:	NASC CREDIT	144319	0.10-
01-003444	CITIBANK	I-40319	02 592-0550	TRAVEL EXPENS:	GAYLORD HOTEL	144319	299.00-
						VENDOR 01-003444 TOTALS	299.10-
01-004085	DELL	I-10304799318	02 592-0180	INFORMATION T:	CVB PC'S	144323	3,077.07
						VENDOR 01-004085 TOTALS	3,077.07
01-004089	DEPT OF INFO RESOURCES	I-19030601N	02 592-0501	COMMUNICATION:	TEX-AN CHARGES MARCH	000203	44.74
						VENDOR 01-004089 TOTALS	44.74
01-006170	MICHAEL FLORES	I-031819	02 592-0550	TRAVEL EXPENS:	PER DIEM HOUSTON TEX	000207	90.00
01-006170	MICHAEL FLORES	I-41619	02 592-0550	TRAVEL EXPENS:	PER DIEM: AUSTIN TRI	000199	60.00
						VENDOR 01-006170 TOTALS	150.00
01-018164	EUGENE RIOS	I-40119	02 592-0550	TRAVEL EXPENS:	DALLAS TRIP 4/28 -30	000209	162.00
01-018164	EUGENE RIOS	I-41919	02 592-0550	TRAVEL EXPENS:	MILEAGE REIMBURSEMEN	000209	698.90
						VENDOR 01-018164 TOTALS	860.90
01-019140	MITEL	I-31171886	02 592-0501	COMMUNICATION:	VOIP PHONE SERV. MAY	144299	157.93
						VENDOR 01-019140 TOTALS	157.93
01-019198	SHI-GOVERNMENT SOLUTIO	I-GB00320795	02 592-0180	INFORMATION T:	CVB DIR. LAPTOP EQUI	144301	650.92
						VENDOR 01-019198 TOTALS	650.92
01-020104	SCOTT MCGEHEE	I-247-19	02 592-0108	POSTAGE	: VISITOR FULLFILLMENT	144306	5,058.78
01-020104	SCOTT MCGEHEE	I-248-19	02 592-0108	POSTAGE	: VISITOR FULLFILLMENT	144306	399.80
						VENDOR 01-020104 TOTALS	5,458.58

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 21

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 02 HOTEL/MOTEL TAX FUND

DEPARTMENT: 592 SALES & ADMINISTRATION

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-020602	TOUCAN GRAPHICS	I-26391	02 592-0101	OFFICE SUPPLI:	1500 BUS. CARDS, ED	144348	88.00
01-020602	TOUCAN GRAPHICS	I-26503	02 592-0101	OFFICE SUPPLI:	500 BUSINESS CARDS M	144308	39.00
01-020602	TOUCAN GRAPHICS	I-26559	02 592-0538	CONVENTION SE:	100 USLA FLYERS STD	144348	98.00
VENDOR 01-020602 TOTALS							225.00
01-021093	EDWARD L. CAUM	I-32119	02 592-0550	TRAVEL EXPENS:	PER DIEM: AMARILLO	000210	150.00
VENDOR 01-021093 TOTALS							150.00

DEPARTMENT 592 SALES & ADMINISTRATION TOTAL: 13,514.04

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 22

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 02 HOTEL/MOTEL TAX FUND

DEPARTMENT: 593 EVENTS MARKETING

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-020064	T.I.F.T.	I-1849	02 593-8099	MISC. SPONSOR:	TIFT 2019	144305	18,750.00
VENDOR 01-020064 TOTALS							18,750.00
01-020602	TOUCAN GRAPHICS	I-26527	02 593-8060	ENTRANCE SIGN:	1- 15 X 3 MESH BANNER	144348	210.00
01-020602	TOUCAN GRAPHICS	I-26587	02 593-0101	OFFICE SUPPLI:	ENGRAVED NAME PLATES	144348	80.73
VENDOR 01-020602 TOTALS							290.73
DEPARTMENT 593 EVENTS MARKETING TOTAL:							19,040.73

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 23

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 02 HOTEL/MOTEL TAX FUND

DEPARTMENT: 594 MARKETING

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-001344	THE ATKINS GROUP	I-INV-14062	02 594-0559	CONTENT DEVEL:	WEBSITE MAINT & DIGI	000193	4,716.62
01-001344	THE ATKINS GROUP	I-INV-14097	02 594-0537	PRODUCTION/CO:	CREATIVE & CONTENT S	000193	2,637.50
01-001344	THE ATKINS GROUP	I-INV-14098	02 594-0530	PROFESSIONAL :	2018/2019 ACCOUNT SE	000193	13,500.00
01-001344	THE ATKINS GROUP	I-INV-14099	02 594-0537	PRODUCTION/CO:	PRODUCTION & EDITING	000193	6,920.68
01-001344	THE ATKINS GROUP	I-INV-14100	02 594-0530	PROFESSIONAL :	2018/2019 ADVANCE AN	000193	2,066.67
01-001344	THE ATKINS GROUP	I-INV-14101	02 594-0530	PROFESSIONAL :	2018/2019 SOCIAL MED	000193	1,000.00
01-001344	THE ATKINS GROUP	I-INV-14102	02 594-0537	PRODUCTION/CO:	CREATIVE & CONTENT S	000193	19,058.75
01-001344	THE ATKINS GROUP	I-INV-14103	02 594-0537	PRODUCTION/CO:	CREATIVE & CONTENT S	000193	1,924.56
01-001344	THE ATKINS GROUP	I-INV-14105	02 594-0530	PROFESSIONAL :	2018/2019 PUBLIC REL	000193	8,000.00
01-001344	THE ATKINS GROUP	I-INV-14108	02 594-0531	MEDIA PLACEME:	2018/2019 MEDIA RESE	000193	87,019.51
01-001344	THE ATKINS GROUP	I-INV-14111	02 594-0531	MEDIA PLACEME:	SPRING BREAK PUSH 20	000193	45,791.61
						VENDOR 01-001344 TOTALS	192,635.90
01-022252	VISA, U.S.A. INC.	I-190100-04550-A	02 594-0530	PROFESSIONAL :	V V T TOURISM SPENDI	144350	38,000.00
						VENDOR 01-022252 TOTALS	38,000.00
DEPARTMENT 594 MARKETING						TOTAL:	230,635.90
VENDOR SET 02 HOTEL/MOTEL TAX FUND						TOTAL:	271,245.22

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 06 CONVENTION CENTER FUND

DEPARTMENT: 565 CONVENTION CENTER OPER

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-001129	A & W OFFICE SUPPLY IN	I-632389-0	06 565-0401	FURNITURE & F:	CVB DIRECTOR TABLE	144272	698.00
VENDOR 01-001129 TOTALS							698.00
01-003418	JAMES R. MATTHEWS	I-0419-1	06 565-0411	BUILDING & ST:	CONTROL PANEL AND CH	144277	2,900.00
VENDOR 01-003418 TOTALS							2,900.00
01-004283	ECOLAB INC.	I-3161414	06 565-0415	SERVICE CONTR:	DISHMACHINEREN 3/14-	144324	167.29
VENDOR 01-004283 TOTALS							167.29
01-005512	EXPRESS SERVICES, INC.	I-22159115	06 565-0530	PROFESSIONAL :	TEMP.,LABOR CVB APRI	144281	722.24
01-005512	EXPRESS SERVICES, INC.	I-22191318	06 565-0530	PROFESSIONAL :	TEMP LABOR CVB APRIL	144325	512.82
VENDOR 01-005512 TOTALS							1,235.06
01-007600	GULF COAST PAPER CO. I	I-1657808	06 565-0410	MACHINERY & E:	1 IWSH STATION CVB	144286	282.56
01-007600	GULF COAST PAPER CO. I	I-1659019	06 565-0160	LAUNDRY & JAN:	MISC. JANITORIALPAPE	144286	367.08
01-007600	GULF COAST PAPER CO. I	I-1660413	06 565-0410	MACHINERY & E:	AIR BLOWERS	144331	710.84
01-007600	GULF COAST PAPER CO. I	I-1660425	06 565-0160	LAUNDRY & JAN:	1 CS TILE/GROUT CLNR	144331	28.88
01-007600	GULF COAST PAPER CO. I	I-1662463	06 565-0160	LAUNDRY & JAN:	TISSUE, TWLS, CLNRS,	144331	279.93
VENDOR 01-007600 TOTALS							1,669.29
01-008227	HINO GAS SALES, INC.	I-695942	06 565-0104	FUELS & LUBRI:	LPG FOR FORKLIFTS &	144287	204.00
VENDOR 01-008227 TOTALS							204.00
01-009970	JUAN DELGADILLO JR.	I-09716	06 565-0411	BUILDING & ST:	WIRING ROOM AT CVB &	144289	312.50
VENDOR 01-009970 TOTALS							312.50
01-011014	JUAN JOSE MORA	I-0986	06 565-0130	WEARING APPAR:	SPI LOGO EMBROIDERED	144290	35.00
VENDOR 01-011014 TOTALS							35.00
01-012071	LAGUNA MADRE WATER DIS	I-040819-37	06 565-0581	WATER, SEWER :	7355 PADRE BLVD	000195	1,703.76

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 25

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 06 CONVENTION CENTER FUND

DEPARTMENT: 565 CONVENTION CENTER OPER

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-012071	LAGUNA MADRE WATER DIS	I-040819-38	06 565-0581	WATER, SEWER :	7355 PADRE BLVD IRR	000195	1,904.51
VENDOR 01-012071 TOTALS							3,608.27
01-013404	MOUNTAIN GLACIER, LLC	I-0301155167	06 565-0103-01	CONSUMABLES :	BOTTLED WATER DEL. C	144293	42.00
VENDOR 01-013404 TOTALS							42.00
01-019140	MITEL	I-31171886	06 565-0501	COMMUNICATION:	VOIP PHONE SERV. MAY	144299	449.51
VENDOR 01-019140 TOTALS							449.51
01-019502	AT&T	I-04032019	06 565-0501	COMMUNICATION:	MONTHLY SERVICE APRI	144303	319.06
VENDOR 01-019502 TOTALS							319.06
01-021102	UNIFIRST HOLDINGS, INC	I-8412119739	06 565-0510	RENTAL OF EQU:	TABLE COVER RENTAL	000197	36.52
01-021102	UNIFIRST HOLDINGS, INC	I-8412120171	06 565-0130	WEARING APPAR:	UNIFORMS	000206	95.66
01-021102	UNIFIRST HOLDINGS, INC	I-8412120171	06 565-0160	LAUNDRY & JAN:	MATS, MOPS, ETC.	000206	122.06
01-021102	UNIFIRST HOLDINGS, INC	I-8412121082	06 565-0130	WEARING APPAR:	UNIFORMS, JANITORIAL	000206	63.18
01-021102	UNIFIRST HOLDINGS, INC	I-8412121082	06 565-0160	LAUNDRY & JAN:	UNIFORMS, JANITORIAL	000206	115.21
VENDOR 01-021102 TOTALS							432.63

DEPARTMENT 565 CONVENTION CENTER OPER TOTAL: 12,072.61

VENDOR SET 06 CONVENTION CENTER FUND TOTAL: 12,072.61

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REGULAR DEPARTMENT PAYMENT REPORT

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VENDOR SET: 01 City of South Padre Islan

BANK: OPER

FUND : 09 PARKS, REC & BEAUTIF

DEPARTMENT: 572 GENERAL SERVICES

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
=====							
01-001129	A & W OFFICE SUPPLY IN I-633151-0		09 572-0101	OFFICE SUPPLI:	BINDERS, HOLE PUNCH	144314	177.40
							=====
						VENDOR 01-001129 TOTALS	177.40
DEPARTMENT 572 GENERAL SERVICES						TOTAL:	177.40

VENDOR SET 09 PARKS, REC & BEAUTIF						TOTAL:	177.40

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 27

VENDOR SET: 01 City of South Padre Islan

BANK: OPER

FUND : 21 MUN. COURT TECHNOLOGY

DEPARTMENT: 520 MUN COURT TECHNOLOGY

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-023900	XEROX CORPORATION	I-096506844	21 520-0510	RENTAL OF EQU:	PRINTER/COPIER LEASE	144355	377.59
VENDOR 01-023900 TOTALS							377.59
DEPARTMENT 520 MUN COURT TECHNOLOGY TOTAL:							377.59
VENDOR SET 21 MUN. COURT TECHNOLOGY TOTAL:							377.59

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 30 TRANSPORTATION

DEPARTMENT: 591 SPI METRO

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-001006	GREGORY D. ALEXANDER	I-666693	30 591-0420	MOTOR VEHICLE: BRAKE CALIPER UNIT 3	144270	119.56	
01-001006	GREGORY D. ALEXANDER	I-667290	30 591-0150	MINOR TOOLS &: AIR HOSE	144270	47.20	
01-001006	GREGORY D. ALEXANDER	I-667478	30 591-0420	MOTOR VEHICLE: LUBE, COUPLER, PLUG	144270	24.75	
01-001006	GREGORY D. ALEXANDER	I-667570	30 591-0420	MOTOR VEHICLE: 2- A/TRANS FILTER KI	144313	118.38	
VENDOR 01-001006 TOTALS						309.89	
01-001123	ADVANCE AUTO PARTS	I-6426907964226	30 591-0420	MOTOR VEHICLE: 36 OIL FILTERS, BRK	144271	164.82	
01-001123	ADVANCE AUTO PARTS	I-6426909164515	30 591-0420	MOTOR VEHICLE: OIL SEAL, BRNG, CALI	144271	318.79	
VENDOR 01-001123 TOTALS						483.61	
01-001129	A & W OFFICE SUPPLY IN	I-632859-0	30 591-0160	LAUNDRY & JAN: TISSUE, TOWELS, ETC.	144272	360.36	
01-001129	A & W OFFICE SUPPLY IN	I-632859-0	30 591-0101	OFFICE SUPPLI: TISSUE, TOWELS, ETC.	144272	102.70	
VENDOR 01-001129 TOTALS						463.06	
01-006185	ALEX FLORES	I-584201-001	30 591-0420	MOTOR VEHICLE: WASHED 6 BUSES #37-4	144329	240.00	
01-006185	ALEX FLORES	I-584202-002	30 591-0420	MOTOR VEHICLE: 7 BUSES WASHED #37-4	144329	280.00	
01-006185	ALEX FLORES	I-584203-003	30 591-0420	MOTOR VEHICLE: 7 BUSES WASHED: 37-4	144329	280.00	
VENDOR 01-006185 TOTALS						800.00	
01-012071	LAGUNA MADRE WATER DIS	I-040819-27	30 591-0581	WTR/SWR/GARBA: 3401 PADRE BLVD TRAN	000195	67.22	
01-012071	LAGUNA MADRE WATER DIS	I-040819-49	30 591-0581	WTR/SWR/GARBA: 4601 PADRE BLVD	000195	66.44	
01-012071	LAGUNA MADRE WATER DIS	I-040819-56	30 591-0581	WTR/SWR/GARBA: 330 PADRE BLVD TRANS	000195	111.62	
VENDOR 01-012071 TOTALS						245.28	
01-012091	CINTAS UNIFORM	I-4019691173	30 591-0130	WEARING APPAR: UNIFORMS TRANSIT DRI	144335	109.21	
01-012091	CINTAS UNIFORM	I-4020083431	30 591-0130	WEARING APPAR: UNIFORMS TRANSIT DRI	144335	109.21	
VENDOR 01-012091 TOTALS						218.42	
01-014101	NOBLE TEXAS BUILDERS	I-10	30 591-1001	BUILDINGS & S: MULTI MODAL	144339	607,893.31	
01-014101	NOBLE TEXAS BUILDERS	I-11	30 591-1001	BUILDINGS & S: MULTI MODAL	144339	383,595.70	
VENDOR 01-014101 TOTALS						991,489.01	

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VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 30 TRANSPORTATION

DEPARTMENT: 591 SPI METRO

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L	ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-015012	O'REILLY AUTOMOTIVE ST	I-0597-131942	30	591-0420	MOTOR VEHICLE: 3-RESISTORS STOCK	144295		55.74
							VENDOR 01-015012 TOTALS	55.74
01-019140	MITEL	I-31171886	30	591-0501	COMMUNICATION: VOIP PHONE SERV. MAY 144299			164.73
							VENDOR 01-019140 TOTALS	164.73
01-019502	AT&T	I-332019	30	591-0501	COMMUNICATION: SERVICE FOR 4/03-5/0 144342			128.91
							VENDOR 01-019502 TOTALS	128.91
01-019897	TEENA SIMON	I-41619	30	591-0150	MINOR TOOLS & : REIMBURSE PURCHASE O 144304			379.84
							VENDOR 01-019897 TOTALS	379.84
01-020235	TEXAS ALCOHOL & DRUG T	I-164437	30	591-0528	LICENSING & T: MOBILE SCREENING, 3/ 144347			237.82
01-020235	TEXAS ALCOHOL & DRUG T	I-164438	30	591-0528	LICENSING & T: MOBILE COLLECTION SC 144347			225.30
							VENDOR 01-020235 TOTALS	463.12
01-023168	WRIGHT NATIONAL FLOOD	I-41319	30	591-0520	INSURANCE : FLOOD INSURANCE 104 144354			2,592.72
							VENDOR 01-023168 TOTALS	2,592.72
01-023900	XEROX CORPORATION	I-096506845	30	591-0150	MINOR TOOLS & : COPER LEASE TRANSIT 144311			233.16
							VENDOR 01-023900 TOTALS	233.16
DEPARTMENT 591 SPI METRO							TOTAL:	998,027.49
VENDOR SET 30 TRANSPORTATION							TOTAL:	998,027.49

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 30

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 41 PADRE BLVD IMPROVEMENT

DEPARTMENT: 562 PUBLIC WORKS

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-011149	KIMLEY-HORN & ASSOCIAT	I-0169234000-0319	41 562-0530	PROFESSIONAL :	GULF BLVD./SIDE ST.	000205	1,607.18
01-011149	KIMLEY-HORN & ASSOCIAT	I-069234000-0219	41 562-0530	PROFESSIONAL :	GULF BLVD./SIDE ST.	000205	4,269.76
VENDOR 01-011149 TOTALS							5,876.94

DEPARTMENT 562 PUBLIC WORKS TOTAL: 5,876.94

VENDOR SET 41 PADRE BLVD IMPROVEMENT TOTAL: 5,876.94

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 31

VENDOR SET: 01 City of South Padre Islan

BANK: OPER

FUND : 60 BEACH MAINTENANCE FUND

DEPARTMENT: 522 BEACH PATROL

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-007090	GODWIN & SONS SIGNS	I-41460	60 522-0420	MOTOR VEHICLE: BR-2 Decals		144285	887.50
01-007090	GODWIN & SONS SIGNS	I-41466	60 522-0420	MOTOR VEHICLE: CUT 7 APPLY LOGO AND		144285	572.68
						VENDOR 01-007090 TOTALS	1,460.18
01-016247	JIM PIGG	I-41719	60 522-0550	TRAVEL EXPENS: PER DIEM: SAN ANTONI	000208		150.00
						VENDOR 01-016247 TOTALS	150.00
DEPARTMENT 522 BEACH PATROL						TOTAL:	1,610.18

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 32

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 60 BEACH MAINTENANCE FUND

DEPARTMENT: 560 BEACH MAINTENANCE

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-003697	ANRIGE INC.	I-33891.4.32	60 560-0560	RENTAL		144278	13,482.24
01-003697	ANRIGE INC.	I-34261.2.13	60 560-0560	RENTAL	: Summer Portable Rest	144320	4,436.30
VENDOR 01-003697 TOTALS							17,918.54
01-012091	CINTAS UNIFORM	I-4019301461	60 560-0130	WEARING APPAR: UNIFORMS FOR SHORELI	144292		119.80
01-012091	CINTAS UNIFORM	I-4019691171	60 560-0130	WEARING APPAR: UNIFORMS FOR SHORELI	144292		119.80
01-012091	CINTAS UNIFORM	I-4020083468	60 560-0130	WEARING APPAR: UNIFORMS SHORELINE C	144335		119.80
01-012091	CINTAS UNIFORM	I-4020515395	60 560-0130	WEARING APPAR: UNIFORMS SHORELINE C	144335		119.80
01-012091	CINTAS UNIFORM	I-538187306	60 560-0130	WEARING APPAR: UNIFORMS FOR SHORELI	144292		119.79
VENDOR 01-012091 TOTALS							598.99
DEPARTMENT 560 BEACH MAINTENANCE TOTAL:							18,517.53
VENDOR SET 60 BEACH MAINTENANCE FUND TOTAL:							20,127.71

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 33

VENDOR SET: 01 City of South Padre Islan

BANK: OPER

FUND : 61 BEACH ACCESS FUND

DEPARTMENT: 543 PUBLIC WORKS

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-020604	GUADALUPE TORRES	I-31919	61 543-9075-01	CONSTRUCTION :	Paving Moonlight	144309	2,379.00
						VENDOR 01-020604 TOTALS	2,379.00
DEPARTMENT 543 PUBLIC WORKS						TOTAL:	2,379.00
VENDOR SET 61 BEACH ACCESS FUND						TOTAL:	2,379.00

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 34

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 65 FACILITY PREV MAINT FUND

DEPARTMENT: 572 ** INVALID DEPT **

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-023137	WILLIS DEVELOPMENT LLC	I-3-2019	65 572-1001	BUILDINGS & S:	CITY HLL & COMMUNITY	144352	22,806.71
VENDOR 01-023137 TOTALS							22,806.71

DEPARTMENT 572 ** INVALID DEPT ** TOTAL: 22,806.71

VENDOR SET 65 FACILITY PREV MAINT FUND TOTAL: 22,806.71

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 35

VENDOR SET: 01 City of South Padre Island

BANK: OPER

FUND : 80 ECONOMIC DEVELOPMENT CORP

DEPARTMENT: 580 EDC

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-006111	AIM MEDIA TEXAS OPERAT	I-40018939-0219	80 580-9178	DESIGNATED PR:	EDC:DISPLAY AD. COAS	144326	250.00
VENDOR 01-006111 TOTALS							250.00
01-006179	FRIENDS OF RGV REEF	I-0001503	80 580-9178	DESIGNATED PR:	EDC: SUMMER DEPLOYME	144328	25,000.00
VENDOR 01-006179 TOTALS							25,000.00
DEPARTMENT 580 EDC							TOTAL: 25,250.00

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REGULAR DEPARTMENT PAYMENT REPORT

PAGE: 36

VENDOR SET: 01 City of South Padre Islan

BANK: OPER

FUND : 80 ECONOMIC DEVELOPMENT CORP

DEPARTMENT: 583 BNC BUILDING FACILITY

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 4/17/2019 THRU 4/26/2019

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-011145	KONE, INC.	I-959217679	80 583-0411	BUILDINGS & S:	EDC:MAINTENANCE PROG	144334	1,219.17
VENDOR 01-011145 TOTALS							1,219.17
01-019192	SHERWIN WILLIAMS CO.	I-2722-8	80 583-0411	BUILDINGS & S:	EDC: PAINT FOR BNC E	144300	287.11
VENDOR 01-019192 TOTALS							287.11
DEPARTMENT 583 BNC BUILDING FACILITY TOTAL:							1,506.28
VENDOR SET 80 ECONOMIC DEVELOPMENT CORPTOTAL:							26,756.28
REPORT GRAND TOTAL:							1,529,790.40

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

MEETING DATE: May 1, 2019

NAME & TITLE: Debbie Huffman, Parks and Recreation Manager

DEPARTMENT: Parks and Recreation

ITEM

Approve Resolution No. 2019-19 for the temporary closure of Highway 100 and portion of the Queen Isabella Causeway Memorial Bridge for the Ride For Rotary Across The Causeway on Sunday, October 6, 2019 and authorize the Interim City Manager to sign Texas Department of Transportation agreement.

ITEM BACKGROUND

This is an annual bike race and is scheduled for Sunday, October 6, 2019. The event starts at Brownsville Event Center and ends at Louie's Backyard.

BUDGET/FINANCIAL SUMMARY

Impact on city services provided

COMPREHENSIVE PLAN GOAL

LEGAL REVIEW

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

Comments:

RECOMMENDATIONS/COMMENTS

Recommend approval.



RESOLUTION NO. 2019-19

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SOUTH PADRE ISLAND, TEXAS, APPROVING THE
TEMPORARY CLOSURE OF HIGHWAY 100 FOR THE RIDE
FOR ROTARY ACROSS THE CAUSEWAY.**

WHEREAS, the Ride For Rotary Across the Causeway, is an annual event; and

WHEREAS, the Ride For Rotary Across the Causeway brings hundreds of cycling enthusiasts and their families to South Padre Island; and

WHEREAS, the implementation of the Ride For Rotary Across the Causeway requires our consent by resolution for temporary closure of a state right-of-way;

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

Section 1. The City Council hereby adopts Resolution No. 2019-19 supporting the temporary closure of Hwy. 100 and a portion of the Queen Isabella Causeway Memorial Bridge on October 6, 2019 for this event and will provide traffic control for the temporary closure of Hwy. 100 to provide safe travel for all participants and the general public.

PASSED, APPROVED AND ADOPTED on this the 1st day of May, 2019.

CITY OF SOUTH PADRE ISLAND, TEXAS

Ken Medders, Jr., Mayor Pro-Tem

ATTEST:

Susan M. Hill, City Secretary

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Special Event Permit

City of South Padre Island
4601 Padre Blvd.
South Padre Island, TX 78597
Phone: (956) 761-8168
MMartinez@MySPI.org
SpecialEventPermit@MySPI.org
www.MySPI.org

Event Title: Ride For Rotary Across The Causeway

☐ New Event ☒ Returning Event ☐ Convention Bureau Sponsorship

Permit Applicant: Rotary Club of Historic Brownsville

This is the person organizing the event and is responsible in all ways for the event.

E-mail: hlbyr@aol.com **Phone:** (956) 490-5378

Address: 4745 Lakeway Drive, Brownsville, Tx 78520

Event Date(s): October 6, 2019

Location: Brownsville Events Center to Louie's Backyard

Times:	Set-Up	<u>9:30 AM (on the island)</u>	Start of Event	<u>7:00AM</u>
	Finish	<u>2:00PM</u>	Tear Down	<u>1:30PM</u>

☒ Location Map Attached **Estimated Attendance:** 350

Services needed from City Departments:

☐ Special Event Designation (CM) ☒ Causeway Closure (CM) ☐ Street Closure (CM)

Event Description:

Please put as much detail as possible to describe your event. How many people do you expect to attend? Please include the name of partners or performers involved in the event. (This information may not be used to determine approval of plan, but may be used to research prior events for potential risk assessment to determine public safety requirements.) This section should answer what the event is, where it will be held and how the event will operate.

This event will be a cycling event that will start at the Brownsville Events Center in Brownsville and will terminate at Louie's Backyard on the island. The initial part of the event will run from Brownsville to the Pelican Station parking lot located in Port Isabel. The riders will enter Port Isabel on Highway 100 and stage at Pelican Station until all of the riders have arrived from Brownsville. At approximately 10:30 AM, the riders will assemble as a group and then be escorted across the eastbound side of the Queen Isabella Causeway by a police unit. Once on the island, the riders will head north on Hwy 100 and make a left turn on to W. Marlin and terminate at Louie's parking lot.

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CVA Sponsorship Info: If your event is the recipient of CVB funding, please state here what they are providing for the event.

☐ Funding

☐ Marketing

Description:

Not Applicable

Police

☒ Traffic Plan ☐ Parking Plan ☒ Street or Causeway Closure ☒ Security Staffing

Security is an important part of any large gathering. As the event organizer, it is your responsibility to ensure that security is adequate for your event. Please consult the SPI Large Event Ordinance to determine the specific security requirements for your event. SPI off duty police officers can be hired for \$30 per hour, if needed. Contact LT. Herrera at (956) 761-8148 for more information. The South Padre Police Department has authority over your event safety requirements.

A parking and transportation plan is also required. If off site parking is planned, permission of the property owner must be submitted in writing with this form.

Description:

Security staffing will be required to escort the riders across the causeway and ensure their safe arrival at Louie's. Parking for the group will be in the Louie's Backyard parking lot.

Fire/EMS

☐ Fireworks/pyrotechnics ☐ Fire Marshall Inspection ☐ EMT (\$30 per hour) ☐ Lifeguards

This section is to help assess the level of fire and medical services needed for your event. You must develop and submit a medical plan for your event. The most basic plan for small events with a low medical risk is the designation of an event representative to call 9-1-1 and a representative on-site with CPR certification. Events with attendees of 1,000-3,000 + may be required to have 1 certified EMT (2 if transport is required).

Please provide the name, address, telephone number and e-mail address of the primary medical service provider. It is your responsibility to ensure that all medical support personnel, whether paid or volunteer, have the appropriate licensing, certifications, and insurance to provide services at your event. The South Padre Fire Chief or Captain have authority to require a minimum number of licensed medical providers and staff positions as well as other Fire-Rescue Department personnel necessary to support the needs of the event.

Form Number: ICDMM1

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Description:

During the course of the event the riders will be escorted by vehicles equipped with first aid supplies. However, in case of emergencies, 9-1-1 will be contacted by one of the vehicle drivers.

Environmental Health Services

☐ Temporary Food Permit ☐ Sinks ☐ Port a potties

If you intend to sell, serve, give away, or sample food or consumable products, including beverages, at a public event, you must develop a Food Proposal Plan that complies with the Texas Food Establishment Rules and approved through the SPI Environmental Health Department. Each food vendor at your event must obtain a separate Temporary Food Permit. As part of the Environmental Health Services Department's food handling permit process, you are required to include public safety features in your event plan such as hand-washing sinks and restrooms, etc.

In this section, please list the number of restrooms/port-a-potties you plan to provide to support your event. The City requires one (1) portable toilet for every 300 attendees, unless otherwise approved by the Environmental Health Director. Please identify on your attached site plan, where the restrooms will be located.

To assure hydration of your event participants. Drinking water stations should be provided, 1 station per 2,500 participants.

Description:

At various points along the ride route there will be water stations and portable toilets. However, once on the island the riders will be able to use the restrooms at Louie's.

Public Works

☐ Traffic Cones ☐ Early Set-Up (before 9 am) ☐ Trash receptacles

One 40 gallon trash can per 100 attendees is required for all special events. These receptacles should also be shown on your attached site plan. Please indicate below the plan for emptying these cans. You will want to contact Republic Services 800-423-7316 for more information on trash pick up. At the conclusion of your event, the event venue and surrounding areas must be cleaned.

If you are in need of traffic cones, this section is where you will make that request. Please indicate what assistance you will need with any route set up.

If you require trash receptacles, please indicate this information below.

Description:

All trash needs will be handled by Louie's.

Building Inspections

☐ Staging ☐ Signs/Banners ☐ Electrical/Lighting ☐ Temporary Structures/Tents

As an event organizer you are required to meet or exceed the local and state codes and regulations related to the use and distribution of electrical power. The installation and distribution of all electrical power must be completed by a State of Texas licensed electrician.

If your event includes the need for portable structures, pre-fabricated structures or site-built structures such as bleachers, elevated platforms, temporary pedestrian bridges, tent structures, inflatables, etc. you will be required to obtain a temporary building permit from the City Building Inspections Division. As a part of the building permit process, issues such as structural safety due to wind, as well as requirements for accessibility by disabled persons will be reviewed for compliance with the Code of Ordinances. Your event cannot occupy regulated structures without a final inspection of construction.

Any signage plans should be described here.

Description:

Not Applicable

Shoreline

☐ Beach Vehicle Access (permit \$30)

☐ Beach Prep/Raking (\$30 per hour)

In this section please explain your plan for any beach access or use, such as activities that may impact other beach users, dunes, vegetation or marine life, or any vehicles that may need to access the beach. Special rules, regulations and restrictions unique to the beach may apply. Public beaches cannot be reserved for the exclusive use of one group. Access to the beach by the general public must be available at all times. No open fires are allowed on any beach. Please be aware that the City of SPI works in partnership with the GLO. Vegetation and dunes must not be disturbed by any activities of a special event or it's participants. Fines may be imposed for violations.

Description:

Not Applicable

Other - any other information relevant to this event that should be shared:

Description:

Media

Please include a press release about your event to be released to the community. Include the who, what, why, and where, any admission fee and who to contact for further information or registration.

Alcohol at an event

If alcohol is served, it is the organizer's responsibility to contact the TABC and to follow all State and Federal regulations. The safety and security of the participants should be an important part of your security and safety plan and should be addressed in this application.

If your event site plan assumes a large egress or ingress of pedestrians or if access to off-site parking anticipates attendees to pass through other businesses or neighborhoods AND alcohol is being consumed at the event, then a plan to mitigate the impacts must be included.

Insurance and Indemnification

All special event permits are valid for a specified term, subject to early termination or modification in accordance with the terms and conditions set forth herein. This permit is not re-assignable. This agreement is made upon the express condition that the City, it's officers, directors, agents, representatives and employees shall be free from all liabilities and claims for damages, legal fees, court costs and/or suits for or by reason of any injury, injuries or deaths to any person or persons or property of any kind whatsoever, whether the person or property, its agents or employees, or third persons, from any cause or causes whatsoever while in or upon said property or any part thereof during the term of this agreement occasioned by any occupancy or use of said premises or any activity carried on by the event organizer. The event organizer hereby covenants and agrees to indemnify and save harmless the City from all liabilities, charges, expenses (including counsel fees) and costs on account of or by reason of any such injuries, liabilities, claims, suits or losses however occurring or damages growing out of same.

During the term of this agreement, the event organizer shall procure and keep in force insurance with limits of \$1,000,000 per occurrence and 2,000,000 general aggregate. The policy must contain a policy endorsement that names "The City of South Padre Island, it's elected officials, representatives, employees or agents" as additionally insured. Applicant must provide a copy of the actual endorsement.

☐ Endorsement Certificate Attached

Additional Comments

In addition to the requirements of Chapter 13 of the City of South Padre Island Code of Ordinances, the City may impose any other restrictions or requirements appropriate for said event. Texas law applies to all matters relating to the event. All costs shall be borne by the event organizer unless agreed otherwise in writing.

Robert Hibyan on behalf of
The Rotary Club of Historic Brownsville Date: 1/28/19
Applicant Signature

Approval by City Date: _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S) AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Arthur J. Gallagher Risk Management Services, Inc.
2850 Golf Road
Rolling Meadows IL 60008

CONTACT
NAME: Ali Sukla
PHONE: 1-833-3ROTARY
FAX: (630) 285-4182
E-MAIL: rotary@ajg.com
ADDRESS:

INSURER(S) AFFORDING COVERAGE
INSURER A: Lexington Insurance Company

NAC#
19437

INSURED

All Active US Rotary Clubs & Districts
Rotary Club Of Halton Browerville
ATTN: Risk Management Dept
1560 Sherman Ave
Evanston IL 60201-3698

INSURER B:
INSURER C:
INSURER D:
INSURER E:
INSURER F:

COVERAGES

CERTIFICATE NUMBER: 899307648

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

LINE	TYPE OF INSURANCE	ADD. SUBS. RISK	POLICY NUMBER	POLICY EFF. DATE (MM/DD/YYYY)	POLICY EXP. DATE (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY		015375594	7/1/2018	7/1/2019	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (EA OCCURRENCE) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMPROP AGG
	CLAIMS-MADE	OCUR				\$2,000,000 \$500,000 \$ \$2,000,000 \$4,000,000 \$4,000,000
	LIQUOR LIABILITY INCLUDED					
	GEN'L AGGREGATE - BUT APPL'S PER					
	POLICY PRO-JECT LOC					
	OTHER					
A	AUTOMOBILE LIABILITY		015375594	7/1/2018	7/1/2019	COMBINED SINGLE LIMIT (EA ACCIDENT) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
	ANY AUTO					\$2,000,000 \$ \$ \$
	OWNED AUTOS ONLY	SCHEDULED AUTOS				
	HIRED AUTOS ONLY	NON-SCHEDULED AUTOS ONLY				
	UMBRELLA LIAB	OCUR	NOT APPLICABLE			EACH OCCURRENCE
	EXCESS LIAB	CLAIMS-MADE				AGGREGATE
	DED	RETENTION				\$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY		NOT APPLICABLE			PER STATUTE E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT
	ANY PROPR'Y OR PARTN'Y EXECUTIVE OFFICER MEMBER EXCLUDED? (Mandatory in NH)	Y/N				
	DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Insurance Schedule, may be attached if more space is required)

The Certificate holder is included as additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER

The City of South Padre Island
4801 Padre Blvd
South Padre Island, TX 78597

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

NOTHOLD REPRESENTATIVE:

E. Pan

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ACORD 25 (2015/03)

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LOUIE'S
backyard
bayside dining & cocktails

04/23/19

Good Afternoon Ms. Huffman,

On Sunday October 6, 2019 Louie's will be hosting The Rotary Club of Historic Brownsville's "Ride for Rotary".

Louie's Backyard has both ample parking and restroom facilities to host this event. IF you have any questions please feel free to contact me at Louie's.

Thank You.

Joe Ricco



General Manager

Louie's Backyard

956.761.6406 Office

956.266.3550 Cell

Redrumjoe2@aol.com



South Padre Island Police Department

Randy Smith, Chief

**Traffic Management Plan for Ride for Rotary across the Causeway
South Padre Island and Port Isabel Police Department
October 06, 2019**

I. Purpose

The purpose of this plan is to best manage traffic flow during the Ride for Rotary across the Causeway to South Padre Island and one lane closure of the Queen Isabella Memorial Causeway to facilitate the event. It will also provide procedures for deployment of personnel and equipment to ensure the success of this event.

II. Discussion

It is the plan of these law enforcement agencies along with other City Departments of South Padre Island and Port Isabel to work together and manage personnel and equipment placed in areas to enhance the flow of traffic and manage the cycle event.

III. Actions

1. The placement of traffic control barrels/cones on the roadway to direct traffic movement to minimize the delay of traffic movement. The placement of these devices would be at a time and place identified by City personnel and staff of the event.
2. To identify locations where police and other City personnel could be positioned to ensure control and safe movement of traffic.
3. Locations of traffic control management / traffic control devices to facilitate bicycle movement:
 - Eastbound SH 100 at SH 48 (Port Isabel)
 - Two (2) law enforcement officers with vehicles equipped with lights
 - Eastbound SH 100 at HEB (2nd Street)(Port Isabel)
 - One (1) law enforcement officer with vehicle equipped with lights
 - Eastbound SH 100 at Walmart (Port Isabel)
 - One (1) law enforcement officer with vehicle equipped with lights
 - Eastbound SH 100 at Port Road (Port Isabel)
 - One (1) law enforcement officer with vehicle equipped with lights
 - Eastbound SH 100 at S. Shore Drive (Port Isabel)
 - One (1) law enforcement officer with vehicle equipped with lights
 - Eastbound SH 100 at S. Manautou Street (Port Isabel)
 - One (1) law enforcement officer with vehicle equipped with lights

City of South Padre Island -- Police Department -- Randy Smith, Chief

4601 Padre Boulevard • South Padre Island, Texas 78597 • 956.761.3070 • Fax 956.761.3896

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South Padre Island Police Department

- Bicyclists riding from Brownsville will be experienced riders participating in the event. They will be kept together being led by a lead pace bicycle to assure all bicyclist cross the causeway together with the law enforcement escort. The bicyclist will be averaging 13 to 14 miles per hour. They will stage in Port Isabel, Event Center and will cross the causeway at 10:30am with a rolling blockade minimizing vehicle traffic flow.
- No bicyclists will be permitted to cross the causeway prior to this time or afterward.
- All bicyclists must be within the escorted group in order to cross the causeway.
- All eastbound motor vehicle traffic will be held by law enforcement on SH 100 west of Garcia Street until the end of the bicycle crossing (approximately 15 minutes). The tail escort emergency vehicles will then follow with all normal eastbound traffic to resume following in behind. This will be a moving road closure.
- The bicyclist should take about 15 minutes to cross the Queen Isabella Causeway.
- 700 PR 100
- Eastbound SH 100 across the Queen Isabella Memorial Causeway and then north on PR 100.
 - One (1) law enforcement officer and vehicle equipped with lights as lead vehicle
 - One (1) law enforcement officers with vehicles equipped with lights as trail vehicles
- "Four Corners" location at intersection of SH 100 and PR 100 (South Padre Island)
 - One (1) law enforcement officers with vehicle equipped with lights
- Ride to north to Louies Backyard
 - One (1) law enforcement officers with vehicle equipped with lights
- 700 PR 100
 - One (1) law enforcement officers with vehicle equipped with lights
- 1500 PR 100
 - One (1) law enforcement officers with vehicle equipped with lights
- 2300 PR 100 Riders turn into 100 W. Marlin to arrive at Louies Backyard
 - One (1) law enforcement officers with vehicle equipped with lights

IV. Additional Considerations

1. Ride for Rotary staff will provide support and sag vehicles for transporting lagging bicyclists, repairing breakdowns, etc.
2. EMS personnel will be on standby in South Padre Island and Port Isabel to treat injured riders.
3. The time for the manual control will be determined by traffic congestion and flow. The option of changing the traffic signal to flashing will be determined by a supervisor or by direction of the Police Chief or his designee.

This plan is being submitted by Interim Police Chief Claudine O'Carroll
South Padre Island Police Dept.

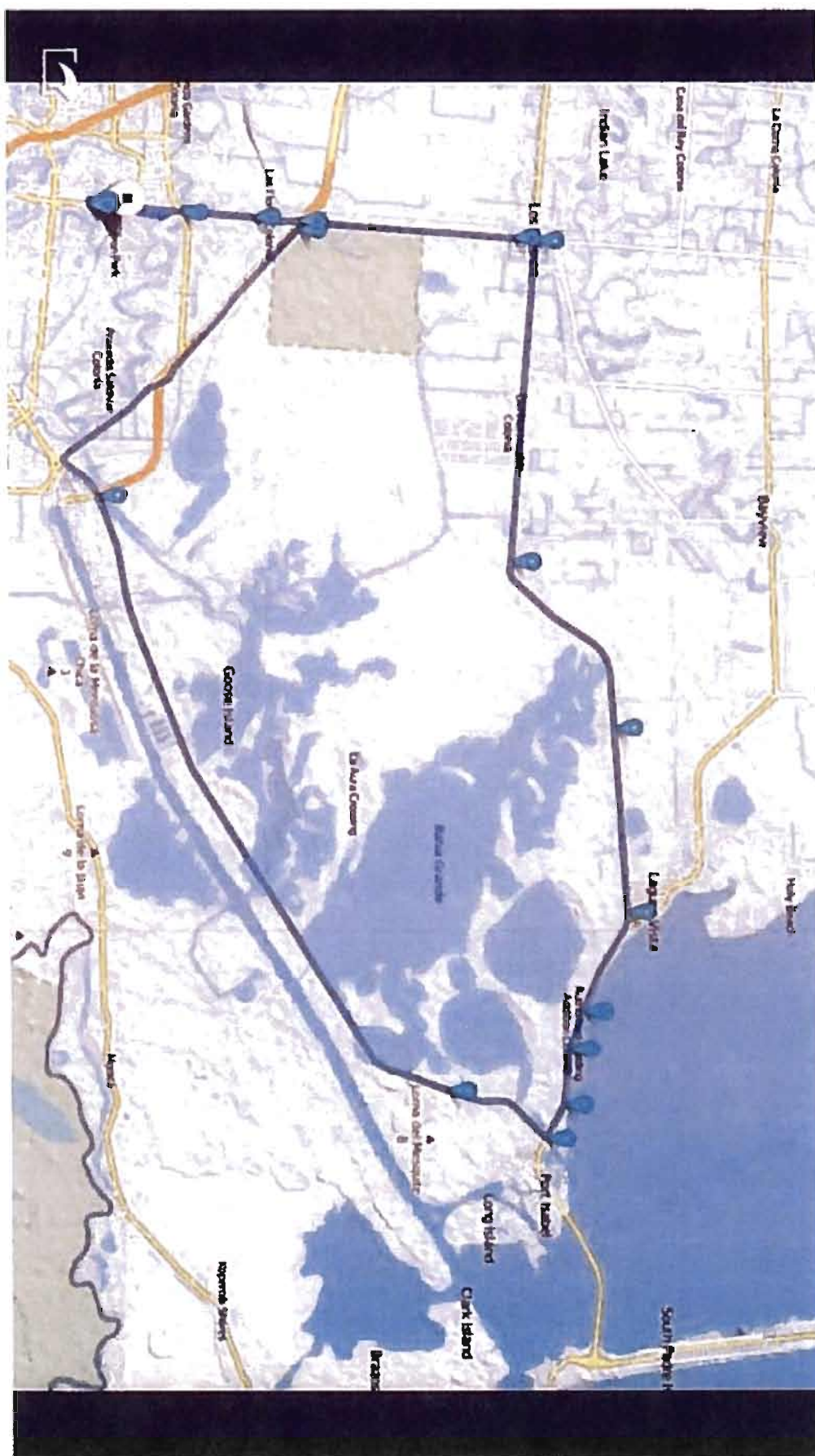


Signature

City of South Padre Island -- Police Department -- Randy Smith, Chief

4601 Padre Boulevard • South Padre Island, Texas 78597 • 956.761.3070 • Fax 956.761.3896

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STATE OF TEXAS
COUNTY OF CAMERON

RESOLUTION 03-19-2019-02

RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF PORT ISABEL, TEXAS, APPROVING THE
TEMPORARY CLOSURE OF HIGHWAY 100 AND THE
CAUSEWAY FOR THE "2019 Ride for Rotary".

WHEREAS, the "2019 Ride for Rotary", produced by Rotary Club of
Brownsville, is a new event; and

WHEREAS, the "2019 Ride for Rotary" brings hundreds of cycling
enthusiasts to Port Isabel; and

WHEREAS, the implementation of the "2019 Ride for Rotary"
requires our consent by resolution for temporary closure of a state
right-of-way;

NOW, THEREFORE BE IT RESOLVED by the City Commission of the
City of Port Isabel, Texas:

Section 1. The City Commission hereby adopts Resolution No. 03-
19-2019-01 supporting the temporary closure of Hwy. 100 on
October 6, 2019 for this event and will provide traffic control for the
temporary closure of Hwy 100 to provide safe travel for parade
participants and the general public.

BE IT FURTHER RESOLVED, that this policy shall take effect immediately.

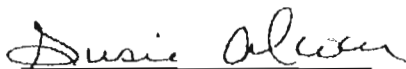
PASSED, APPROVED AND ADOPTED this the 19th day of March, 2019.

CITY OF PORT ISABEL, TEXAS



Juan Jose "JJ" Zamora, Mayor

ATTEST:



Susie Alcocer, City Secretary

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STATE OF TEXAS §

COUNTY OF §

**AGREEMENT FOR THE TEMPORARY CLOSURE
OF STATE RIGHT-OF-WAY**

THIS AGREEMENT is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the "State," and the City of South Padre Island, a municipal corporation, acting by and through its duly authorized officers, hereinafter called the "City."

WITNESSETH

WHEREAS, the State owns and operates a system of highways for public use and benefit, including HWY 100, in Cameron County; and

WHEREAS, the City has requested the temporary closure of HWY 100 & Queen Isabella Causeway for the purpose of Ride for Rotary Across the Causeway, as described in the attached "Exhibit A," hereinafter identified as the "Event;" and

WHEREAS, the Event will be located within the City's incorporated area; and

WHEREAS, the State, in recognition of the public purpose of the Event, wishes to cooperate with the City so long as the safety and convenience of the traveling public is ensured and that the closure of the State's right-of-way will be performed within the State's requirements; and

WHEREAS, on the _____ day of _____, 20____, the South Padre City Council passed Resolution / Ordinance No. _____, attached hereto and identified as "Exhibit B," establishing that the Event serves a public purpose and authorizing the City to enter into this agreement with the State; and

WHEREAS, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of a segment of the State highway system; and

WHEREAS, this agreement has been developed in accordance with the rules and procedures of 43 TAC, Section 22.12;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

A G R E E M E N T

Article 1. CONTRACT PERIOD

This agreement becomes effective upon final execution by the State and shall terminate upon completion of the Event or unless terminated or modified as hereinafter provided.

Article 2. EVENT DESCRIPTION

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The description of the Event, including the proposed schedule of start and stop times, approximate number of people attending the Event, and equipment involved shall be attached hereto and identified as "Exhibit C."

Article 3. OPERATIONS OF THE EVENT

A. The City shall assume all costs for the operations associated with the Event, to include but not limited to, plan development, materials, labor, public notification, providing protective barriers and barricades, protection of highway traffic and highway facilities, and all traffic control and temporary signing.

B. The City shall submit to the State for review and approval the construction plans, if construction or modifications to the State's right-of-way is required, the traffic control and signing plans, traffic enforcement plans, and all other plans deemed necessary by the State.

C. The City will not initiate closure prior to 24 hours before the scheduled Event and all barriers and barricades will be removed and the highway reopened to traffic within 24 hours after the completion of the Event.

D. The City will provide adequate enforcement personnel to prevent vehicles from stopping and parking along the main lanes of highway right-of-way and otherwise prevent interference with the main lane traffic by both vehicles and pedestrians. The City will prepare a traffic enforcement plan, to be approved by the State in writing at least 48 hours prior to the scheduled Event. Additionally, the City shall provide to the State a letter of certification from the law enforcement agency that will be providing traffic control for the Event, certifying that they agree with the enforcement plan and will be able to meet its requirements.

E. The City hereby assures the State that there will be appropriate passage allowance for emergency vehicle travel and adequate access for abutting property owners during construction and closure of the highway facility. These allowances and accesses will be included in the City's traffic control plan.

F. The City will avoid or minimize damage, and will, at its own expense, restore or repair damage occurring outside the State's right-of-way and restore or repair the State's right-of-way, including roadway and drainage structures, signs, and pavement, etc. to a condition equal to that existing before the closure, and, to the extent practicable, restore the natural environment, including landscape features.

Article 4. OWNERSHIP OF DOCUMENTS

Upon completion or termination of this agreement, all documents prepared by the City will remain the property of the City. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use.

Article 5. TERMINATION

A. This agreement may be terminated by any of the following conditions:

- (1) By mutual written agreement and consent of both parties.
- (2) By the State upon determination that use of the State's right-of-way is not feasible or is not in the best interest of the State and the traveling public.
- (3) By either party, upon the failure of the other party to fulfill the obligations as set forth herein.
- (4) By satisfactory completion of all services and obligations as set forth herein.

B. The termination of this agreement shall extinguish all rights, duties, obligations and liabilities of the State and City under this agreement. If the potential termination of this agreement is due to the failure of the City to fulfill its contractual obligations as set forth herein, the State will notify the City that possible breach of contract has occurred. The City

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must remedy the breach as outlined by the State within ten (10) days from receipt of the State's notification. In the event the City does not remedy the breach to the satisfaction of the State, the City shall be liable to the State for the costs of remedying the breach and any additional costs occasioned by the State.

Article 6. DISPUTES

Should disputes arise as to the parties' responsibilities or additional work under this agreement, the State's decision shall be final and binding.

Article 7. RESPONSIBILITIES OF THE PARTIES

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

Article 8. INSURANCE

A. Prior to beginning any work upon the State's right-of-way, the City and/or its contractors shall furnish to the State a completed "Certificate of Insurance" (TxDOT Form 1560, latest edition) and shall maintain the insurance in full force and effect during the period that the City and/or its contractors are encroaching upon the State right-of-way.

B. In the event the City is a self-insured entity, the City shall provide the State proof of its self-insurance. The City agrees to pay any and all claims and damages that may occur during the period of this closing of the highway in accordance with the terms of this agreement.

Article 9. AMENDMENTS

Any changes in the time frame, character, agreement provisions or obligations of the parties hereto shall be enacted by written amendment executed by both the City and the State.

Article 10. COMPLIANCE WITH LAWS

The City shall comply with all applicable federal, state and local environmental laws, regulations, ordinances and any conditions or restrictions required by the State to protect the natural environment and cultural resources of the State's right-of-way.

Article 11. LEGAL CONSTRUCTION

In case one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

Article 12. NOTICES

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified U.S. mail, postage prepaid, addressed to such party at the following respective addresses:

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<p>City: <u>South Padre Island</u> _____ _____ _____</p>	<p>State: Texas Department of Transportation _____ _____ _____</p>
---	---

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. Either party hereto may change the above address by sending written notice of such change to the other in the manner provided herein.

Article 13. SOLE AGREEMENT

This agreement constitutes the sole and only agreement between the parties hereto and supersedes any prior understandings or written or oral agreements respecting the within subject matter.

IN TESTIMONY WHEREOF, the parties hereto have caused these presents to be executed in duplicate counterparts.

THE CITY OF South Padre Island

Executed on behalf of the City by:

By _____ Date _____
 City Official

Typed or Printed Name and Title Randy Smith, Interim City Manager

THE STATE OF TEXAS

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By _____ Date _____
 District Engineer

By _____ Date _____
 Director of Maintenance

5-20

Exhibit A

- **LETTER (LETTERHEAD) WITH EVENT NAME, DATE(S), ETC.**

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LOUIE'S
backyard
bayside dining & cocktails

04/23/19

Good Afternoon Ms. Huffman,

On Sunday October 6, 2019 Louie's will be hosting The Rotary Club of Historic Brownsville's "Ride for Rotary".

Louie's Backyard has both ample parking and restroom facilities to host this event. IF you have any questions please feel free to contact me at Louie's.

Thank You.

Joe Ricco



General Manager

Louie's Backyard

956.761.6406 Office

956.266.3550 Cell

Redrumjoe2@aol.com

- **LETTER FROM THE LAW ENFORCEMENT OFFICE PROVIDING THE TRAFFIC CONTROL PLANS.**

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South Padre Island Police Department

Randy Smith, Chief

**Traffic Management Plan for Ride for Rotary across the Causeway
South Padre Island and Port Isabel Police Department
October 06, 2019**

I. Purpose

The purpose of this plan is to best manage traffic flow during the Ride for Rotary across the Causeway to South Padre Island and one lane closure of the Queen Isabella Memorial Causeway to facilitate the event. It will also provide procedures for deployment of personnel and equipment to ensure the success of this event.

II. Discussion

It is the plan of these law enforcement agencies along with other City Departments of South Padre Island and Port Isabel to work together and manage personnel and equipment placed in areas to enhance the flow of traffic and manage the cycle event.

III. Actions

1. The placement of traffic control barrels/cones on the roadway to direct traffic movement to minimize the delay of traffic movement. The placement of these devices would be at a time and place identified by City personnel and staff of the event.
2. To identify locations where police and other City personnel could be positioned to ensure control and safe movement of traffic.
3. Locations of traffic control management / traffic control devices to facilitate bicycle movement:
 - Eastbound SH 100 at SH 48 (Port Isabel)
 - Two (2) law enforcement officers with vehicles equipped with lights
 - Eastbound SH 100 at HEB (2nd Street)(Port Isabel)
 - One (1) law enforcement officer with vehicle equipped with lights
 - Eastbound SH 100 at Walmart (Port Isabel)
 - One (1) law enforcement officer with vehicle equipped with lights
 - Eastbound SH 100 at Port Road (Port Isabel)
 - One (1) law enforcement officer with vehicle equipped with lights
 - Eastbound SH 100 at S. Shore Drive (Port Isabel)
 - One (1) law enforcement officer with vehicle equipped with lights
 - Eastbound SH 100 at S. Manautou Street (Port Isabel)
 - One (1) law enforcement officer with vehicle equipped with lights

City of South Padre Island -- Police Department -- Randy Smith, Chief

4601 Padre Boulevard • South Padre Island, Texas 78597 • 956.761.3070 • Fax 956.761.3896

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South Padre Island Police Department

- Bicyclists riding from Brownsville will be experienced riders participating in the event. They will be kept together being led by a lead pace bicycle to assure all bicyclist cross the causeway together with the law enforcement escort. The bicyclist will be averaging 13 to 14 miles per hour. They will stage in Port Isabel, Event Center and will cross the causeway at 10:30am with a rolling blockade minimizing vehicle traffic flow.
- No bicyclists will be permitted to cross the causeway prior to this time or afterward.
- All bicyclists must be within the escorted group in order to cross the causeway.
- All eastbound motor vehicle traffic will be held by law enforcement on SH 100 west of Garcia Street until the end of the bicycle crossing (approximately 15 minutes). The tail escort emergency vehicles will then follow with all normal eastbound traffic to resume following in behind. This will be a moving road closure.
- The bicyclist should take about 15 minutes to cross the Queen Isabella Causeway.
- 700 PR 100
- Eastbound SH 100 across the Queen Isabella Memorial Causeway and then north on PR 100.
 - o One (1) law enforcement officer and vehicle equipped with lights as lead vehicle
 - o One (1) law enforcement officers with vehicles equipped with lights as trail vehicles
- "Four Corners" location at intersection of SH 100 and PR 100 (South Padre Island)
 - o One (1) law enforcement officers with vehicle equipped with lights
- Ride to north to Loules Backyard
 - o One (1) law enforcement officers with vehicle equipped with lights
- 700 PR 100
 - o One (1) law enforcement officers with vehicle equipped with lights
- 1500 PR 100
 - o One (1) law enforcement officers with vehicle equipped with lights
- 2300 PR 100 Riders turn into 100 W. Marlin to arrive at Loules Backyard
 - o One (1) law enforcement officers with vehicle equipped with lights

IV. Additional Considerations

1. Ride for Rotary staff will provide support and sag vehicles for transporting lagging bicyclists, repairing breakdowns, etc.
2. EMS personnel will be on standby in South Padre Island and Port Isabel to treat injured riders.
3. The time for the manual control will be determined by traffic congestion and flow. The option of changing the traffic signal to flashing will be determined by a supervisor or by direction of the Police Chief or his designee.

This plan is being submitted by Interim Police Chief Claudine O'Carroll
South Padre Island Police Dept.


Signature

City of South Padre Island -- Police Department -- Randy Smith, Chief

4601 Padre Boulevard • South Padre Island, Texas 78597 • 956.761.3070 • Fax 956.761.3896

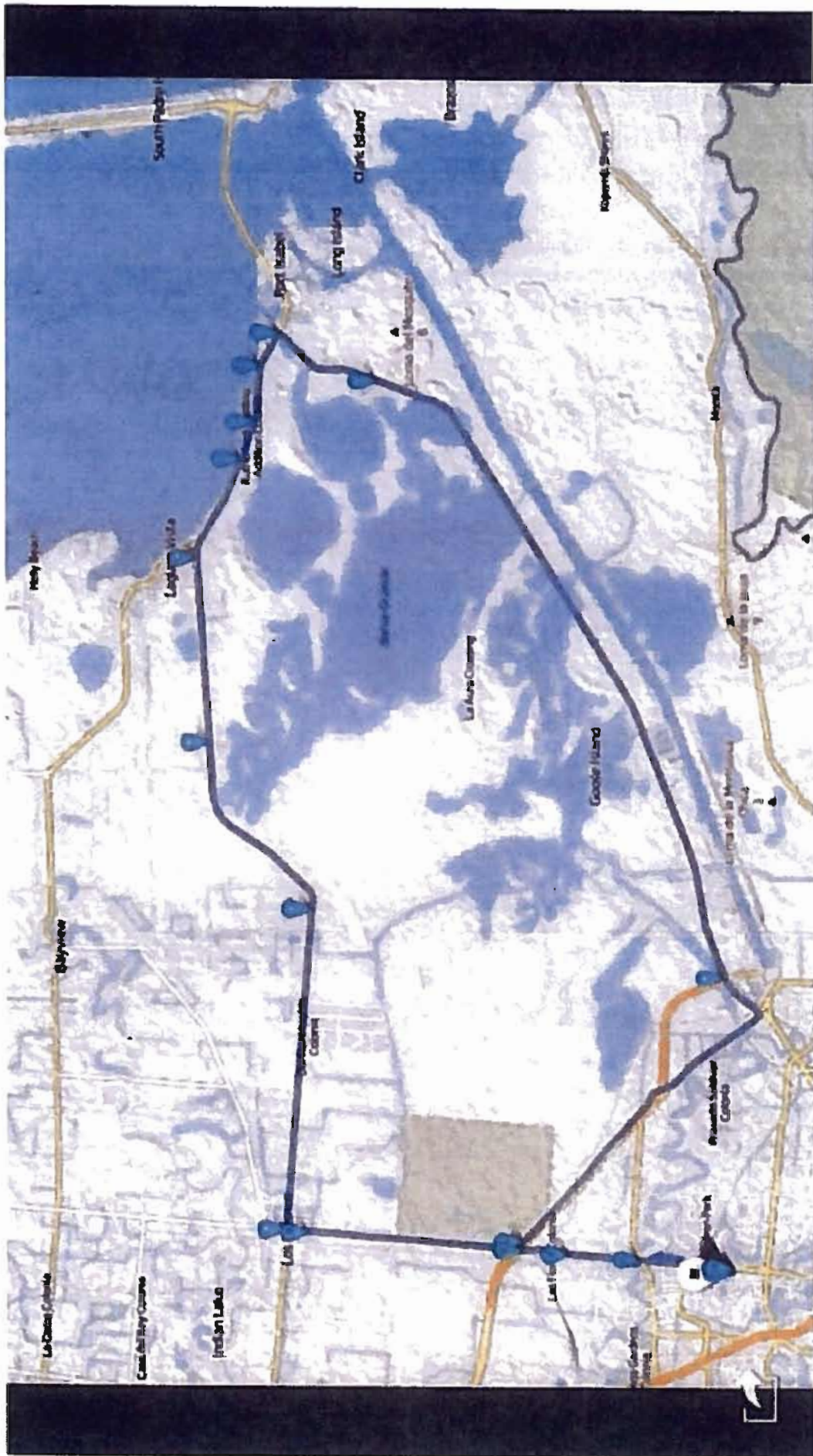
5-25

Exhibit C

Agreement No. _____

- **MAP REFLECTING LOCATION(S) WHERE CLOSURE WILL TAKE PLACE.**

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

MEETING DATE: May 1, 2019

NAME & TITLE: Rodrigo Gimenez, Chief Financial Officer

DEPARTMENT: Finance Department

ITEM

Approve Resolution No. 2019-20 to declare Case Tractor raking mechanism and counter weight as surplus property and authorize the Interim City Manager to dispose of such property in a manner that is beneficial to the City and in accordance with the Fixed Assets Policy.

ITEM BACKGROUND

The City owns several assets that have been replaced, are obsolete, or are not currently used by the City. Staff is requesting authorization to dispose of these items in accordance with the Fixed Assets policy. The methods of disposition are:

1. Trade-In – assets may be considered for trade-in at the time of acquisition replacement assets, subject to normal purchasing bidding guidelines, and written approval by the department head.
2. Surplus sale/City auction – in the event that no other department has been identified as a potential recipient of surplus property, the City may sell surplus property by soliciting competitive bids.
3. Discard/Disposal – a department head, with written approval by the Interim City Manager may recommend the disposal of assets that are both no longer in use and have been determined to have no remaining value.

Items to be considered as surplus property are in Attachment A.

BUDGET/FINANCIAL SUMMARY

Unknown at this time.

COMPREHENSIVE PLAN GOAL

Chapter VII. Governance and Community Relations

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Goal 1: The City shall maintain a "Home Rule" type of government and allow for a more stable environment for effective decision-making.

Objective 1.1: The City should have a great control over fiscal matters and public expenditures.

LEGAL REVIEW

Sent to Legal: YES: _____ NO: _____

Approved by Legal: YES: _____ NO: _____

Comments:

RECOMMENDATIONS/COMMENTS

Approve resolution as presented.



RESOLUTION NO. 2019-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS DECLARING EQUIPMENT TO BE SURPLUS PROPERTY AND AUTHORIZING THE INTERIM CITY MANAGER TO DISPOSE OF SUCH PROPERTY IN A MANNER WHICH IS BENEFICIAL TO THE CITY AND AUTHORIZING ANY ADDITIONAL ACTIONS REASONABLY NECESSARY TO DISPOSE OF THE SURPLUS PROPERTY

WHEREAS, the City owns several pieces of City property and equipment which have been replaced, are obsolete or are not currently used by the City, as further described in Attachment A, and incorporated herein for all purposes:

WHEREAS, such property and equipment has no value or limited value to the City, and

WHEREAS, because the property and equipment is no longer needed but may still have some value, the City deems the property and equipment to be surplus personal property;

WHEREAS, the appropriate City staff members have evaluated the need for the value to the City of each piece of property and equipment and have recommended disposal of the items.

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

Section 1. The recitals contained in the preamble hereof are found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgement and finding of the City Council.

Section 2. The City Council declares the items listed in Attachment A as surplus property and authorizes the Interim City Manager to dispose of the property in a manner which is beneficial to the City.

Section 3. The Interim City Manager is hereby authorized to execute any documents and take actions as reasonably necessary to dispose of the surplus property.

Section 4. The Resolution is effective from and after its final passage.

PASSED, APPROVED AND ADOPTED on this the 1st day of May, 2019

CITY OF SOUTH PADRE ISLAND, TEXAS

Ken Medders, Jr., Mayor Pro-Tem

ATTEST:

Susan M. Hill, City Secretary



Vehicle/Equipment Information Sheet (VIS)

RENÉ BATES AUCTIONEERS, INC.

4660 CR 1006,
McKinney, Texas 75071
Phone 972-548-9636 • Fax 972-542-5495 • Email auction@renebates.com

Date: 4/8/2019

Owner: _____

Asset/Item/Unit or Vehicle Number: _____

Year: n/a

Make: Case

Model: Case

VIN/Serial Number: n/a

Mileage: _____

Hours (if applicable): _____

Engine Size: _____

Gas: ☐ Diesel: ☐ Propane: ☐ Other: ☐ Type: _____

Make: Case

Horse Power - equipment Diesel engines only - RBAI must know if it is 50 hp or above per Texas TERP Law: _____

Transmission: Automatic ☐

Manual ☐

Other: _____

Make: _____

Interior: Type of Seats Bucket ☐
60-40 ☐
Bench ☐

Floor Mats: Rubber ☐
Carpet ☐

Vehicle Equipment:

	Yes	No
A/C	<input type="checkbox"/>	<input type="checkbox"/>
PS	<input type="checkbox"/>	<input type="checkbox"/>
PB	<input type="checkbox"/>	<input type="checkbox"/>
Air Brakes	<input type="checkbox"/>	<input type="checkbox"/>
Power Windows	<input type="checkbox"/>	<input type="checkbox"/>
Power Locks	<input type="checkbox"/>	<input type="checkbox"/>
Spotlight	<input type="checkbox"/>	<input type="checkbox"/>
Rear Window Defogger	<input type="checkbox"/>	<input type="checkbox"/>
Trunk Release	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No
Radio	<input type="checkbox"/>	<input type="checkbox"/>
CD	<input type="checkbox"/>	<input type="checkbox"/>
PD Logos Removed	<input type="checkbox"/>	<input type="checkbox"/>
PD Equip. Removed	<input type="checkbox"/>	<input type="checkbox"/>
Does it Run	<input type="checkbox"/>	<input type="checkbox"/>
Is it a Seized Vehicle	<input type="checkbox"/>	<input type="checkbox"/>
Does it have a Title	<input type="checkbox"/>	<input type="checkbox"/>
Is it a Salvage Title or	<input type="checkbox"/>	<input type="checkbox"/>
Salvage/Rebuilt Title	<input type="checkbox"/>	<input type="checkbox"/>
Does it have keys	<input type="checkbox"/>	<input type="checkbox"/>

Date Removed from Service: 2008

Known Defects: n/a

Other General Remarks or Descriptions: Rake/Level soil

Exterior Damage: Rust

Repair Remarks (work done recently, include dates): n/a

Location: _____

Contact Name/Email/Phone: _____

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

MEETING DATE: May 1, 2019

NAME & TITLE: Jesse Arriaga, Transit Director

DEPARTMENT: Transit Department

ITEM

Approve acceptance of Texas Department of Transportation project grant agreement RPT 1903 in the amount of \$531,326, and authorize the Interim City Manager to enter grant agreement.

ITEM BACKGROUND

The City's Transit Department applied for and has been approved for \$531,326 in Rural Public Transportation Funds for one year to provide deviated fixed route transportation service throughout the rural transit district service area. This project is necessary to continue current level of service and to improve and enhance future services in our rural service area. This is an annual routine grant.

BUDGET/FINANCIAL SUMMARY

Will be budgeted in FY 2018-2019

COMPREHENSIVE PLAN GOAL

Chapter II. Mobility

GOAL 1: The City shall provide for the safe, efficient movement of people and goods.

Objective 1.1: Develop an efficient, high quality, multimodal system that balances all transportation needs.

Strategy 1.1.2.8: The City should explore the feasibility of a multi-use facility that may serve as a new transit vehicle storage facility for the WAVE and a public parking garage, along with mixed retail, office, and upper floor living uses. The facility may also serve as a center for taxicab, pedicab, and water ferry operations, a commuter service, and tour operators.

GOAL 2: The City shall provide quality and professional transportation system to the public

Objective 2.1: Transportation infrastructure shall be planned well in advance of development to ensure orderly and timely improvements as the mobility and access needs continue to increase.

Objective 2.2: The appearance of transportation system including street rights-of-way should contribute to the character of the City.

LEGAL REVIEW

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

Comments:

RECOMMENDATIONS/COMMENTS

Approve to continue current level of transit services.

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PGA: Federal §5311 - Formula Grants for Rural Areas
SUBRECIPIENT: South Padre Island, City of
FAIN: TX-2019-039
CFDA #: 20.509
TXDOT PROJECT #: RPT 1903 (29) 39_19
PROJECT ID #: 51018032919
MASTER GRANT AGREEMENT #: MGA-2017-2021-SPI-099
FEDERAL TRANSIT ADMINISTRATION
NOT RESEARCH AND DEVELOPMENT

STATE OF TEXAS §

COUNTY OF TRAVIS §

**RURAL AREA FEDERAL FORMULA PROGRAM
FISCAL YEAR 2019
PROJECT GRANT AGREEMENT**

THIS PROJECT GRANT AGREEMENT (PGA) is made by and between the State of Texas, acting through the Texas Department of Transportation, called the "State" and South Padre Island, City of, called the "Subrecipient".

WITNESSETH

WHEREAS, 49 United States Code Section 5311 provides that eligible recipients may receive federal funds through the Rural Public Transportation Grant Program, a federal assistance program administered by the Federal Transit Administration to enhance the access of persons living in rural areas to health care, shopping, education, recreation, public services, and employment by encouraging the maintenance, development, improvement, and use of passenger transportation systems; and

WHEREAS, Texas Transportation Code Chapter 455 authorizes the State to assist the Subrecipient in procuring aid for the purpose of establishing and maintaining public and mass transportation projects and to administer funds appropriated for public transportation under Transportation Code Chapter 456; and

WHEREAS, the U.S. Secretary of Transportation approved the State's request for funding; and

WHEREAS, the Governor of the State of Texas has designated the Texas Department of Transportation to receive federal funds under the Section 5311 grant program; and

WHEREAS, the Subrecipient submitted a Fiscal Year 2019 Grant Application (if applicable) for state financial assistance, and the Texas Transportation Commission approved the application by Minute Order Number(s) 115446; and,

WHEREAS, the Subrecipient must execute a Grant Application (if applicable) and Fiscal Year Certifications and Assurances each fiscal year grant period for consideration for new state and federal grants; and

WHEREAS, a Master Grant Agreement (MGA) between the Subrecipient and the State has been adopted and states the general terms and conditions for grant projects developed through this PGA;

NOW THEREFORE, the State and Subrecipient agree as follows:

AGREEMENT

ARTICLE 1. GRANT TIME PERIOD

This PGA becomes effective when fully executed by both parties or on 04/19/2019, whichever is later. This PGA shall remain in effect until 08/31/2020, unless terminated or otherwise modified in an Amendment. This PGA will not be considered fully executed until both parties have executed a MGA, and the Subrecipient has submitted the Grant Application (if applicable) and Certification and Assurances to the State. The time period of this PGA cannot be extended past the MGA, without exception. Any cost incurred before or after the contract period shall be ineligible for reimbursement.

ARTICLE 2. PROJECT DESCRIPTION

- A.** The Subrecipient shall complete the public transportation project described in the Grant Application, the Attachment A - Approved Project Description, and the Attachment B - Project Budget. Attachments A and B are attached to and made a part of this agreement. The Subrecipient shall complete the project in accordance with all of the documents associated with the MGA and with all applicable federal and state laws and regulations.
- B.** If applicable, the Subrecipient shall begin competitive procurement procedures by issuing an invitation for bids or a request for proposals no later than sixty (60) days after the effective date of this grant agreement for the purchase of the approved line items referenced in Attachment A. No later than sixty (60) days after the issuance of public notification, the Subrecipient shall publicly open all bids or privately review proposals. The Subrecipient shall enter into a binding agreement with a supplier no later than thirty (30) days after the opening of an acceptable bid or proposal. The Subrecipient shall notify the department in writing when it is necessary to exceed these deadlines.

ARTICLE 3. COMPENSATION

The maximum amount payable under this PGA without modification is \$531,326 and 0 Transportation Development Credits, provided that expenditures are made in accordance with the amounts and for the purposes authorized in the Grant Application, the Attachment A, and the Attachment B.

Invoices are to be submitted electronically through the eGrants system.

ARTICLE 4. AMENDMENTS

Except as noted in the MGA, changes in the scope, objectives, cost, or duration of the project authorized in this agreement shall be enacted by written amendment approved by the parties before additional work may be performed or additional costs incurred. Any amendment must be executed by both parties within the grant period specified in Article 1, Grant Time Period.

ARTICLE 5. INCORPORATION OF MGA PROVISIONS

This PGA incorporates all of the governing provisions of the MGA in effect on the date of final execution of this PGA, unless an exception has been made in this agreement.

ARTICLE 6. SIGNATORY WARRANTY

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

ARTICLE 7. ACCESS TO INFORMATION

The Subrecipient is required to make any information created or exchanged with the state pursuant to

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this contract, and not otherwise excepted from disclosure under the Texas Public Information Act, available in a format that is accessible by the public at no additional charge to the state.

THIS AGREEMENT IS EXECUTED by the State and the Subrecipient in duplicate.

THE SUBRECIPIENT

Signature

Title

Date

THE STATE OF TEXAS

Signature

Public Transportation Coordinator

Title

Date

List of Attachments

A – Approved Project Description

B – Project Budget

5-3B

ATTACHMENT A
APPROVED PROJECT DESCRIPTION

As presented in the City of South Padre Island – Island Metro FY19 Grant Application, Island Metro will provide deviated fixed route service throughout the rural transit district service area.

Transit provider shall comply with Article 12: Project Records and Reports and Article 13 of the Master Grant Agreement requiring procurement and project milestones / quarterly progress reports. Within 30 days of PGA execution, the subrecipient will provide the TxDOT Public Transportation Coordinator with a project milestone plan that delineates fund expenditures throughout the contract period.

Per Texas Administrative Code (TAC) 31.47, Audit and Project Close-Out Standards: The subrecipient shall make every reasonable effort to complete all project activities and request appropriate reimbursements within the time period specified in the project agreement and TAC 9.136, Suspension or Termination for Cause: On termination of a subgrant, the unexpended and unobligated funds awarded to the subgrantee immediately revert to the department (TxDOT).

TxDOT's Public Transportation Division's (PTN) Federal Transit Administration overall Disadvantaged Business Enterprise (DBE) goal for fiscal years 2018 - 2020 is 2.9 percent of funds expended by grantees. This is not a contract specific goal but an overall goal for annual DBE participation. PTN grantees should undertake efforts to include DBE businesses in purchasing and contracting opportunities, and are encouraged to utilize DBE business whenever practicable. The full definition of DBE program requirements is found in Article 23 of the Master Grant Agreement.

**ATTACHMENT B
PROJECT BUDGET**

#	Description	Fuel Type	# of Units	Award Amount	State Match	Local Match	In-Kind Match	Total Funds	TDC	Match Ratio	TDC Amount
1	Project Administration - 11.79.00		1	\$290,000	\$72,500			\$362,500			0
2	Operating - 30.09.01		1	\$221,326	\$221,326			\$442,652			0
3	Preventive Maintenance - 11.7A.00		25000	\$20,000	\$5,000			\$25,000			0
Totals:				\$531,326	\$298,826	\$0	\$0	\$830,152			0

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

MEETING DATE: May 1, 2019

NAME & TITLE: Claudine O'Carroll, Interim Police Chief

DEPARTMENT: Police Department

ITEM

Approve a budget amendment of Federal forfeiture funds in the amount of \$5,020 for an additional Watch Guard video system.

ITEM BACKGROUND

The forfeiture funds will be used to pay for the Watch Guard video system that will be installed in marked Police Unit.

BUDGET/FINANCIAL SUMMARY

Increase line item 08-45011 (Forfeitures-Federal Funds) by \$5,020.00.
Increase line item 08-521-1007-01 (Motor Vehicles-Federal) by \$5,020.00.
The current level of Federal seized funds is approximately \$35,000.

COMPREHENSIVE PLAN GOAL

Chapter 8-2 Plan Implementation

LEGAL REVIEW

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

Comments:

RECOMMENDATIONS/COMMENTS

Approve budget amendment.

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

MEETING DATE: May 1, 2019

NAME & TITLE: Dennis Stahl, Mayor

DEPARTMENT: City Council

ITEM

Approve excused absence request for Mayor Dennis Stahl from the May 1, 2019 City Council Meeting.

ITEM BACKGROUND

BUDGET/FINANCIAL SUMMARY

COMPREHENSIVE PLAN GOAL

LEGAL REVIEW

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

Comments:

RECOMMENDATIONS/COMMENTS

Approve excused absence request.

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

MEETING DATE: May 1, 2019

NAME & TITLE: Rodrigo Gimenez, Chief Financial Officer

DEPARTMENT: Finance Department

ITEM

Approve second and final reading of Ordinance 19-06 amending the City's fiscal year 2018-19 operating budget to incorporate prior budget amendments and budget modifications from the month of October 2018 through February 2019.

ITEM BACKGROUND

The City of South Padre Island Home Rule Charter (section 5.07 (a)) establishes that supplemental appropriations should be approved by resolution/ordinance.

The document attached summarizes the budget amendments already approved by City Council during the months of October 2018 through February 2019, which must be formally adopted through an ordinance.

BUDGET/FINANCIAL SUMMARY

COMPREHENSIVE PLAN GOAL

LEGAL REVIEW

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

Comments:

RECOMMENDATIONS/COMMENTS

Staff recommends approval of ordinance amending the 2018-2019 budget.

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ORDINANCE NO. 19-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS; AMENDING THE CITY'S FISCAL YEAR 2018 - 2019 OPERATING BUDGET TO INCORPORATE PRIOR BUDGET AMENDMENTS AND BUDGET MODIFICATIONS FOR THE MONTHS OF OCTOBER 2018 THROUGH FEBRUARY 2019.

WHEREAS, pursuant to Ordinance 18-20 the City of South Padre Island (the "City") adopted the budget for the City for the fiscal year 2018 - 2019 (the "Budget"), which provides funding for the City's operations throughout said fiscal year; and

WHEREAS, the City needs to adjust the Budget for municipal purposes; and

WHEREAS, City staff has recommended that the City Council of the City adjust the Budget as provided for herein; and

WHEREAS, the City Council of the City has determined that it is in the best interests of the City to adjust the Budget as provided for herein.

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

Section 1. The City's Budget is hereby adjusted as follows:

- Increase General Fund expenditures by \$622,425.71
- Increase General Fund revenues by \$328,208.71
- Increase Hotel Motel Fund expenditures by \$1,475,000
- Increase Convention Centre Fund expenditures by \$60,000
- Increase Forfeiture Fund expenditures by \$7,000
- Increase Parks, Recreation & Beautification expenditures by \$5,000
- Increase Parks, Recreation & Beautification revenues by \$5,000
- Increase Padre Blvd Improvement Fund expenditures by \$41,386.90
- Increase Beach Maintenance Fund expenditures by \$337,883
- Increase Beach Access Fund expenditures by \$150,883
- Increase Beach Access Fund revenues by \$150,883

Section 2. This Ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith and shall not be codified.

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 4. This Ordinance shall become effective immediately.

PASSED, APPROVED AND ADOPTED on First Reading, this 3rd day of April 2019.

PASSED, APPROVED AND ADOPTED on Second Reading, this 1st day of May 2019.

ATTEST:

**CITY OF SOUTH PADRE
ISLAND, TEXAS**

Susan Hill, City Secretary

Dennis Stahl, Mayor

October 3rd, December 2018 through February 2019

Description	Dates	Expenditures	01 General Fund	02 Hotel Motel Fund	06 Convention Centre	08 Forfeiture Fund	09 Parks, Rec & Beautif	41 Padre Blvd Imp Fund	60 Beach Maint Fund	61 Beach Access
		BA #								
TIMFAS RSC TRNG INTL	12/19/2018	1772	\$ 750.00							
RTC MURALS PROGRAM	2/6/2019	1781	\$ 1,885.71							
TIMFAS SAFETT TRNG	2/6/2019	1782	\$ 1,320.00							
VALLEY BAP LEGACY FD	2/21/2019	1786	\$ 307,783.00							
FLEET DMAIC	2/6/2019	1779	\$ 16,470.00							
MULTIPLE BAS-IT/PD/FD/PW	1/16/2019	1775	\$ 254,217.00							
CM RECRUITMENT	1/16/2019	1776	\$ 40,000.00							
VISITOR CNTR IMP	10/3/2018	1752		\$ 500,000.00						
PROF SRV CVB DIRECTOR	12/19/2018	1773		\$ 45,000.00						
FRONTIER DEC/CHI MARK	10/3/2018	1750		\$ 130,000.00						
RGV FALL MARKETING	10/3/2018	1753		\$ 300,000.00						
INCENT NEW FLIGHTS	10/3/2018	1754		\$ 400,000.00						
2019 SP MARKETING PUSH	2/13/2019	1784		\$ 100,000.00						
AUDIO EQUIPMENT	10/3/2018	1751			\$ 60,000.00					
ADA INSPECTION & K9 VHCL	2/7/2019	1780				\$ 7,000.00				
CITY PARK TONY HAWK	1/16/2019	1777					\$ 5,000.00			
2018 SIDE STREET CO2	12/6/2018	1767						\$ 41,386.90		
PORTABLE RR RENTALS	12/6/2018	1768							\$ 187,000.00	
BEACH ACCESS MATS	10/3/2018	1749							\$ 102,083.00	\$ 102,083.00
BEACH ACCESS 3&11 RR	12/6/2018	1769							\$ 48,800.00	\$ 48,800.00
		TOTALS	\$ 622,425.71	\$ 1,475,000.00	\$ 60,000.00	\$ 7,000.00	\$ 5,000.00	\$ 41,386.90	\$ 337,883.00	\$ 150,883.00
Description	Dates	Revenues	01 General Fund	02 Hotel Motel Fund	06 Convention Centre	08 Forfeiture Fund	09 Parks, Rec & Beautif	41 Padre Blvd Imp Fund	60 Beach Maint Fund	61 Beach Access
		BA #								
TIMFAS RSC TRNG INTL	12/19/2018	1772	\$ 750.00							
RTC MURALS PROGRAM	2/6/2019	1781	\$ 1,885.71							
TIMFAS SAFETT TRNG	2/6/2019	1782	\$ 1,320.00							
VALLEY BAP LEGACY FD	2/21/2019	1786	\$ 307,783.00							
FLEET DMAIC	2/6/2019	1779	\$ 16,470.00							
CITY PARK TONY HAWK	1/17/2019	1777					\$ 5,000.00			
BEACH ACCESS MATS	10/3/2018	1749								\$ 102,083.00
BEACH ACCESS 3&11 RR	12/6/2018	1769								\$ 48,800.00
		TOTALS	\$ 328,208.71	\$ -	\$ -	\$ -	\$ 5,000.00	\$ -	\$ -	\$ 150,883.00

* On 2/20/2019 City Council agreed to allocate \$103,600 to renovate the Visitor's Center from the original \$500,000

5-47

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

MEETING DATE: May 1, 2019

NAME & TITLE: C. Alejandro Sanchez, P.E., CFM, Public Works Director
David Travis, Building Official
Marta Martinez, Planning Administrative Assistant

DEPARTMENT: Planning Team

ITEM

Approve second and final reading of Ordinance No. 19-07 to allow for a Specific Use Permit for the expansion and operation of an "outdoor amusement" park with the addition of a zip-line ride at the property commonly known as 1201 Padre Boulevard.

ITEM BACKGROUND

The owner of the property seeks a specific use permit to expand upon a legal non-conforming use with the addition of outdoor amusement zip-lines at the property commonly known as 1201 Padre Blvd. As a result, of the property location within the Padre Blvd South District, Table 5-1, Section 20-8-1 Appendix "Z" of the South Padre Island Zoning Ordinance requires a specific use permit be granted and public hearings be conducted before the Planning and Zoning Commission and City Council.

BUDGET/FINANCIAL SUMMARY

Not Applicable

COMPREHENSIVE PLAN GOAL

LEGAL REVIEW

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

RECOMMENDATIONS/COMMENTS

Planning and Zoning Commission met on March 28, 2019 and unanimously approved this request and recommend Council approval.

ORDINANCE NO. 19-07

AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, REFERRING TO THE SPECIFIC USE PERMIT BY MAKING A REFERENCE IN THE ZONING MAP OF THE CITY OF SOUTH PADRE ISLAND, TEXAS; PROVIDING FOR A SPECIFIC USE PERMIT FOR OUTDOOR AMUSEMENT AT PADRE ISLAND UNSUBDIVIDED ABST 260; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY OF UP TO TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH VIOLATION; PROVIDING FOR SEVERABILITY; AND AUTHORIZING PUBLICATION IN CAPTION FORM.

WHEREAS, the City Council of the City of South Padre Island ("City Council"), has investigated and determined the City of South Padre Island, Texas ("City") should refer to the Specific Use Permit by making a reference in the Zoning Map as provided herein and pursuant to a notice being duly posted according to law, conducted a public hearing wherein a request was made by Doyle Wells (the "Applicant") to allow a Specific Use Permit for "Outdoor Amusement" operations on a tract of land zoned District "PBS" (Padre Boulevard South);

WHEREAS, the tracts of land are in the City of South Padre Island, Texas, being PADRE ISLAND UNSUBDIVIDED ABST 260 3.605 AC OUT OF 6.675 AC PT LT AN-7 BLK A , and being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes (the "Property");

WHEREAS, the City Council finds that Applicant has agreed to comply with all provisions of the ordinances of the City, including but not limited to the Zoning Ordinance, and has further agreed to comply with the additional restrictions set forth herein;

WHEREAS, the City Council has investigated and determined that it would be fair to accommodate the Outdoor Amusement operations by granting the Specific Use Permit;

WHEREAS, the Planning and Zoning Commission of the City and the City Council, in compliance with the laws of the State of Texas and the requirements of Sec. 20-18 of the City Code of Ordinances (Zoning) have given requisite notice by publication and otherwise, and holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Specific Use Permit should be referenced on the Zoning Map as required by Section 20-24 of the City Code of Ordinance;

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

Section 1. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. The locations of the Specific Use Permit are referenced on the Zoning Map as shown on Exhibit "A".

Section 3. Applicant is granted a Specific Use Permit to allow operation of the identified outdoor amusement facility based upon the following condition;

1. Expansion of current operations is limited to the addition of zip-lines attached in Exhibit "B";
2. The applicant shall ensure the zip-lines are inspected annually by a licensed amusement ride inspector, as registered by the Texas Department of Insurance.

Section 4. Applicant is granted a Specific Use Permit to allow operation of Outdoor Amusement operations subject to the aforementioned conditions.

Section 5. All terms of this Specific Use Permit shall be complied with prior to issuance of a certificate of occupancy and shall be maintained thereafter. This Specific Use Permit will be declared null and void if:

1. Any failure to comply with any term or condition of this Ordinance, as it exists or may be amended; or
2. This Specific Use Permit was obtained by fraud or deception.

Section 6. This ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

Section 7. Any violation of the above mentioned section of Chapter 20 of the Code of Ordinances of the City of South Padre Island may be punished by a fine not to exceed two thousand Dollars (\$2000.00) for each offense for each day such offense shall continue and the penalty provisions of Sections of Section 21-2 of the Code of Ordinances is hereby adopted and incorporated for all purposes.

Section 8. 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 9. This Ordinance shall become effective when published in caption form.

PASSED, APPROVED AND ADOPTED on First Reading, the 17th day of April 2019.

PASSED, APPROVED AND ADOPTED on Second Reading, the 1st day of May 2019.

ATTEST:

CITY OF SOUTH PADRE ISLAND,
TEXAS

SUSAN HILL, CITY SECRETARY

DENNIS STAHL, MAYOR

552

Exhibit "A"

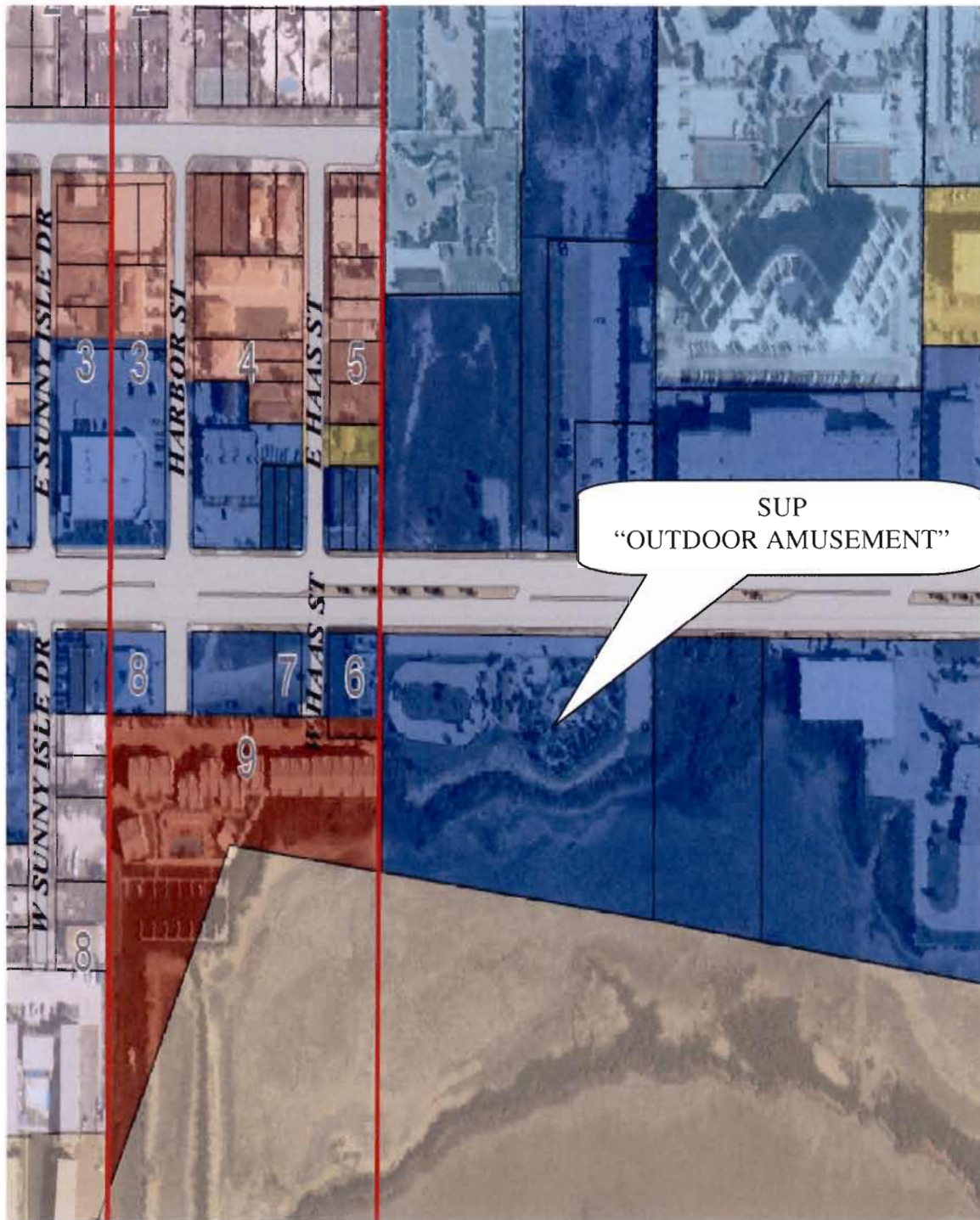
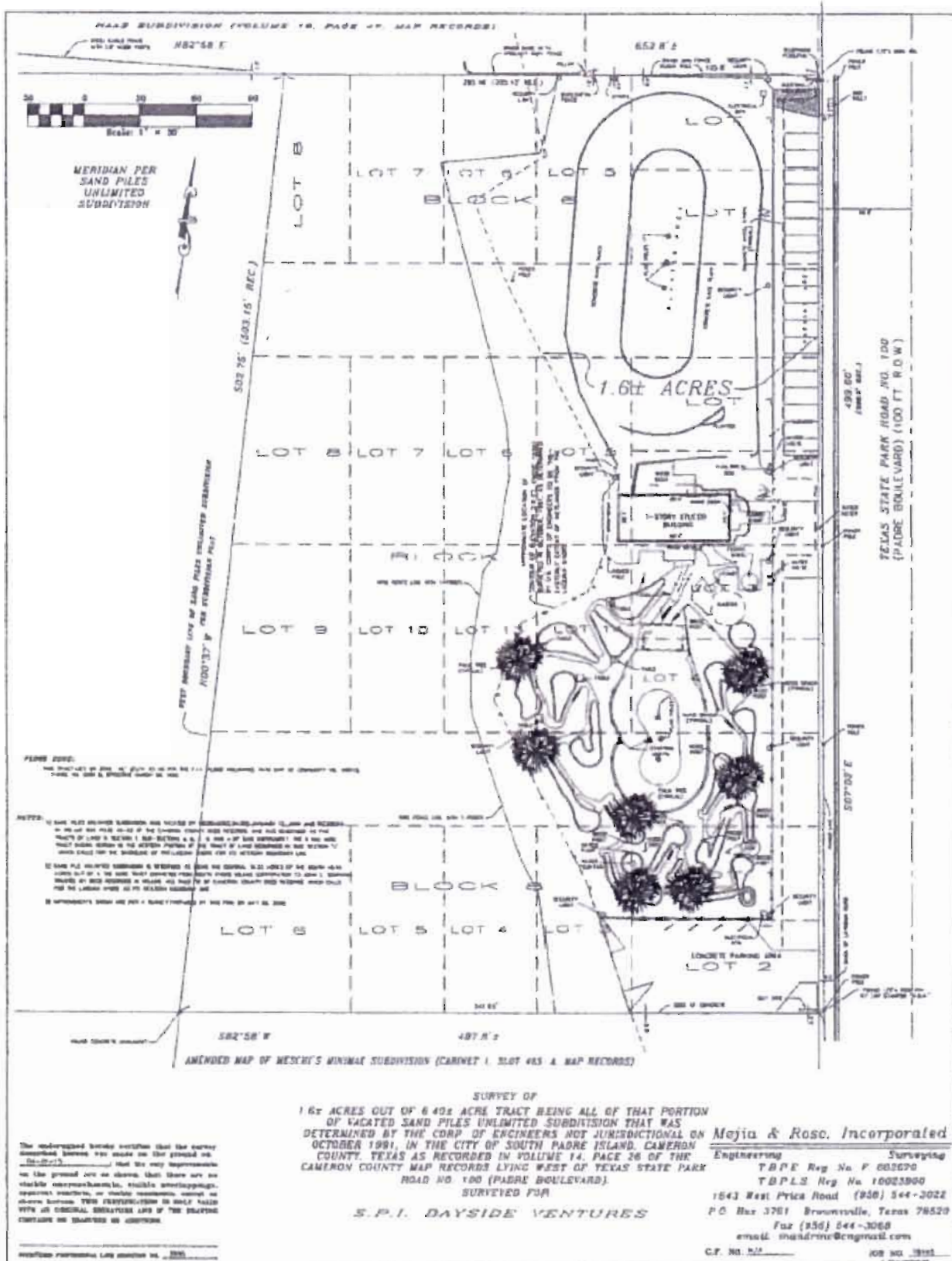


Exhibit “B”



5.52

Exhibit "B Cont."



5-55

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

MEETING DATE: May 1, 2019

NAME & TITLE: Joe Ricco, Council Member

DEPARTMENT: City Council

ITEM

Discussion and action to dedicate the South Padre Island Municipal Court to the late Judge David K. Colwell.

ITEM BACKGROUND

The previous City Council had taken action to dedicate City Hall to Paul Y. Cunningham, Jr., who was our City Attorney since 1973 and the Council Chambers dedicated to Joyce Adams, who served as the City Secretary from 1984 to 2008. I would like to propose that we dedicate the City's Municipal Court room to Judge David K. Colwell who presided as the City's judge for twenty-three years beginning in 1991 until his retirement in October 2014. Judge Colwell leaves a legacy of service to the City of South Padre Island.

BUDGET/FINANCIAL SUMMARY

COMPREHENSIVE PLAN GOAL

LEGAL REVIEW

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

RECOMMENDATIONS/COMMENTS

Recommend approval to dedicate the Municipal Court to Judge David K. Colwell.

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

MEETING DATE: May 1, 2019

NAME & TITLE: Kristina Boburka, Interim Shoreline Director

DEPARTMENT: Shoreline Department

ITEM

Discussion and action to select and move forward with potential projects and improvements based upon the Shoreline Master Plan.

ITEM BACKGROUND

The Shoreline Staff examined the Final Shoreline Master Plan and has compiled a list of potential projects for each of the four goals outlined: Education, Tourism, Conservation, and Public Access. The decision matrix provides a way to select those projects that should proceed forward. The Shoreline Task Force ranked the projects based on priority, 1 being least important to move forward with and 10 being most important. The matrix presented represents their final decisions as averages.

BUDGET/FINANCIAL SUMMARY

None.

COMPREHENSIVE PLAN GOAL

Chapter III. Parks and Resources

GOAL 1: The City shall ensure protection and conservation of natural resources, such as beaches, dunes, wetlands, Laguna Madre waterfront and native flora and fauna, allowing for their sustainable use and enjoyment by future generations.

Objective 1.1 Beach and dunes shall be protected from both natural and artificial erosion.

LEGAL REVIEW

Sent to Legal: YES: _____

NO: X

Approved by Legal: YES: _____

NO: _____

RECOMMENDATIONS/COMMENTS

Authorize staff to proceed with selected projects.

Decision Matrix Averages	
Key Action/Amenity	Averaged Ranked Priority
Education Liaison	6.8
Activities Forum	8
Classroom Space	6
Dune Demonstration Garden	7
Land Acquisition	8
Beach Access	9
Bayside Ramps (separate motorized and non-motorized)	8.6
Beach Nourishment	9.4
Dunes/Wetland Protection (Ch. 22/Morton study update), Regional Sediment Management	9.4
Building Codes	7.2
Access Walkovers	9
Mobi-Mats	5.4
Public Restrooms	9.2
Portable Restroom Facilities	6.8
Changing Rooms	2.8
Showering Facilities	8.8
Workout Stations	5.4
Picnic Tables	4
Bike Racks	5.8
Paid Parking	5.6

9-2

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

MEETING DATE: May 1, 2019

NAME & TITLE: Kristina Boburka, Interim Shoreline Director

DEPARTMENT: Shoreline Department

ITEM

Discussion and action to continue to work with our partners at U.S. Geological Survey (USGS), U.S. Army Corps of Engineers (USACE), and PARTRAC on the upcoming Beneficial Use of Dredged Material (BUDM) placement to carry on the particle tracing study.

ITEM BACKGROUND

The Brazos Santiago Pass will be dredged this upcoming fall. The City of South Padre Island is expected to receive BUDM material from this dredging event and has been in contact with the GLO and USACE on organizing the onshore placement. By continuing the particle tracing study, the City will have a greater understanding of how our sediment is moving within our system and in turn to better manage our resources.

BUDGET/FINANCIAL SUMMARY

None.

COMPREHENSIVE PLAN GOAL

Objective 1.1 Beach and dunes shall be protected from both natural and artificial erosion.
Policy 1.1.1: The City shall develop and maintain a beach/dune maintenance program.
Strategy 1.1.1.2: The City shall evaluate all options with feasibility for controlling erosion.
Strategy 1.1.2.1: The City should strengthen an ongoing, regular dune maintenance program, and leverage access to State and Federal funds to continuously sustain this activity.

LEGAL REVIEW

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

RECOMMENDATIONS/COMMENTS

Recommends to continue with the tracer study and work with our partners in developing a method and approach for this upcoming event.

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

MEETING DATE: May 1, 2019

NAME & TITLE: Kristina Boburka, Interim Shoreline Director

DEPARTMENT: Shoreline Department

ITEM

Update on the twenty permanent, temporary restrooms that have been placed at eleven of the City's beach accesses

ITEM BACKGROUND

Twenty permanent, temporary ADA restrooms were placed at 11 City Beach Accesses at the end of January to provide more facilities along the beach and Gulf Boulevard. The Shoreline Department is currently creating and installing surf board enclosures around the units for a more appealing view.

BUDGET/FINANCIAL SUMMARY

The renting and servicing of these 20 units is \$13,482.24 for every 28 days.

COMPREHENSIVE PLAN GOAL

Chapter III. Parks and Resources

GOAL 1: The City shall ensure protection and conservation of natural resources, such as beaches, dunes, wetlands, Laguna Madre waterfront and native flora and fauna, allowing for their sustainable use and enjoyment by future generations.

Objective 1.1 Beach and dunes shall be protected from both natural and artificial erosion.

LEGAL REVIEW

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

RECOMMENDATIONS/COMMENTS



City's Beach Access Restroom Update



Portable Restroom Enclosures

As of 22 April 2019:

- Locations Completed- 3 (Access 1, 2, 4, 5)
- Currently Working On- 1 (Access 8)
- Locations Left to Complete- 7 (Accesses 8, 9, 14, 16, 17, 22, 24)

hrb



56





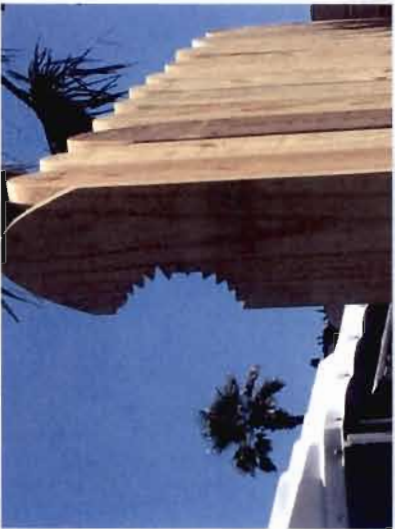
City's Beach Access Restroom Update

Portable Restroom Enclosures

As of 22 April 2019:

- Locations Completed- 3 (Access 1, 2, 4, 5)
- Currently Working On- 1 (Access 8)
- Locations Left to Complete- 7 (Accesses 8, 9, 14, 16, 17, 22, 24)





9-9

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

MEETING DATE: May 1, 2019

NAME & TITLE: Kristina Boburka, Interim Shoreline Director

DEPARTMENT: Shoreline Department

ITEM

Discussion and action to appoint a City Council member to serve on the Lower Texas Coast's Community Work Group (CWG) for the United States Army Corps of Engineer's Texas Coastal Study.

ITEM BACKGROUND

The Texas Coastal Study is a compilation of projects for Coastal Storm Risk Management (CSRM) and Ecosystem Restoration (ER) along the Texas Coast. The current Study proposes a CSRM project on South Padre Island which would include a 12.5-foot dune with a width of 20 feet and a 100-foot wide beach seaward of the dune. This was established as the best alternative after thorough beach-fx modeling that took into account the City's existing beach and dune conditions.

This Community Work Group would work as a 'liaison' between the community and the U.S. Army Corps of Engineers (USACE) and Texas General Land Office (GLO). The expectations would have the group meet at least once every quarter for roughly one and a half years and be a key aspect in educated the community about this project, but also relaying their feedback to the USACE and GLO.

BUDGET/FINANCIAL SUMMARY

None.

COMPREHENSIVE PLAN GOAL

Chapter III. Parks and Resources

GOAL 1: The City shall ensure protection and conservation of natural resources, such as beaches, dunes, wetlands, Laguna Madre waterfront and native flora and fauna, allowing for their sustainable use and enjoyment by future generations.

Objective 1.1 Beach and dunes shall be protected from both natural and artificial erosion.

LEGAL REVIEW

Sent to Legal:	YES: _____	NO: <u> X </u>
Approved by Legal:	YES: _____	NO: _____

Comments:

RECOMMENDATIONS/COMMENTS

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

MEETING DATE: May 1, 2019

NAME & TITLE: C. Alejandro Sanchez, P.E., CFM, Public Works Director

DEPARTMENT: Public Works Department

ITEM

Discussion and possible action regarding the PR100 (Padre Boulevard) Median, Boardwalk, and Sidewalk Improvement 95% plans.

ITEM BACKGROUND

The plans for PR100 (Padre Boulevard) Median, Boardwalk and Sidewalk Improvement are 95% complete. Coordination between the City, TxDOT and Kimley-Horn have taken place including various Public Involvement meetings since June 2015.

A final Public Meeting and Public Workshop is scheduled for May 1, 2019. The next step is to incorporate any possible public input and finalize the plans for bidding.

BUDGET/FINANCIAL SUMMARY

The project is 100% is funded with venue tax revenue bonds and will be bid out by the City. As a reminder, the venue hotel occupancy tax revenue bonds series 2017 were issued to finance venue projects, including Padre Boulevard medians and improvements.

COMPREHENSIVE PLAN GOAL

Chapter II: Mobility – Goal I, Strategy 1.1.1.5

LEGAL REVIEW

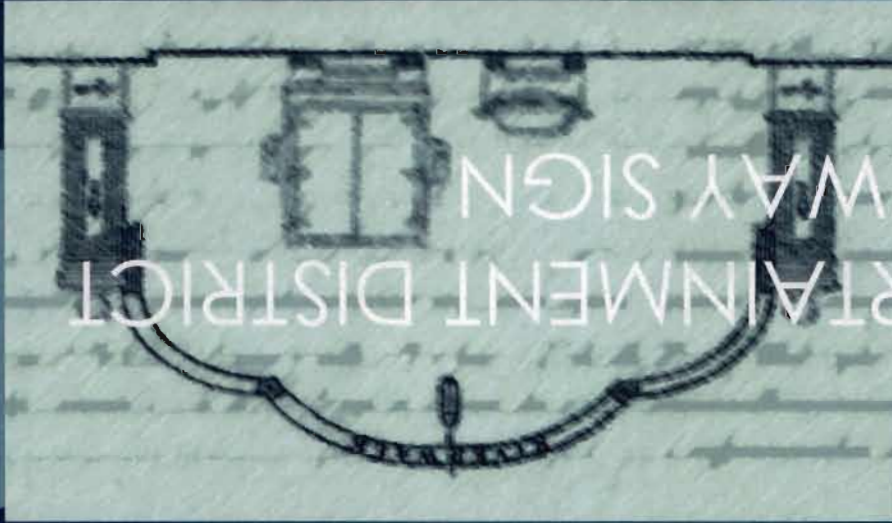
Sent to Legal: YES: _____ NO: x
Approved by Legal: YES: _____ NO: x

RECOMMENDATIONS/COMMENTS

e-11

ENTERTAINMENT DISTRICT GATEWAY SIGN

COSTS



GATEWAY SIGN SAMPLES



- Location: Kemah, TX
- Built: 1998
- Cost: \$



- Location: Orlando, FL
- Built: 2018
- Cost: \$175,000 (Retrofit)

GATEWAY SIGN SAMPLES...CONT.

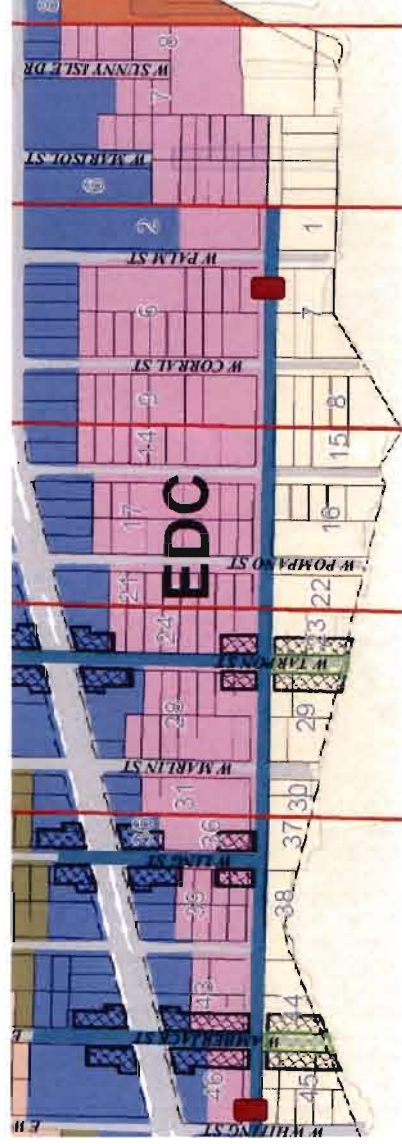


- Location: Seabrook, TX
- Built: 2011
- Cost: \$223,755



- Location: Austin, TX
- Built: Not yet bid or built
- Cost: \$ 75,000 to 200,000

SIGN LOCATION



GATEWAY SIGN NEXT STEPS

- ▶ Approximate Sign Cost - \$ 400,000 for both
- ▶ Architect and Engineering Fees - \$30,000 to \$60,000
- ▶ Actions moving forward
 - ▶ Request for Qualifications (RFQ) to begin design
 - ▶ Determine Location
 - ▶ Determine Funding

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

MEETING DATE: May 1, 2019

NAME & TITLE: C. Alejandro Sanchez, P.E., CFM, Public Works Director

DEPARTMENT: Public Works Department

ITEM

Discussion and action to approve Contract Amendment No. 13 (amount not to exceed \$160,000) with Kimley-Horn for supplemental construction phase services for Padre Boulevard (PR 100) Improvements for Sidewalks and Medians (Phase II).

ITEM BACKGROUND

The existing contract we have in place with Kimley-Horn can be amended to include additional services.

Amendment 13 is for the medians, boardwalk, sidewalk, and traffic signal project from Palm Street to the SPI Equestrian and Events Center which is currently under design (at 90% complete). This amendment is for supplemental construction phase services to support city staff including: construction scheduling review, construction progress meetings, submittal and RFI coordination, site observation, and contractor/City/TxDOT coordination. The current Padre Boulevard (PR 100) sidewalk and landscape project under construction is being managed by TxDOT while the next Padre Boulevard (PR 100) project under design will be managed by the City during construction. It is anticipated that Kimley-Horn's involvement during construction of this project would be more involved to assist the City to achieve an on-time completion within budget by facilitating communication, project documentation, identifying issues early, and quickly resolving issues. This also includes management of the materials testing firm.

This amendment will be to the May 18, 2015 concerning Padre Boulevard (PR 100) Improvements for sidewalks and medians. The total amount for these services will not exceed \$160,000 (this is approximately 2.67% of the total estimated construction cost).

BUDGET/FINANCIAL SUMMARY

The current balance of the 2017 Venue Tax Revenue Bonds is approximately \$8.9 million. Funds are already budgeted.

COMPREHENSIVE PLAN GOAL

Chapter II: Mobility – Goal I, Strategy 1.1.1.5

LEGAL REVIEW

Sent to Legal: YES: _____
Approved by Legal: YES: _____

NO: x _____
NO: x _____

Comments:

RECOMMENDATIONS/COMMENTS

**AMENDMENT NUMBER 13 TO THE AGREEMENT BETWEEN
THE CITY OF SOUTH PADRE ISLAND AND
KIMLEY-HORN AND ASSOCIATES, INC.**

AMENDMENT NUMBER 13 DATED April 8, 2019 to the agreement between City of South Padre Island, ("City") and Kimley-Horn and Associates, Inc., ("Consultant" or "Kimley-Horn") dated May 18, 2015 ("the Agreement") concerning Padre Boulevard (PR 100) Improvements for Sidewalks and Medians (the "Project").

The Consultant has entered into the Agreement with the City for the furnishing of professional services, and the parties now desire to amend the Agreement.

Therefore, it is mutually agreed that the Agreement is amended to include Additional Services to be performed by Consultant and provisions for additional compensation by the City to the Consultant, all as set forth in Exhibit A hereto. The parties ratify the terms and conditions of the Agreement not inconsistent with this Amendment, all of which are incorporated by reference.

CITY:

SOUTH PADRE ISLAND, TX

By: _____

Title: _____

Date: _____

CONSULTANT:

KIMLEY-HORN AND ASSOCIATES, INC.

By: _____

Title: _____

Date: _____

**Exhibit A to Amendment Number 13,
dated April 8, 2019.**

Consultant shall perform the following Additional Services:

Supplemental construction phase services for the project consisting of median, sidewalk, boardwalk, enhanced crosswalks, and traffic signal design for PR 100 (Padre Blvd) from Palm St to the SPI Equestrian and Events Centre.

This amendment includes the following task:

1. SUPPLEMENTAL CONSTRUCTION PHASE SERVICES

The Consultant's role is limited, and services are only provided upon request from the Client and billed on a reimbursable basis as labor and direct expenses are incurred. The budgeted fee for this task is based on approximately 580 hours of labor. If additional effort is required, it will be performed as an Additional Service.

This task may include the following as requested by the City:

Consultant will perform a review of contractor's construction schedule. An initial schedule will be reviewed for schedule health and for consistency with project phasing and contract time limits. Comments will be provided to the Contractor and the City. This activity includes one (1) comment resolution meeting to assist in the acceptance of a baseline schedule for the project. In addition, up to twelve (12) progress schedule reviews will be performed to coincide with monthly schedule updates.

Consultant will coordinate submittal, shop drawing and RFI review to ensure the appropriate parties receive the submitted information from the Contractor, reviewers respond in the required time, any questions are addressed, and all submitted items are tracked and logged.

Consultant will attend and document up to twelve (12) monthly construction progress meetings with the City and the Contractor to review the status of the construction schedule, current submittal log, current RFI log, any ongoing project issues, and any current project impacts related to time and/or cost.

Consultant will perform up to twelve (12) site visits. Site visits will include Kimley-Horn Construction Management personnel and will follow the guidelines established in the original contract for engineering services for this project. Site visits will be documented with observation reports to include a description of work in progress and any observations of construction issues that may require attention. It is assumed that site visits will be scheduled concurrently with monthly construction progress meetings.

Consultant will perform coordination with City staff and the Contractor on an as-needed basis regarding project documentation, the project schedule, and known project issues. The purpose of this coordination will be to facilitate communication and resolution of outstanding items to promote progress of the project during construction.

Consultant will review Contractor requests for additional contract time and/or cost. Kimley-Horn will review contractor documentation of project impacts to evaluate compliance with construction contract requirements, justification of proposed time and/or cost impacts, and the general reasonableness of requests.

SUMMARY OF FEES:

For the Additional Services set forth above, the City shall pay the Consultant the following additional compensation:

HOURLY

Kimley-Horn will perform the services in Task 1 on a labor fee plus expense basis. Labor fee will be billed on an hourly basis in accordance with our then current rates. For the hourly tasks, direct reimbursable expenses such as express delivery services, air travel, and other direct expenses will be billed at cost. Kimley-Horn will not exceed the estimated total unless written approval from the City is received.

- Task 1 Supplemental Construction Phase Services \$ 160,000
Hourly Not-To-Exceed Total, Inclusive of Expenses: \$ 160,000

Total Estimated Contract value for this amendment is \$160,000 (hourly not-to-exceed).

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

MEETING DATE: May 1, 2019

NAME & TITLE: Joe Ricco, Council Member

DEPARTMENT: City Council

ITEM

Discussion and action to direct the City Manager, Building Official, Environmental Health Director and up to three members of the community with building and/or real estate knowledge to develop a process/ordinance to address abandoned and blighted structures and properties.

ITEM BACKGROUND

More than a dozen structures on the Island have fallen into uninhabitable condition or are abandoned projects that have been in disrepair for many years.

BUDGET/FINANCIAL SUMMARY

None

COMPREHENSIVE PLAN GOAL

Goal 1: Policy 1.1.5: The City should establish standards to enhance the appearance of properties facing public rights-of-way.

Goal 1: Strategy 1.2.1.2: Livable and attractive neighborhoods should be developed with a broad array of amenities such as parks, playgrounds, sidewalks, and landscaping.

LEGAL REVIEW

Sent to Legal: YES: _____

NO: X

Approved by Legal: YES: _____

NO: X

RECOMMENDATIONS/COMMENTS

Recommend approval to move forward.

Chapter 4 - BUILDINGS AND CONSTRUCTION

ARTICLE I. - GENERAL

Sec. 4-1. - Building permit required, holders responsible for damage to streets.

There shall be no construction or erection of any type of structure or manufacture of any kind, temporary or permanent, without obtaining a building permit from the City. Permit holders shall be responsible for all damage to City streets (Section 16-10 et. seq.) and must comply with all the requirements of Chapter 16 of this Code regarding the right-of-ways of the City.

Sec. 4-2. - Same—Payment of fees required.

If any person or entity which commences construction or erection of any type of structure or manufacture of any kind or does any work requiring a permit before first obtaining the proper permit and shall subsequently apply for said permit and said permit is thereafter issued, the applicant shall pay twice the normal permit fee or the sum of Two Hundred Dollars (\$200.00), whichever is greater.

(Ord. No. 176, 4-5-1995; Ord. No. 18-19, § 1, 8-15-2018)

Sec. 4-2.1. - Install a sidewalk.

- (A) *Installation required.* Whenever a building permit is issued for the construction of any structure on a vacant lot or tract the building permit applicant shall be required to install a sidewalk in the right-of-way between the property line and the edge of the street and the sidewalk shall be constructed: (i) in compliance with the Standards and Specifications for the Acceptance of Public Improvements for the City of South Padre Island; and (ii) at such location and pursuant to such plans required by the Public Works Director.
- (B) *Payment of fee in lieu of sidewalk installation.* In lieu of installing a sidewalk, as required by the subsection immediately above, a building permit applicant may request to pay a fee. The request to pay the fee in lieu of sidewalk installation shall be submitted in writing with the building permit application and shall be submitted in the manner prescribed in Sec. 23.15 (E).

(Ord. No. 15-22, 1-6-2016; Ord. No. 18-05, § 1, 2-7-2018)

Sec. 4-3. - Applications on permits by licensed masters required.

All permits issued for construction shall require an application by a licensed master plumber and licensed master electrician prior to the commencement of plumbing or electrical work, although such application shall not be required for initial issuance of the permit. No additional fee shall be charged by the City in connection with the applications of master plumbers and electricians on building permits.

13-2

(Ord. No. 17, 12-19-1973)

Sec. 4-4. - Same—Stop-work order for violation.

- (A) Any permit holder that does not comply with any City ordinance, code, law or instruction of the Building Inspector shall be issued a stop-work order by the Building Inspector.
- (B) In the event plumbing or electrical work is commenced prior to application by a master plumber or electrician as required by Section 4-3, the Building Inspector may issue a stop-order until such requirement is met.

Sec. 4-5. - Adoption of standard codes.

- (A) The City adopts the 2015 International Building Code, 2015 International Residential Code without Section R313 (deleted), 2015 International Fire Code without Appendices L and M (deleted), 2015 International Mechanical Code, 2015 International Plumbing Code, 2015 International Fuel Gas Code, 2014 National Electrical Code, 2015 International Energy Conservation Code, 1997 Standard Housing Code, and the 1985 Unsafe Building Abatement Code and all other amendments thereto except as modified by the Code of Ordinances.
- (B) When any of the Standard Codes makes reference to the duties of a certain official named therein, that designated official of the City of South Padre Island who has duties corresponding to those of the named official in said standard code shall be deemed to be the responsible official in so far as enforcing the provisions of said standard codes are concerned.

(Ord. No. 14-07; Ord. No. 18-02, § 1, 2-7-2018)

Sec. 4-6. - Master flood hazard prevention ordinance adopted.

The City adopts the Master Flood Hazard Prevention Ordinance as promulgated by the City.

(Ord. No. 18-03, 2-7-2018; Ord. No. 18-19, § 1, 8-15-2018)

Sec. 4-7. - Same—Permits to conform.

All permits for construction shall require conformance with the Master Flood Hazard Prevention Ordinance.

Sec. 4-8. - Elevators.

The Adopted Building Code is supplemented by the requirement that all elevators in buildings over six (6) stories shall be connected to the on-site standby power plant.

(Ord. No. 18-19, § 1, 8-15-2018)

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Sec. 4-9. - Exceptions to codes authorized.

The Board of Adjustments is hereby granted authority to grant exceptions to Codes enumerated in Section 4-5 hereof upon application by the proper party, and upon a finding by said Board that said exception to this Chapter shall not create a hazard to the health and safety of the citizens of the City.

Sec. 4-10. - Fire limits established.

The City maintains fire limits (fire zones) as set forth on a map on file in the City offices bearing the signature of the responsible City Official of the City, which map is known as the Fire Zone Map of the City of South Padre Island. Type V (Wood Frame) construction is allowed for one and two family structures in the fire district if said structure maintains all required residential setbacks (District A) and said structure has non-combustible exterior coverings (brick, stucco-concrete, etc.).

(Ord. No. 51, 1-18-1978; Ord. No. 99-19, 12-1-1999; Ord. No. 18-19, § 1, 8-15-2018)

Sec. 4-11. - Appointment of building inspector.

The Building Inspector or Inspectors shall be such person(s) as may be designated by the City Council.

(Ord. No. 2A, 8-7-1974)

Sec. 4-12. - Adoption of Building Code for Windstorm Resistant Construction.

The City adopts the provisions for Windstorm Resistant Construction approved by the Texas Windstorm Insurance Association, a true and correct copy of same being on file with the Building Inspector and all construction within the City shall be in strict compliance therewith and with all other codes and ordinances of the City.

(Ord. No. 99A, 9-1-1982; Ord. No. 99-19, 12-1-1999; Ord. No. 18-19, § 1, 8-15-2018)

Sec. 4-13. - Most stringent requirement adopted.

In the event any other code or ordinance of the City should impose a more stringent restriction or requirement than that provided by the adopted codes for windstorm resistant construction, then the more stringent requirement shall be complied with.

(Ord. No. 99A, 9-1-1982; Ord. No. 18-19, § 1, 8-15-2018)

Sec. 4-14. - Liability insurance required.

Any person, corporation, or contractor who shall perform any type of work within the public roadways, streets, right-of-ways and easements of the City shall, prior to the issuance of any permit for performing such work within said roadways, streets, right-of-ways and easements, file with the City Secretary, and thereafter keep in full force and effect during the period of construction, a general liability policy in form approved by the Board of Insurance Commissioners, issued by an insurance company duly authorized to transact liability insurance in this State, covering bodily injuries and destruction of property resulting from said work.

(Ord. No. 46, 3-2-1977)

Sec. 4-15. - Minimum insurance limits.

The minimum limits for the policy of liability insurance required by Section 4-14 shall be \$100,000.00.

Sec. 4-16. - Fees.

On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the following schedule:

(A) Permit Fees:

1. The minimum fee for issuing any permit shall be \$25.00.
2. The fee rate is \$7.00 per \$1,000 valuation.

(B) Building Permit Valuations:

Permit valuation shall include total cost, such as plumbing, electrical, mechanical and other systems, all or any of which require a separate permit. For the purpose of establishing the valuation of a building, the Building Official may use data published by a recognized authority substantiating current cost of construction and/or the contractor's estimated cost whichever is higher.

(C) Moving of a Building or Structure:

For the moving of any building or structure, the fee shall be \$200.00.

(D) Demolition of Building or Structure:

For the demolition of any building or structure the fee shall be \$100.00.

(E) Reinspection Fee:

In the event the Building Inspector is called upon to inspect an aspect of construction which he has previously inspected and determined insufficient, a reinspection fee shall be assessed the person requesting such reinspection. The amount of such fee shall be

determined by the City Manager based upon actual time, overhead, expenses and other factors related to the performance of the reinspection.

(Ord. No. 18-19, § 1, 8-15-2018)

Editor's note— Ord. No. 18-19, § 1, adopted August 15, 2018, renamed § 4-16 from "fees; amendment of Standard Building Code" to "fees."

Sec. 4-17. - Standard Housing Code, board of adjustments and appeals.

The Housing Board of Adjustments and Appeals provided for in the Standard Housing Code shall be the same Board of Adjustments as created and appointed pursuant to the Zoning Code of the City of South Padre Island. Said Board of Adjustments under the Zoning Code shall also have all the powers and duties provided for the Housing Board of Adjustments and Appeals as set forth in the Standard Housing Code.

Sec. 4-18. - Standard Unsafe Building Abatement Code and chapter 214 Local Government Code.

- (A) The Board of Adjustments and Appeals provided for in the Standard Unsafe Building Abatement Code shall be the same Board of Adjustments and Appeals appointed pursuant to the Standard Building Code. Said Board of Adjustments and Appeals under the Building Code shall also have all the powers and duties provided for the Board of Adjustments and Appeals as set forth in the Standard Unsafe Building Abatement Code.
- (B) Chapter 214 of the Local Government Code.
 - (1) In the event any provision of Chapter 214 of the Local Government Code is inconsistent with the Standard Unsafe Building Abatement Code, then the provisions of Chapter 214 of the Local Government Code shall apply.
 - (2) Pursuant to Section 214.001(d) of the Local Government Code, the City shall make a diligent effort to discover each mortgagee and lienholder of any property subject to a hearing before the Board pursuant to the Standard Unsafe Building Abatement Code; and before conducting the public hearing, shall give notice to said mortgagee and/or lienholder and afford them an opportunity to comment at the hearing. Additionally, any Order issued to the property owner pursuant to the Standard Unsafe Building Abatement Code shall also provide an additional reasonable time for the ordered action to be taken by any of the mortgagees or lienholders in the event the owner fails to comply with the Order within the time provided for action by the owner.
- (C) If the City incurs expenses pursuant to the Standard Unsafe Building Abatement Code including the expenses to secure, repair, remove, or demolish the building or re-locate the occupants, the City shall have a lien against the property for all costs and expenses, including

attorney's fees, unless the property is a homestead protected by the Texas Constitution. The lien is a privileged lien subordinate only to tax liens and all previously recorded bona fide mortgagee liens attached to the real property to which the City's lien attaches.

- (D) In addition the provisions of the Standard Unsafe Building Abatement Code, the City may also assess a civil penalty against the property owner for failure to repair, remove or demolish the building and that said civil penalty shall be determined by the Board of Adjustments and Appeals and which civil penalty may be in any sum not to exceed Five Hundred Dollars (\$500.00) and said penalty may be assessed for each day that property owner fails to comply with the Orders issued pursuant to the Standard Unsafe Building Abatement Code, and said penalty shall constitute a lien against the property in the same manner as is provided in Section 4-18 (C). Said civil penalty shall accrue interest at the rate of Ten Percent (10%) per year from the date of assessment until paid in full.
- (E) Pursuant to Section 214.002 of the Local Government Code, if the City determines that a building, fence, shed, awning or other structure or part of a structure is likely to fall and endanger persons or property, the Building Official may order the owner, the Owner's agent, or occupant of the property to remove or demolish the structure or part of the structure within a specified time; and if the owner fails to remove the same, the City may remove or demolish the structure and assess the expense against the property on which the structure is located. The City shall follow the same procedure for notice, assessment, and recovery of expenses as provided by the Standard Unsafe Building Abatement Code and this Section 4-18.

Sec. 4-19. - Taxes—Payment prior to issuance of permit.

No permit, including, but not limited to, building permits or permits for excavation, shall be issued unless all taxes due and owing the City on the real estate and improvements whereon such house, building or structure is situated, or on which such demolition or moving is to take place, are fully paid.

Sec. 4-20. - Bond required upon granting of permit.

- (A) Upon the granting of a building permit, a bond with good and sufficient sureties for a sum of not less than Ten Thousand (\$10,000) Dollars providing for the payment to the City and to any person or persons injured or damaged in person or property of the City, for all injuries and damages caused by, or growing out of, or in any manner connected with such moving, demolition or construction, is required.
- (B) Upon filing of the required bond, the Building Inspector shall determine whether or not the sum of Ten Thousand (\$10,000) Dollars is sufficient to cover the amount of probable damage. In the event that it is determined that a higher amount is necessary to cover such damages, such bond shall be made and increased to such determined amount.

(Ord. No. 51, 1-18-1978)

Sec. 4-21. - Building inspector authorized to issue citations.

The Building Inspector is hereby authorized to issue citations to any person who in his opinion is violating the terms of this Chapter, and if said violation should continue for ten (10) days after said notice, then the Building Inspector shall file a complaint with the Municipal Court.

(Ord. No. 51, 1-18-1978)

ARTICLE II. - STRUCTURAL REQUIREMENTS

Sec. 4-22. - Post tension construction requirements.

All concrete construction employing post tension construction techniques shall adhere to a recognized standard for sealing the anchors against rust corrosion and other weather elements.

(Ord. No. 00-03, 3-1-2000)

Sec. 4-23. - Wood frame or combustible construction prohibited for public buildings.

Wood frame or combustible construction, as the same is defined by the current International Building Code adopted by the City, is hereby prohibited for any new construction or conversion when the building or structure is intended to be used by the general public and any existing structure that is classified as a wood frame or combustible construction may not be converted for the use by the general public. Wood frame or combustible materials may be used when in compliance with the current International Building Code adopted by the City.

(Ord. No. 59, 5-17-1978; Ord. No. 18-19, § 1, 8-15-2018)

Editor's note— Ord. No. 18-19, § 1, adopted August 15, 2018, renamed § 4-23 from "type VI construction prohibited for public buildings" to "wood frame or combustible construction prohibited for public buildings."

Sec. 4-24. - Wood frame or combustible construction prohibited for certain living units.

Except as provided by Sections 4-10, 4-25, and 4-26, wood frame or combustible construction, as the same is defined and described by the current International Building Code adopted by the City, is hereby prohibited for any structure containing three or more living units or designed to accommodate three or

more independent family units to occupy the premises, and conversion of any wood frame or combustible structure to three or more family living units is prohibited. Wood frame or combustible materials may be used when in compliance with the current International Building Code adopted by the City.

(Ord. No. 59, 5-17-1978; Ord. No. 18-19, § 1, 8-15-2018)

Editor's note— Ord. No. 18-19, § 1, adopted August 15, 2018, renamed § 4-24 from "type VI construction prohibited certain living units" to "wood frame or combustible construction prohibited for certain living units."

Sec. 4-25. - Conversion of type VI structure to public or multi-family use.

Any structure of Type VI construction, as the same is defined by the Standard Building Code, that was built, or its building permit issued prior to June 1, 1978, may be converted to a use by the general public or converted to multi-family use, if the owners of said building shall first submit a plan of conversion of said structure to the Building Inspector of the City as herein provided and obtain the approval of the Building Inspector.

(Ord. No. 59A, 12-11-1978)

Sec. 4-26. - Same—Approval of building inspector required.

If the plan of conversion to be submitted under Section 4-25 hereof does not meet with the approval of the Building Inspector, then said building shall not be converted. The Building Inspector may require the applicant to make certain renovations and changes in order to maximize the protection of the general public that may use and occupy the building. If the Building Inspector determines that the building may not be made safe in a reasonable manner, then said conversion may be denied.

(Ord. No. 59A, 12-11-1978)

Sec. 4-27. - Standards for construction.

The hereinafter enumerated standards shall be required in the construction of all buildings, to-wit:

- (A) All structures erected within the corporate limits of the City shall be supported by continuous connection of pilings to base flood level or first living level whichever is greater.

Pilings shall be treated timber or concrete [Note: Windstorm Code has no provision for concrete pilings] as per the following schedule:

Number of stories supported by pilings	Size of piling	Type of pilings	Depth of piling below grade	Spacing pilings
1	Min. 12 inches Butt Min. 8 inches Top	Treated Timber	15 feet	Min 1 piling per 100 sq. ft. bldg.
1	<u>11 ½</u> × <u>11 ½</u>	Reinforced Concrete	12 feet 12 feet	Min. 1 piling per 100 sq. ft. Bldg.
2	Min. 12 inches Butt Min. 8 inches Top	Treated Timber	25 feet	Min. 1 piling per 100 sq. ft. Bldg.
2	<u>11 ½</u> × <u>11 ½</u>	Reinforced Concrete	17 feet	Min. 1 piling per 100 sq. ft. Bldg.
3	Min. 12 inches Butt Min. 8 inches Top	Treated timber	30 feet	Min. 1 piling per 100 sq. ft. Bldg.
3	<u>11 ½</u> × <u>11 ½</u>	Reinforced concrete	20 feet	Min. 1 piling per 100 sq. ft. Bldg.

- (B) Concrete pilings shall be reinforced concrete with minimum compressive strength of 4,000 P.S.I. twenty-eight day test, five sack mix and minimum four #6 Grade 60 Deformed steel bars throughout full length of piling and extending eighteen inches into the beam. There shall be a continuous tie with concrete pilings to at least the base flood

level, or first floor living level. This continuation shall be with concrete columns or concrete block with four #6 rebar and concrete. Engineered alternate designs may be approved by the Building Official.

- (C) Wood pilings shall be minimum 12 inches butt diameter minimum 8 inches top timber pilings. Piling shall be creosoted or preservative-treated in compliance with Section 2303.1.9, Preservative-treated wood, of the 2015 International Building Code.
- (D) Pilings must be tied to building structure by suitable connections bolted with not less than two ¾ inches galvanized bolts at wood to wood, wood to concrete connections. Rebar shall be extended from pilings into adjacent member in concrete to concrete connections.
- (E) Concrete grade beams to be a minimum size of 12 inches × 24 inches [three (3) story structures must be minimum of 16 inches × 24 inches] with four #5 rebar and four corner bars with #3 stirrups at twenty-four inch spacing. A moisture barrier (Visquene) to be used under slab. Slab to be minimum four inches thick with #3 bars at 12 inches O.C. or 6/6 - 6/6 welded wire fabric or equivalent, continuous. Minimum eight inch reinforced concrete beam or "U" block tie beam to be used to tie masonry structure at floor levels. This beam to have two #5 rebar. Concrete block walls shall have one #5 rebar on each side of all openings and at four foot intervals in horizontal wall, and at all corners. All cells where this occurs, shall be filled with five sack grout. All concrete to be of minimum five (5) sack mix.
- (F) All structures or piling from grade level to base flood level, or first floor living level, whichever is greater, shall be masonry construction which may include brick veneer, or other masonry veneer and stucco.
- (G) All stringers, girder to be minimum of two 2 inches × 12 inches material, one on each side of notched piling.
- (H) Sills on concrete to be wolmanized or preservative treated lumber and anchored with ¾ inch galvanized bolts with washers and nuts embedded in concrete minimum 8 inch at all corners with 4 foot intermediate spacing. Roof plates to be anchored with ¾ inch galvanized bolts with washers and nuts embedded in concrete beam or U-block 8 inch at two foot intervals. [Note: three (3) story structures have greater requirements per windstorm code]
- (I) Wall studs on all exterior walls shall be on 16 inches centers. Walls over two stories in height require at least 2 inches × 6 inches studs, at lower level.
- (J) Roof Construction:
 - (1) All ceiling joists and roof spans shall meet code requirements and each one shall be anchored to wall plates by approved metal anchors.
 - (2) All roof joists to be of 2 inches × 6 inches material or heavier or of an engineered

truss type construction.

- (3) Roof decking shall be a minimum of $\frac{5}{8}$ inches plywood CDX grade with exterior glue. Plywood to be nailed 5 inches apart at the joint, and 7 inches on the rest of the sheet. Galvanized nails #8 to be used.
- (4) Wood shingles may be applied to roofs with solid or spaced sheathing. The spaced sheathing shall be spaced not to exceed four inches clear, nor more than the width of the sheathing board. Spaced sheathing shall be not less than one inch by three inches nominal dimensions.
- (5) Class "A" or "B" minimum roof covering allowed in fire district.
- (K) Supports for roofs or porches, carports, etc. must be of nominal 4 inches x 4 inches material or larger, notched and bolted with a tie-down at base.
- (L) All wood exterior walls shall have one hour fire protection, one layer $\frac{5}{8}$ inches fire code "X" gypsum board on the interior, with minimum $\frac{5}{8}$ inches plywood exterior ($\frac{5}{8}$ inches texture 1-11), plywood siding for the purpose of this Article shall be considered to be $\frac{3}{4}$ inches material. Any material other than $\frac{5}{8}$ inches plywood shall have $\frac{5}{8}$ inches plywood sheathing installed.
- (M) All wood party walls shall be one hour protected with minimum one layer $\frac{5}{8}$ inches type "X" fire code gypsum board on each side, to roof and all doors in party walls shall be minimum one hour class "B" doors. Electrical outlets and plumbing outlets shall be staggered. All ceiling assemblies shall be minimum 5 feet 8 inches gypsum board.
- (N) At least one approved smoke detector shall be installed adjacent to the sleeping area. When actuated, the detector shall provide an alarm suitable to warn occupants within the sleeping area.
- (O) Interior paneling of occupied area shall have a minimum of 200 flame spread. Minimum class "C" paneling.
- (P) Enclosed garage area under dwellings shall have a minimum of 1 hour fire resistance rating between the habitable space and the garage, openings shall be protected by assemblies that are self-closing and of noncombustible construction or solid core not less than 1.75 inches (45 mm) in thickness, and an approved smoke detector installed.
- (Q) Reserved for future expansion.
- (R) All factory-built fireplaces shall be installed in compliance with the terms of their listing, the manufacturers' instructions, and completely installed and tested before Certificate of Occupancy is issued.
- (S) Reserved for future expansion.
- (T) There shall be no occupancy of buildings without an occupancy inspection by the Building Inspector and the issuing of a certificate acknowledging such an inspection.

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- (U) The building permit holder shall be responsible for all street damages.
- (V) All applicants for a building permit for structures shall have a property survey, plot plan, building materials list, and a substantial drawing of the structure to enable the Building Inspector to make a plan review. There shall be a minimum waiting period of 48-hours for a plan review.
- (W) No structure may use metal, corrugated siding, or use materials that have the appearance of metal or corrugated siding, for the exterior finish of any structure without the express approval of the Development Standards Review Task Force or the City Council (Corrugated defined as: shaped sheet metal or other material into straight, parallel, regular, and equally curved ridges and hollows). The only exceptions to this requirement are the following:
 - (1) Metal roofs;
 - (2) Garage doors;
 - (3) Accessory storage structures less than one hundred (100) square feet in area or with dimensions less than ten (10) feet by ten (10) feet, whichever is more restrictive; and
 - (4) Vinyl siding made to look like wood.
- (X) After the issuance of a building permit from the Public Works Department, the applicant/property owner shall be required to submit a signed and sealed elevation certificate after completion of the structure's foundation. This document will be required prior to commencement of framing. The Building Inspector and/or Building Official will stop construction should information from the elevation certificate be inconsistent with the approved plans, the required FEMA elevation, or City setback regulations.
- (Y) Prior to pouring a foundation for a building or structure the applicant/owner shall be required to have a form board survey prepared by a Registered Professional Land Surveyor (RPLS) or Registered Professional Engineer (PE) and must show the building setback lines and the exact location (including distances from property lines) of the foundation form boards. The foundation inspection cannot be performed until a form board survey has been submitted to the Building Department and reviewed by the Building Inspector.
- (Z) Chain link fences and barbed wire are prohibited. Vinyl-coated chain link fences may be allowed temporarily for a construction site only. Vinyl-coated chain link fences may be allowed around tennis and basketball courts.

(Ord. No. 78, 4-16-1980; Ord. No. 99-19, 12-1-1999; Ord. No. 18-19, § 1, 8-15-2018)

The requirements of Section 4-27 above supplement and are in addition to any and all other provisions of this Code and the Codes adopted therein regarding construction and building within the City. If Section 4-27 should be in conflict with any other provision of any other Code, then and in that event, the more restrictive or greater requirement shall supersede and replace any such provision in conflict therewith.

(Ord. No. 78, 4-16-1980; Ord. No. 99-19, 12-1-1999)

Sec. 4-29. - Townhouses.

Each townhouse shall be considered a separate building and shall be separated from adjoining townhouses by the use of separate exterior walls meeting the requirements for zero clearance from property lines as required by the type of construction and fire protection requirements or when not more than three stories in height, may be separated by a single wall meeting the requirements of the current version of International Residential Code that has been adopted by the City.

(Ord. No. 99-19, 12-1-1999; Ord. No. 18-19, § 1, 8-15-2018)

ARTICLE III. - ELECTRIC

Sec. 4-30. - Electrical standards.

The National Electrical Code is adopted by the City and all new construction, renovation and modification of structures of any nature within the City shall conform with such code and all other Codes adopted by the City and, in particular, but not by way of limitation, shall meet the following minimum standards of electric service and equipment, to-wit:

- (A) All electrical conductors, other than those supplied, installed, and maintained by the power supplier shall be copper. Copper bearing or copper-clad will not be acceptable. Aluminum conductors may be used for feeders 1/0 or greater in conditioned spaces or as approved by the Standard Code.
- (B) The service drop conductors shall have a minimum clearance from finished grade or installations as specified by the National Electric Code or the electric power supplier, whichever is greater. All new services first installed at a customer's premises after October 23, 1991 shall be underground in accordance with specifications and policies of the utility supplying electric power.
- (C) Service entrance conductors and service disconnect equipment shall be of a capacity to serve the initial load plus 25%, but in no case will they be smaller than #6, 3-wire 120/240 volt single phase. Structures designed to house people will have no smaller

than 125 amp., 120/240 volt single phase service entrance and service disconnect equipment.

- (D) Meter enclosures and service disconnect equipment shall be grounded with a minimum of #6 copper conductor in rigid steel conduit or approved metal guard, extending three (3) feet above and one (1) foot below finished grade.
- (E) Minimum acceptable grounding electrode shall be $\frac{5}{8}$ inches \times 8 feet 0 inches copper-clad steel rod installed vertically and 6 inches below finished grade with an acceptable copper or bronze ground rod clamp. Minimum resistance to ground shall not exceed 25 ohms. Rod may be common to both meter enclosure and service disconnect equipment.
- (F) The electrical contractor shall place his name, address and telephone number in the service disconnect enclosure in a manner that will withstand the environmental conditions.
- (G) Space for at least 2 spare branch circuit disconnection means shall be provided in the panel in the initial installation. (This does not include single load installations such as pumps, signs, etc.).
- (H) All material and equipment installed shall be listed with Underwriters Laboratories Inc., or other approved testing agency.
- (I) Minimum size conductors, except control circuits, flexible cords, fixture wires and signal circuits shall be #12.
- (J) Non-metallic sheathed cable shall not be used except for branch circuits. Only type NMC, THW or an approved equal with grounding wire shall be used. Feeders and subfeeders shall be enclosed in conduit or other suitable raceway.
- (K) Metal conduit shall not be used as a grounding conductor. A separate grounding conductor shall be carried in the same conduit as current carrying conductors.
- (L) Service entrance cable shall not be used for meter services.
- (M) Type "USE" cable shall not be direct buried.
- (N) Concealed knob and tube wiring and concealed "MC" or "AC" cable will not be permitted.

(Ord. No. 17A, 7-3-1974; Ord. No. 18-19, § 1, 8-15-2018)

Sec. 4-31. - Non-metallic conduit required.

All commercial structures and structures containing three or more living units are hereby required to install all electrical wiring not atmospherically protected within a non-metallic conduit.

(Ord. No. 76A, 4-21-1982)

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Sec. 4-32. - Highest standards to take precedent.

Where plans have been submitted to the Building Inspector for the City and said plans and specifications exceed the requirements of the Building Code and this Article, the highest standards shall take precedence, and any change in the plans and specifications shall be delivered to the Building Inspector prior to implementing said change.

(Ord. No. 17A, 4-3-1974)

ARTICLE IV. - RESERVED.

Secs. 4-33—4-39. - Reserved.

ARTICLE V. - DEVELOPMENT STANDARDS REVIEW TASK FORCE

Sec. 4-40. - Composition.

There is hereby established an advisory Board called the Development Standards Review Task Force (hereafter "Review Board"). The Review Board shall consist of five (5) members of the public appointed by the City Council.

(Ord. No. 09-01; Ord. No. 10-32; Ord. No. 13-05)

Sec. 4-41. - Term of office.

Each member of the Review Board shall be appointed for a term of two (2) years. Vacancies shall be filled for an unexpired term in the same manner in which the original appointments are made. Continued absences of a member of the Review Board shall, at the discretion of the City Council, subject any such member to immediate removal from office.

Sec. 4-42. - Quorum.

Three (3) members of the Review Board shall constitute a quorum. No Board member shall act in any case in which he or she has a personal interest.

(Ord. No. 09-01; Ord. No. 13-05)

Sec. 4-43. - Procedure.

(A) The Review Board shall establish rules and regulations for its own procedures consistent with

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the provisions of this Code.

- (B) The Review Board shall meet at least once each month at a regularly established time and may hold any such additional meetings that the Chairman may call.

Sec. 4-44. - Chairman.

The Review Board shall elect a Chairman, Vice Chairman and such other offices as the Board may determine to be necessary to carry out its duties.

Sec. 4-45. - Purpose.

- (A) The purpose of the Development Standards Review Task Force is to develop recommended site plan and exterior design guidelines and ordinances for non-residential uses [all uses other than One (1) or Two (2) family structures] to the City Council, as well as to review all such non-residential building site plans and specifications to insure their compliance with City Ordinances and City Design Guidelines. Review and approval of said site plans and specifications shall take place prior to receipt of a building permit for said structure(s).
- (B) Development Standards Review Task Force will establish goals annually including the following general objectives:
- Make recommendations regarding design guidelines and ordinances for all development, public and private
 - Administer the City's Form-Based Code as adopted by the City Council
 - Develop guidelines for the enhancement of Padre Boulevard
 - Consider and grant variances to established development regulation, when appropriate

Sec. 4-46. - Appeal.

Any person aggrieved by the decision of the Development Standards Review Task Force may appeal such decision to the City Council. Such appeal to the City Council must be made within ten (10) days from the date the applicant received Notice from the Development Standards Review Task Force. The City Council will hear the appeal within thirty (30) days of receipt of Notice of the Appeal. The decision of the City Council is final.

Sec. 4-47. - Required review by the development standards review task force.

Prior to issuance of permits from the Public Works Department, the Development Standards Review Task Force shall first review and approve the following:

- (A) Site plans and elevation drawings for all structures excluding one (1) or two (2) family

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structures and multifamily structures with two (2) or less stories or with sixteen (16) or less units in one (1) building.

- (B) All structures, excluding one (1) or two (2) family use structures and multifamily structures with two (2) or less stories or with sixteen (16) or less units in one (1) building, desiring exterior color and material use changes (i.e. painting, siding, stucco, etc.) must obtain a permit from the Public Works Department, except color changes that comply with the design guidelines do not require review by the Development Standards Review Task Force.

The Development Standards Review Task Force may only deny an application if it does not meet all existing applicable ordinances or the Review Board may refer an applicant to the City Council if their project does not meet existing design guidelines.

(Ord. No. 08-04, April 2008)

Secs. 4-48, 4-49. - Reserved.

ARTICLE VI. - COMMERCIAL PROPERTY MAINTENANCE

DIVISION 1. - GENERAL

Sec. 4-50. - Scope.

The provisions of this Article shall govern the minimum conditions and the responsibilities of persons for maintenance of Commercial structures, equipment and exterior property.

Sec. 4-51. - Responsibility.

The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in the City's Code of Ordinances. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter.

Sec. 4-52. - Vacant structures and land.

All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

DIVISION 2. - EXTERIOR PROPERTY AREAS

13-18

Sec. 4-53. - Sanitation.

All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

Sec. 4-54. - Grading and drainage.

All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon. Exception: Approved retention areas and reservoirs.

Sec. 4-55. - Sidewalks and driveways.

All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

Sec. 4-56. - Weeds.

All premises and exterior property shall be maintained free from weeds or plant growth in excess of ten inches (10 inches). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Sec. 4-57. - Rodent harborage.

All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

Sec. 4-58. - Exhaust vents.

Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

Sec. 4-59. - Accessory structures.

All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

Sec. 4-60. - Motor vehicles.

Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purpose.

Sec. 4-61. - Defacement of property.

No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

DIVISION 3. - EXTERIOR STRUCTURE

Sec. 4-62. - General.

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

Sec. 4-63. - Protective treatment.

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

Sec. 4-64. - Premises identification.

13-20

Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches high with minimum stroke width of 0.5 inches.

Sec. 4-65. - Structural members.

All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

Sec. 4-66. - Foundation walls.

All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

Sec. 4-67. - Exterior walls.

All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

Sec. 4-68. - Roofs and drainage.

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

Sec. 4-69. - Decorative features.

All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

Sec. 4-70. - Overhang extensions.

All overhang extensions including, but not limited to canopies, marquees, signs, awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic applications of weather-coating materials, such as paint or similar surface treatment.

Sec. 4-71. - Stairways, decks, porches and balconies.

13-21

Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

Sec. 4-72. - Handrails and guards.

Every handrail and guard shall be firmly fastened and capable of supporting code imposed loads and shall be maintained in good condition.

Sec. 4-73. - Windows, skylight and door frames.

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

Sec. 4-74. - Glazing.

All glazing materials shall be maintained free from cracks and holes.

Sec. 4-75. - Doors.

All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door.

Sec. 4-76. - Notice to property owner for non-compliance.

Whenever any condition described in this ordinance is found to exist on any premises with the City, the owner of such premises shall be notified by the City, in writing, to address, correct, remedy or remove the condition within ten (10) days after such notice is issued and it shall be unlawful for any person to fail to comply with such notice.

Building Hope: Tools for Transforming Abandoned and Blighted Properties into Community Assets

A Report on Dallas, Texas

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Building Hope: Tools for Transforming Abandoned and Blighted Properties Into Community Assets

A Report on Dallas, Texas

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Building Hope: Tools for Transforming Abandoned and Blighted Properties Into Community Assets

A Report on Dallas, Texas

Introduction

This report was prepared at the request of Builders of Hope, a Texas nonprofit corporation and community-based organization in West Dallas, to examine some of the different legal and policy tools that can be used to improve the abandoned and blighted properties that plague the community. Builders of Hope is working with other community organizations to transform a section of West Dallas into a safe, healthy, and viable neighborhood, with the belief that all residents have the right to live in neighborhoods free from crime and urban blight.

West Dallas is an area gripped in poverty and crime. In the 75212 zip code, which includes West Dallas, there are 22,789 residents. One out of three families in this area live below the poverty level. Sixty-five percent of the population over age 25 has not completed high school. The median household income is \$25,790, and the median housing values (\$41,483) are less than half of the median for the City of Dallas (\$109,153). West Dallas's crime rates are significantly higher than the rest of the City—with some areas suffering from crimes rates as high as 5-8 times the city rate. In one census tract area (the area in between Singleton, Hampton, Westmoreland, and I-30), for example, the residential property crime rate in 2004 was 252.4 crimes per 1,000 persons—roughly 8 times the city rate.¹

Significant to this report, the area is also crippled by thousands of vacant, abandoned, and blighted properties—which contribute to criminal activity, detract from the area's quality of life, and stand in the way of the nonprofit's efforts to build hope for residents in the area. A 2006 window survey identified 11,390 total parcels in West Dallas, of which 2,791 were vacant lots, and 1,648 had major code issues.²

Anyone driving through this area cannot help but be struck by the level of abandonment and urban blight. These abandoned properties are a daily reminder of the loss of hope in the community and the reluctance of government and private institutions to invest in the community's future. These properties are a persistent threat to the neighborhood and its residents.

The impact of these blighted properties are not limited to West Dallas, but instead are an economic drain to the entire City of Dallas. They lower property values of the

¹ J. McDonald Williams Institute, "Research Compilation: West Dallas (Zip Code 75212)," December 2006, pp. 7, 14.

² James Murdoch, "2006 West Dallas Windshield Survey," cd on file with author.

surrounding residences, resulting in lower property tax revenues. They require costly city maintenance including repeated code inspections, trash clean up, and demolitions. They breed crime and place a heightened demand on law enforcement resources.³ They undermine attempts to bring economic development to the area. If these blighted properties are not addressed, “even ambitious revitalization projects and neighborhood improvement expenditures may fail to increase demand.”⁴

Builders of Hope and other community groups in West Dallas still have hope—hope to see these properties rebuilt into decent, safe places to live. The transformation of these properties will result in multiple benefits not only to West Dallas, but also the entire city. These benefits include: increased residential and commercial property values resulting in increased tax revenues, reduced maintenance costs, and reduced demand on law enforcement resources.⁵

Builders of Hope is concerned with the large number of properties in West Dallas that fall into one of the following three categories:

- (1) vacant lots, which attract crime, dumping, and are an eyesore to the community.
- (2) abandoned and dilapidated homes, some of which are boarded up, which also attract crime, dumping, and are an eyesore to the community.
- (3) rental properties owned by absentee landlords that are not in compliance with code and are occupied by tenants engaging in criminal activity.

Builders of Hope has asked the Clinic to examine the City's existing legal tools for dealing with these problem properties, to identify barriers with the existing strategies, to examine model practices used in other cities, and to provide a set of recommended policies and strategies for moving forward. Over the past four months, to prepare this report, the Community Development Clinic interviewed more than 20 individuals from across the state, along with national experts; researched local ordinances, state statutes, and Texas case law; and reviewed numerous reports and publications on the topic of vacant, abandoned, and blighted properties.

Parts I-IV of this report examine the following legal tools that the City of Dallas has available to eliminate the problems associated with abandoned and blighted properties: code enforcement, criminal nuisance abatement, receivership, and asset forfeiture. For each tool, we researched the scope of the tool and how it works on the books and in practice. We then examined the different barriers that exist in maximizing the effectiveness of the tool. Parts I-IV also lay out best practices we researched from around the country pertaining to these tools and how these

³ See generally, National Vacant Properties Campaign, “Vacant Properties: The Trust Cost to Communities,” August 2005.

⁴ Accordino, John and Gary T. Johnson, “Addressing the Vacant and Abandoned Property Problem,” *Journal of Urban Affairs* 22(3) (2000), p. 303.

⁵ A five-year collaborative code enforcement effort in Sacramento, California led to a 28% increase in median home prices, a 10% increase in sales tax receipts, and a 32% reduction in crime. The economic benefits to the city exceeded the costs by almost \$8 million. Susan Catron & Robert W. Wassmer, “A Benefit-Cost Analysis of the Auburn Boulevard Revitalization Project,” February 4, 2005.

practices could be modeled in Dallas. Part V of the report lays out a set of recommendations and next steps for the community to consider in moving forward. Part VI sets forth a list of items for potential follow up research.

Part I. Code Enforcement

Effective code enforcement is essential to revitalizing a distressed neighborhood. Problem properties can “deter investors, frustrate existing residents and generally contribute to an environment of fear, disorder, and crime” in a neighborhood.⁶ Yet, code compliance in Dallas “has long ranked at the top of residents’ complaints.”⁷ This section provides an overview of the code enforcement process in Dallas, identifies some barriers to effective code enforcement, and lists some best practices and ideas for reforms from cities around the country.

Code Enforcement Laws In Dallas

There are several different state and local laws governing code enforcement in the City of Dallas. Chapter 54 of the Texas Local Government Code sets up parameters under which a municipality may enforce its health and safety ordinances. Chapter 214 of the Local Government Code governs municipal authority to regulate substandard buildings. Chapter 211 of the Texas Local Government Code concerns the enforcement of zoning ordinances. Chapter 27 of the Dallas City Code includes the City’s health and safety standards for the maintenance of residential and nonresidential structures, along with regulations for the repair and demolition of substandard buildings.

Property owners must comply with a set of minimum standards under Article 3, Chapter 27, of the Dallas City Code. These requirements are wide-ranging and include eliminating rodents, maintaining a residential structure in a weather-tight and water-tight condition, and maintaining the structural integrity of the structure. Other provisions of the City Code also govern maintenance conditions for properties. Chapter 18 of the City Code governs solid waste, weeds and vegetation, and junked vehicles. Chapter 7A governs littering. Each of these provisions carries its own set of penalties.

For vacant structures, the Dallas City Code includes a requirement that the doors and windows of a vacant structure (or vacant portion of a structure) be “securely closed” to prevent unauthorized entry.⁸ If a structure is unsanitary or unsafe and presents an immediate danger to the health, safety, or welfare of the public or any occupant of the structure, the City may place a red placard warning of the dangerous condition. The City then has a duty to immediately refer the case to the City Attorney’s Office for a hearing in municipal court on the need to vacate any residents.⁹ The City has a duty to secure a vacant structure that violates the minimum standards for structures in Article III of Chapter 27 and that is unoccupied or occupied by persons without a right

⁶ LISC & MetLife Foundation, “Leveraging Code Enforcement for Neighborhood Safety Initiatives: Insights from Community Developers,” p.1.

⁷ Bush, Rudolph, “Dallas’ Code Compliance unit set to change procedures,” *Dallas Morning News*, December 6, 2007. The article describes the problem as a “Code Compliance department judged bureaucratic, unresponsive and incapable of tackling major problems that plague neighborhoods.”

⁸ Dallas City Code § 27-11(a)(6).

⁹ Dallas City Code § 27-15.1

to live in the structure.¹⁰ After securing the structure, the City has a duty to give notice to the owner; the owner then has a right to a public hearing in municipal court to contest the securing of the structure. The requirements for securing the property are in the Dallas Fire Code.

If the property remains boarded up after 180 days without being occupied by the owner or lawful tenant and has at least one visible violation of Chapter 27, the City can bring an action to require repair or demolition of the structure.¹¹ In actions to repair or demolish a substandard structure, if the court gives the owner more than 90 days to do work to bring the dangerous structure into compliance with code, the owner must submit progress reports. If the work is not done, the city may then complete the work at its own expense and has a lien for its expenses.¹²

The City may seek civil penalties or injunctive relief for code violations, although injunctive relief is available only in municipal or district court enforcement actions, and not in administrative actions. Injunctive remedies may include, depending on the facts: (1) requiring the property owner to comply with the city's code ordinances; (2) compelling repair or demolition of the property; (3) ordering a property to be vacated; (4) compelling a vacant property to be secured in compliance with the Dallas Fire Code within 30 days; and (4) granting approval for the City to repair or remove the structure and recover costs.¹³ Stiff civil penalties are available if the City shows that the defendant had actual knowledge of the violation and failed to comply or take action after receiving the notice. Fines of up to \$1000 per day per violation are available for non-homestead property. If the property is the owner's lawful homestead, then fines are capped at \$10 a day under Chapter 27.¹⁴

Code Enforcement Process In Dallas¹⁵

Code enforcement is conducted in several different City of Dallas departments. Most code enforcement is conducted under the City of Dallas Department of Code Enforcement (DCE). DCE is divided into nine geographical regions with code inspectors assigned to each. The DCE process for determining violations is largely complaint driven. The majority of complaints are received through the City's 3-1-1 non-emergency phone line, although complaints are also made through council members' offices and other avenues. Violations may also be located through inspectors' observations while in the field or as a result of the City's new multi-tenant licensing system, which requires regular inspections of multi-tenant buildings with more than three units and that are five years of age and older.¹⁶ Through the licensing system, inspections are required at least every three years. Multi-tenant

¹⁰ Dallas City Code § 27-16(b).

¹¹ Dallas City Code § 27-16(i).

¹² Dallas City Code § 27-16.3(c)(3).

¹³ Dallas City Code § 27-16.7(b).

¹⁴ Dallas City Code § 27-16.3(7).

¹⁵ Much of this information was obtained from phone interviews with Dallas assistant city attorneys.

¹⁶ See http://www.dallascityhall.com/code_compliance/Multitenant.html.

properties are also required to register annually with the Department of Code Compliance as well as the Office of Special Collections.¹⁷

After information about complaints, such as those received by 311 calls, is entered into the City's data system—an integrated information system accessible by all city departments—the complaints are referred to the DCE where appropriate. The DCE has the authority to conduct an inspection of the exterior of the premises, but not the interior unless permission is granted by the owner, occupant, or person in control of the premises.¹⁸

The DCE first tries to get owners to come into compliance before initiating proceedings against the owner. Code inspectors will first send the property owner a notice of violation which sets out the ordinance being violated and gives the owner a reasonable time period to comply, depending on the nature of the violation. Once the time has expired, the code inspector will re-inspect the property to determine if the violation was corrected. If the owner does not come into compliance after receiving a notice of violation, the code inspector generally writes a citation.

Some code enforcers in Dallas are not under the umbrella of the Code Compliance Department and report directly to the City Attorney's office instead. Two sections of the City Attorney's office employ their own code inspectors: the Code Compliance Section and the Community Prosecution Section. The Community Prosecution Section, which employs five code inspectors, was created to work in specific Dallas neighborhoods to develop proactive, creative solutions to quality of life problems, including code enforcement. There are ten attorneys assigned as Community Prosecutors, who may be involved in code enforcement cases involving properties in their assigned areas, although code enforcement is not necessarily their primary responsibility.

There are two primary ways in which a code violation is prosecuted: (1) an administrative enforcement action in the City's Hearing Officers Court; or (2) a civil action in municipal or district court.¹⁹ The City of Dallas is now prosecuting the vast majority of code violations in the Hearing Officers Court, an administrative forum discussed below. There are three different sections of the City Attorney's office involved in prosecuting code violations. The Prosecution Section prosecutes all of the code citation cases in administrative court and the lawsuits filed in municipal court. Three attorneys work full time as civil adjudicators on these cases. The Code Compliance Section prosecutes all of the code compliance lawsuits filed in district court, primarily more complex cases involving multifamily and commercial properties. Cases with environmental enforcement issues are handled by the attorneys in the Code Compliance and Prosecution Section. The Community Prosecution Section is also involved in some code enforcement actions.

¹⁷ City of Dallas, "Multi-tenant registration program," available at http://www.dallascityhall.com/code_compliance/Multitenant.html.

¹⁸ Dallas City Code § 27-5.

¹⁹ Under the statute, a civil action can also be filed in county court, but the City Attorney's office brings suits only in municipal or state district court.

In addition to doing code enforcement work, the City Attorney Code Compliance Section coordinates with the SAFE (Support Abatement Forfeiture and Enforcement) Team, which is a program of the Dallas Police Department. The SAFE Team consists of police officers, code enforcement officials, and attorneys, who pursue a comprehensive strategy addressing criminal activity and code compliance issues. (Further discussion of the SAFE Team is below in the section on criminal nuisance abatement). When appropriate, the Code Compliance Section will bring lawsuits against property owners that combine Chapter 54 code enforcement actions with other strategies such as Chapter 125 criminal nuisance abatement lawsuits and Local Government Code Chapter 211 zoning violation suits.

Under Chapter 27, the City is required to set up a Citizen Advocate Program to assist individuals who are found financially unable to comply with an administrative order.²⁰ Penalties and fines assessed under Chapter 27 go into the City's general fund, except for \$36 a violation, which goes into the Dallas Tomorrow Fund. Thirty percent of all civil fines collected under Chapter 54 also go into the Tomorrow Fund. The fund must be used for the sole purpose of rehabilitating and repairing properties for low-income persons who have committed code violations and who do not qualify for other repair assistance.²¹

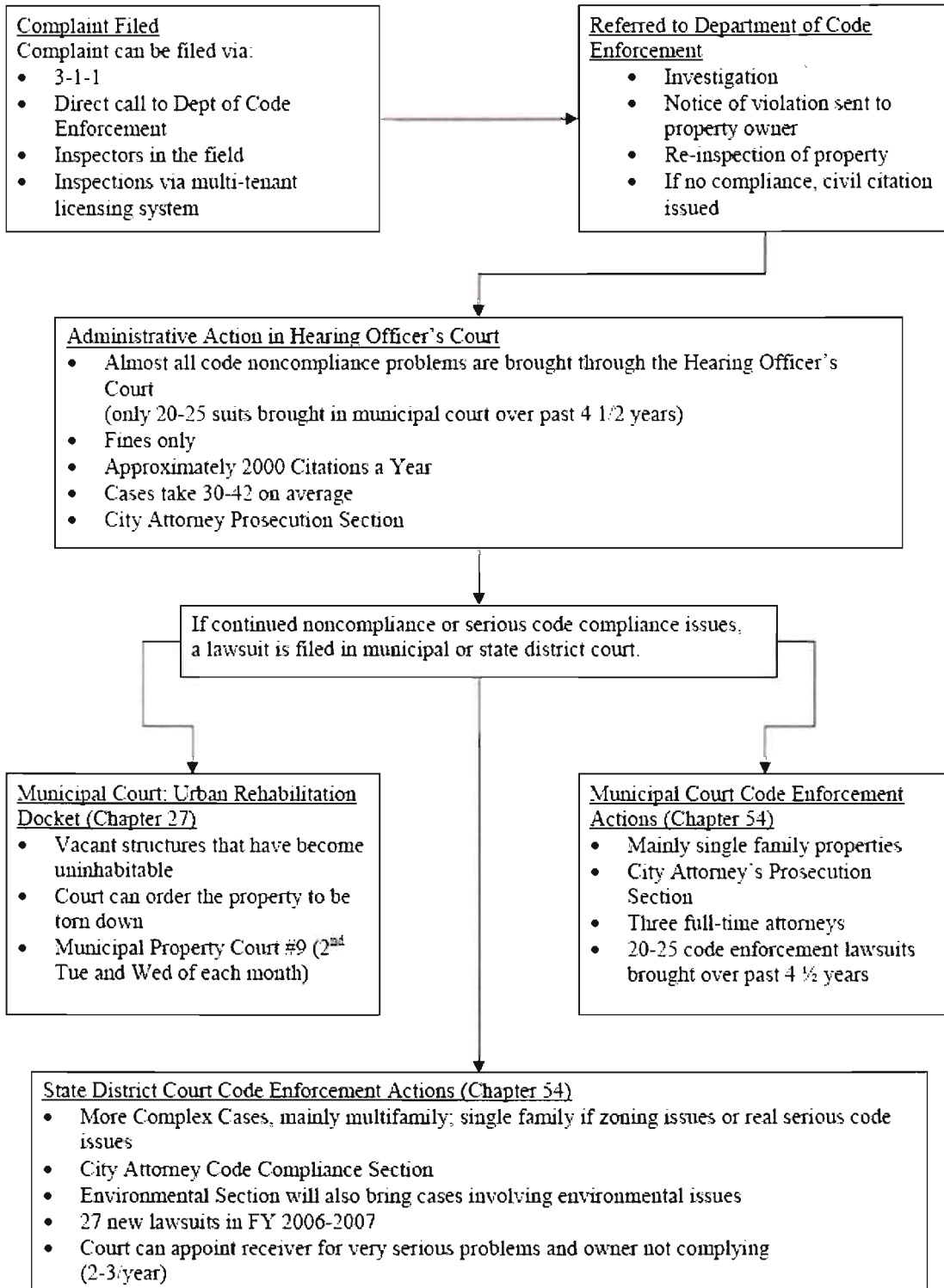
In December 2007, in response to repeated complaints from residents, the City announced changes to its code enforcement process. These changes are being spearheaded by the Dallas City Manager and new interim director of code enforcement, Forest Turner. By April 1st, 2008, most code enforcement officers will be based out of one of five geographic regions in the city and be responsible for neighborhoods within those regions, instead of covering the entire City. The City is creating a new position, known as neighborhood code representatives. Each of the City's five regions will have three representatives, who will communicate directly with residents and community leaders and serve as an advocate to involve different city departments in addressing more complex code issues. The City is also investigating tightening some of its existing ordinances, including ordinances that govern high weeds and signs in storefront windows.²²

²⁰ Dallas City Code, § 27-16.19.

²¹ Dallas City Code, §§ 27-16.21 to 27-16.23. These sections list other qualifications that individuals must also meet to receive assistance from the Dallas Tomorrow Fund.

²² Bush, Rudolph, "Dallas' Code Compliance unit set to change procedures," *Dallas Morning News*, December 6, 2007.

CODE COMPLIANCE PROCESS DALLAS, TEXAS



Administrative Enforcement

In 2005, substantial revisions were made to the Dallas City Code to implement a comprehensive administrative process for handling civil code violations. The system was modeled after successful systems in cities such as Detroit, Chicago, and Seattle. Prior to that time, the City only had the option of writing criminal citations, which were prosecuted in municipal court. The heavy backlog led to cases taking one to two years to come to resolution. The heightened procedural requirements and burdens of proof in a criminal proceeding also created difficulties. For example, the defendant had to be identified by an eyewitness in every case. Cases could be easily dismissed if the code inspector who wrote the citation was unable to appear at the hearing to identify the defendant property owner.

Now, the vast majority of common violations contained in Chapters 7A, 18, and 27 of the Dallas City Code are known as “property codes” on which civil citations can be issued. These violations are then prosecuted in an administrative proceeding called the “Hearing Officers Court.”²³ For example, litter, weed, structural deficiency, and multi-tenant requirement violations can all be issued civil citations. Civil prosecution eases the burdens of proof, and the administrative forum allows for quicker movement of violations through the system.

About 2000 civil citations are processed through the administrative system each month. Per city ordinance, the hearing date cannot be earlier than 31 days after a citation is issued. Cases take 31-40 days on average to come to the hearing officer's court. Most cases in the administrative process are resolved at the hearing because the citation creates a rebuttable presumption of violation, which means the owner must prove otherwise or the City automatically wins its case. The City asks for a finding of “liable” and for the full penalty to be assessed. The hearing officer then enters a finding of “liable” or “not liable,” and also has the discretion to reduce the fine amount from the maximum available penalties. The property owner has a right to file an appeal within 30 days in the municipal court.

Civil Enforcement Actions

In addition to the administrative enforcement actions, the City Attorney's office can prosecute code enforcement violations in civil actions filed in the municipal or state district court. Civil actions are not widely used and are typically brought only after an administrative citation has not brought about compliance. Sometimes a Chapter 54 code enforcement case will be joined with a lawsuit under Section 211 for zoning code violations, such as illegally running a business (e.g., a boarding house) out of a residence. Unlike with the administrative enforcement actions, injunctive relief is available in municipal and state district court actions, along with fines. Through injunctive relief, the court can order the owner to make specific repairs and take specific actions concerning the property. The court can also grant permission to the city to enter the property and make repairs, although the City of Dallas never seeks this relief because of the lack of resources. According to the City, typically a court's

²³ Dallas City Code §§ 7A-20, 18-51, 27-4.

injunctive orders and the threat of fines and even jail time for violation of the orders are sufficient to get the owner to make the repairs.

Most cases against single-family properties are brought in the Hearing Officers Court. When an administrative action does not bring about compliance, the Prosecution Section of the City Attorney's Office can bring a lawsuit in municipal court. The Section has brought about 20 to 25 such lawsuits against single family properties over the past four and half years.

The Code Compliance Section of the City Attorney's Office handles cases filed in the state district court. The state forum is better suited to handle more complex cases, mainly those involving multi-tenant and commercial properties. In the 2006-2007 fiscal year, the Code Compliance Section filed approximately 27 new code enforcement lawsuits in the state district court. The Code Compliance Section will handle a small percentage of cases related to single family properties, especially those involving zoning violations and nuisance abatement issues.

Civil actions under Chapters 27 and 54 are not very widely used in part because of the complexity, time, and resources involved in bringing a lawsuit. Actions under Chapter 54 are more complicated to prosecute, in part because the standards imposed by the state statutes are high. For example, in order to receive injunctive relief under Chapter 54, the City must prove a substantial risk of health impact to the person or property of someone *other* than the owner.

Violations of Chapter 27 and Chapter 211 can also still be prosecuted criminally. Criminal cases represent only a small portion of the overall caseload involving code enforcement. Penalties for Chapter 211 zoning violations can include a fine, imprisonment, or both.²⁴ In Chapter 27, however, the City Code only allows for fines and not imprisonment.²⁵ A court can require jail time for contempt in Chapter 27 and Chapter 54 code enforcement cases when an owner refuses to comply with the court's injunctive orders.

Self-Help Actions

Chapter 54 does not provide a procedure by which neighbors or community organizations can file their own lawsuits to require an owner to clean up a property or to seek injunctive relief to allow an organization to make the repairs. In Texas, however, there may a traditional court-recognized right whereby individuals can bring a "common law" right of action against a property owner for failing to abate a nuisance. We have not conducted research on the scope of Texas common law concerning self-help actions. Further research is needed to determine to what extent a self-help nuisance abatement action is legal in Texas under the common law.

²⁴ TX Local Gov't Code, § 211.012.

²⁵ Dallas City Code, § 27-4.

Generally, under the common law in other states, if the neighbors' health, safety, or quality of life is affected by a nuisance, they have the right, after providing notice to the owner, to enter the property and remedy the nuisance themselves. The owners can then file a civil action against the owner to reimburse the expense. Because of the financial risk involved in a self-help action, such an action must be approached cautiously.²⁶

A Dallas Assistant City Attorney mentioned one instance in which two neighborhood groups in Lake Highlands recently intervened in a city code enforcement lawsuit involving nuisance issues, including an open sewage line, failure to maintain heating equipment, failure to keep areas free of insects and rodents, and failure to maintain fire alarms. The two groups, the Lake Highlands Area Improvement Association and the Highland Meadows Neighborhood Association, sought \$150 a day in damages.²⁷

Urban Rehabilitation Docket

When properties are seriously dilapidated and need to be torn down, the City Attorney's Office may seek to have the property demolished by filing an *in rem* action against the property in the municipal court's Urban Rehabilitation Docket, which is part of the Municipal Property Court #9.²⁸ The docket is set for two days a month, on the second Tuesday and Wednesday. Such actions are primarily filed for vacant, severely dilapidated single family homes. The Municipal Property Court also hears any Chapter 54 lawsuits filed in municipal court.

Under Chapter 27, if the structures are inhabited, the City must provide relocation assistance to the individuals living there, unless the occupant is the owner and has the financial means to repair the property.²⁹ State law also has a provision governing relocation benefits.³⁰ The City has limited resources to handle demolition cases cases.³¹ The Urban Rehabilitation Docket can handle approximately 200 cases per year, and each case generally takes three to six months to be resolved. This number is in part limited by the court's resources available to hear cases and the limited budget allocated to enforcement of these actions. In the 2006-2007 fiscal year, the City Attorney filed approximately 167 such lawsuits.

²⁶ Mallach, Alan, *Bringing Buildings Back: From Abandoned Properties to Community Assets* (National Housing Institute 2006), p. 155.

²⁷ Wendy Hundley, "Damages sought from apartment complex," December 10, 2006, Dallas Morning News website: http://www.dallasnews.com/sharedcontent/dws/news/city/richardson/stories/DN-apartments_10met.ART0.North.Edition1.3db98bd.html#

²⁸ Dallas City Code, § 27-16.3.

²⁹ Dallas City Code, § 27.16-3.

³⁰ TX Property Code, § 21.046(e).

³¹ The DCE has a budget of \$896,514 and 6.0 FTE to provide relocation assistance for individuals whose structures are condemned as an urban nuisance, with the goal of helping 40 people a year.

Liens

There are several different Texas and local laws governing liens. Chapters 54 and 214 of the Local Government Code are the more relevant state law provisions. Chapter 27 of the Dallas City Code also governs liens. The City has the authority to record liens against a property when an owner does not pay certain type of costs, fees, and penalties associated with code enforcement, such as the city's costs of mowing the premises, repairing or demolishing a structure, or unpaid court judgments.³² The City then has the ability to foreclose on these liens, although there are exceptions for homestead properties.

Traditionally, the city has not foreclosed on non-tax liens. Instead, the Linebarger law firm, which handles the city's property tax collections, would foreclose on these liens only when the property also had ad valorem tax liens. The City has recently hired an attorney who, as part of the City Attorney General Litigation Section, will be focusing on collections, including collection on Chapter 54 judgments. It is unclear so far whether this attorney will also collect on demolition and mowing liens. Under Chapter 214.004 of the Local Government Code, it appears that a City cannot foreclose on a substandard building lien under that Chapter unless ad valorem taxes are also delinquent. Chapter 27 of the Dallas Code states that the City may foreclose on the liens unless the structure is occupied as a residential homestead by a person 65 years of age or older.³³ Further research is needed.

The City's liens for costs incurred in Chapter 27 actions are nontransferable to third parties and take priority over all liens, other than tax liens, as long as the City provides the other lien holders with notice and an opportunity to properly maintain the property.

Barriers to Effectiveness

In the past, the Dallas municipal court system was so overloaded that bringing code violation suits to their conclusion could take one to two years if contested. Property owners operating multiple residential rental properties in West Dallas neighborhoods were able to exploit the system's inefficiencies and the already overloaded court system to further delay resolution of their cases. The City has since begun prosecuting the majority of code violations through its administrative forum since 2005 and through civil (rather than criminal) suits in municipal court. The administrative enforcement appears to have remedied some of the problems that plagued the former system, but problems remain. In the Summer of 2006, there was a backlog of 400 unresolved code complaints; by December 2007, this number was down to 139.³⁴

More data is needed to assess the new system's success and impact in bringing the more recalcitrant property owners into compliance. There has been a lot of recent

³² See, e.g., Dallas City Code, §§ 27-16.8(e), 27-19.8, 18-18; TX Local Gov't Code § 54.040(a).

³³ Dallas City Code, § 27-16.8(e).

³⁴ Bush, Rudolph, "Dallas' Code Compliance unit set to change procedures," *Dallas Morning News*, December 6, 2007.

turnover in the Department of Code Enforcement, and the staff we contacted in the department were either too new to answer our questions or did not return our phone calls. The fact that there continues to be a large backlog of code complaints and large number of vacant and blighted properties makes it evident, however, that something is still wrong with the current system and that the City needs to be more aggressive in improving the conditions of these neighborhoods. Close to 10% of properties in West Dallas have major code violations, and another 25% of properties are vacant.³⁵

In recognition of the ongoing challenges involved in building an effective code enforcement system, in 2004, the City of Dallas retained McKinsey & Company to assess the City's code compliance and economic development programs. The final report included a set of eight recommendations, including the following:³⁶

- Complete fixes to the 311 system to ensure that every request gets assigned to an inspector;
- Provide citizens with updates on progress for certain cases;
- Ensure that Code department managers get useful performance data from the 311 database;
- Hold the department accountable for its effectiveness in resolving code cases; and
- Regularly conduct surveys to measure citizen satisfaction with quality of life in Dallas.

It is unclear which of these recommendations have been implemented and, for those recommendations that have been implemented, what impact they have had on the code enforcement process. We recommend that a follow up reassessment be conducted.

Our primary focus was to examine the effectiveness and adequacy of the state and local laws governing code enforcement; we did not conduct a thorough analysis of the ways in which the code enforcement laws are being administered at the inspector level. Based on our analysis, however, we did identify the following barriers that remain under the new system:

- The City's code enforcement process is hampered by the lack of adequate dedicated funding and staff resources. This is a complaint we heard from several community leaders. Code enforcement takes time, people, and money, and there is not enough of these resources dedicated to code enforcement in Dallas.
- There continues to be limited public access in Dallas to information concerning code complaints and city enforcement actions. When a resident makes a call into 311, the resident does not hear back from the City regarding

³⁵ James Murdoch, "2006 West Dallas Windshield Survey," cd on file with author.

³⁶ McKinsey & Company, "Improving the City's Effectiveness in Code Compliance and Economic Development." Presentation to Dallas City Council, November 17, 2004, available at www.mckinsey.com/.

the status of the complaint, and it is difficult if not impossible to then independently track what happens to the complaint, short of submitting a public information request in writing. The lack of transparent, easily accessible information concerning code enforcement makes it difficult for neighborhoods to be engaged in the code enforcement process, and makes it difficult for neighborhoods to hold the city accountable for what types of code enforcement activities are happening or not happening in their neighborhoods.

- The City's code enforcement strategy appears to remain primarily complaint driven—the "squeaky wheel gets the grease." Inspectors are assigned to geographic areas which they patrol, but rely substantially on citizen complaints to locate problem properties. This leads to a more reactive, sporadic approach to code enforcement, rather than a proactive and strategic response to code violation issues.
- The code enforcement scheme is limited in its ability to address the problems of property owners who commit repeated code violations and yet fix up their properties as soon as an enforcement action begins. It is easy for property owners to evade penalties by demonstrating the violation is "fixed," which starts the process over again.
- If the property is in such poor condition that the appropriate remedy is to order the occupants to vacate the premises or to demolish the premises, the City is required by law to provide relocation assistance to the residents (unless the occupant is the owner and has the financial means to repair the property, in which case the city only has to pay moving costs).³⁷ The code compliance department has a very limited budget for relocation benefits, so only vacant properties can be effectively targeted for demolition.
- There are several different city departments and sections charged with code enforcement responsibilities. While there is coordination between the Department of Code Enforcement, the City Attorney's office, and the SAFE team, it is unclear how far-ranging and comprehensive this coordination is across these and other city departments, and whether the complex enforcement system results in a barrier to maximizing effective enforcement.
- The City's failure to foreclose on its liens related to code enforcement activities is problematic. Owners have little incentive to pay if they know the liens will not be collected, and the city is foregoing thousands of dollars in revenues that could be re-invested in community revitalization efforts.

³⁷ Dallas City Code, § 27-16.3.

Best Practices

- **Dedicated housing courts.** The consolidation of all property-related cases into dedicated housing courts has been effective in several cities. Specialized housing courts have been particularly effective where judges are specially elected or appointed to that court. A specialized court allows matters such as code enforcement to be a priority, rather than falling to the bottom of the judicial docket.³⁸ Judges from these courts can be active champions of healthy and safe neighborhoods.

One of Dallas's municipal courts handles property-related actions, including a special Urban Rehabilitation docket which meets twice a month to handle the cases involving the demolition and repair of extremely dilapidated single family homes.

- Example: The Cleveland Housing Court is a national model for housing courts.³⁹ The court has exclusive jurisdiction over code enforcement cases, and also hears landlord tenant cases, foreclosures, nuisance abatement, and receivership actions. Forty to fifty code enforcement advocates, most affiliated with neighborhood organizations, track complaints and violation notices, and assist the City in properly documenting code enforcement cases. The advocates meet with the court once a quarter to share ideas. The court also employs housing specialists to provide counseling and assistance to landlords to help them achieve compliance. The court has criminal enforcement powers, starting with minor misdemeanor fines of \$150 a day to \$5,000 a day for violations by properties owned by corporations. The court has the authority to issue search warrants to allow the City to go inside the units. The court also has broad equitable powers so that the court can issue orders such as requiring the owner to go and live in the house. In 2007, the court had a budget of \$3 million that included \$2.2 million in salaries for a 45-person staff including one judge, a magistrate, and bailiffs. The court runs a housing clinic and code enforcement workshops and conducts a wide variety of other community outreach projects. The court sometimes holds community courts in the actual neighborhood where the property is located; the residents come out to hear the cases, which results in peer pressure on the landlord to abate the nuisance.

Example: Buffalo's housing court is another national model.⁴⁰

- **Effective code enforcement management system.** An effective code enforcement management system is critical—one that is effective from the bottom up and utilizes specific performance measurement targets. As part of

³⁸ Mallach, at 44.

³⁹ Most of the information in this report about the Cleveland Housing Court came from a presentation by the Housing Court's Presiding Judge at the 2007 conference, "Reclaiming Vacant Properties: Strategies for Rebuilding America's Neighborhoods." For information about the Cleveland Housing Court, visit the court's excellent website: <http://www.clevelandhousingcourt.org>.

⁴⁰ "Here Come the Judges: Housing and Environmental Courts," Presentation at Reclaiming Vacant Properties Conference, September 25, 2007, notes on file with author.

an effective system, a city should provide regular and comprehensive training of its code enforcement personnel. A city should also train and encourage its inspectors to help citizens access resources to bring their properties back up to code, and a city should provide financial resources to assist owners with overcoming barriers to compliance.

Example: The former head of the City of Austin Code Enforcement Department emphasizes the importance of setting performance measurements based on compliance rather than the number of cases or amount of fines. The City of Austin found that a goal of “95% compliance within 90 days,” for example, was more effective than measuring the number of citations issued or the number of cases handled.

- **Posting and maintenance code requirements for uninhabitable and vacant properties.** An effective strategy to deal with properties that are uninhabitable and vacant is to require the owner to post a large “no trespass sign” so police can arrest anyone going onto the premises. The sign should be painted on the window or on boards—trespassers will rip up paper notices. The sign should also list where the owner lives and the owner’s contact information. Inspectors need to inspect the property once a week to make sure the notice is still intact. The maintenance code should also specify that putting boards up in the windows is not sufficient, but that buildings must have windows and meet other basic standards, or otherwise the property is subject to fines and demolition.
- **Proactive enforcement.** Instead of only pursuing violations on a complaint-driven, reactive basis, a best practice is to create an effective targeting strategy for enforcement that complements responses to complaints. One expert recommends implementing a process that is not complaint or politically driven, but is instead intended to further substantive public policy goals.⁴¹ For example, the City may target specific at-risk geographic areas for systematic enforcement or target properties with a greater risk of deterioration such as, for example, properties with tax delinquencies or unpaid utility bills.⁴²

Example: In the past, the City of Austin created priority property lists for each designated geographic area and started with the worst offenders for each area and worked down the list.

Example: In Louisville, Kentucky, the Neighborhood Roundtable identifies the ten worst properties in their areas. City inspectors conduct intensified inspections on these properties and generate a before and after report on each property.

⁴¹ Mallach, at 41.

⁴² Mallach, at 43.

Example: Toledo, Ohio, has created a “Dirty Dozen” program. Under this program, a property and its owner are added to the Dirty Dozen list when the property is identified as a contributor to blight in a neighborhood. When a list of 12 properties has been assembled, a team of inspectors from several city departments converges on the properties, inspects them, and issues citations. Furthermore, the location of the properties, a picture of each, and the name of the owner are provided to the news media and published on the City’s web site.⁴³

- **Effective coordination across city departments.** A keystone of a good code enforcement program is one in which resources are dedicated to capacity building and effective coordination of responsibilities across departments with code enforcement responsibilities. A city’s code enforcement program will also be more effective if it is coordinated with other city departments and agencies that are regularly in the field, including the police department, fire department, utility companies, animal control, and public works department.⁴⁴ There should be regular communication across city departments. Personnel in city departments and agencies should be cross-trained to report problems. For example, if a bailiff evicting a tenant sees a property in disrepair, the bailiff can be trained and required to report this to the city code enforcement department. If the court orders a house to be boarded up, then the water department needs to be turning the water off to the house.
- **Rental registration.** Other cities have had success with registration systems, which require landlords to register their rental properties, provide contact information for a central database, and obtain licensing or occupancy permits. Rental registration also provides the city with expanded opportunities to inspect the property and educate owners about their responsibilities as property owners and landlords. Dallas has implemented a new multi-tenant registration system in the past two years which requires inspections on a rotating basis each year. This idea has been proposed, but not enacted in Dallas, to extend this program to single-family rental homes.

Example: Los Angeles has adopted a Systematic Code Enforcement Program, which provides for the inspection every five years of all multifamily properties with two or more units, and an annual fee of \$35.52 a unit.⁴⁵

Example: New Jersey rent courts will not enter eviction orders for landlords who have not complied with the state’s registration requirements.⁴⁶

⁴³ Finkbeiner, Carlton, “The Dirty Dozen,” in *Combating Problems of Vacant and Abandoned Properties: Best Practices in 27 Cities* (United States Conference of Mayors, June 2006).

⁴⁴ Mallach, at 41-42.

⁴⁵ City of Los Angeles Housing Department website: <http://www.ci.la.ca.us/LAHD/code.htm>.

⁴⁶ Mallach, at 43

- **Community engagement and collaboration.** The more a community can be engaged as a partner in code enforcement, the more effective the process will be. Neighborhood groups can be involved in helping a city track code violations, and can also be engaged in monitoring the process for accountability and efficiency.⁴⁷ When a city fails to meet its duties to enforce code violations, the community should have the right to then bring its own enforcement action.

Example: In Memphis, neighborhood groups have created the Problem Properties Campaign to support neighborhoods' efforts to redevelop and eliminate neglected properties.⁴⁸

Example: In Cleveland, the local housing court judge engages in a variety of activities that engage the community and connect the judge to the problems of blighted properties. For example, the judge meets once a quarter with community groups to talk about problem properties, conducts site visits to see the neighborhoods and problem properties, and distributes a newsletter to educate the community about tools to deal with problem properties.

Example: The Providence Nuisance Abatement Task Force is composed of community development corporations, the deputy attorney general, and representatives from several city departments, including the police, fire, housing, and code departments. The task force meets twice a month to work on approximately 20 problem properties nominated by the community, police, and others. The task force follows each property through resolution for at least six months.⁴⁹

Example: Baltimore has adopted a Community Bill of Rights, which grants community organizations the authority to seek injunctions to enforce a broad range of municipal code provisions when the city does not take action.⁵⁰

Example: In Atlanta, the City trains volunteer "neighborhood deputies" who patrol the neighborhood and send notices of potential code violations to property owners and occupants. If the conditions are not corrected, the deputies refer the case to the city code enforcement department. The program costs the City just \$80,000 to run, the same as the cost of two full-time housing inspectors.⁵¹

⁴⁷ Mallach, at 44.

⁴⁸ Problem Properties Collaborative website: <http://problemproperties.typepad.com>.

⁴⁹ LISC & MetLife Foundation, "Leveraging Code Enforcement for Neighborhood Safety Initiatives: Insights from Community Developers," p. 6.

⁵⁰ Kelly, James J, "Refreshing the Heart of the City: Vacant Building Receivership as a Tool for Neighborhood Revitalization and Community Empowerment," *Journal of Affordable Housing* 13(2) (2004), p. 236, n. 78 (citing Md. Code Ann., Real Prop. § 14-123 (1996)).

⁵¹ Mallach, at 42.

- **Vacant property accountability ordinances.** Cities have implemented an array of ordinances to increase the accountability of vacant property owners. These ordinances may require a range of registration fees, maintenance standards, liability insurance requirements, and enforcement mechanisms. Under a vacant property registration system, the owner of a vacant property must register the property with the City and pay a fee, ranging from \$50 to \$5,000. A vacant property registration system allows a city to be proactive instead of reactive by knowing when a property has become vacant and discouraging owners from letting their properties remain vacant. The fees also allow a city to shift the cost of enforcement for problems arising from vacant buildings onto the shoulders of problematic property owners versus the general citizenry. A number of cities also require the owners of vacant buildings to post the owners' name and contact information on the property.

Example: In Wilmington, Delaware, the city government has implemented a set of stiff, graduated fees based on the number of years the property is vacant (approximately \$500 per year). Several months before assessing the fees, notices are sent to each owner offering a one-time, one-year fee waiver if the owner rehabilitates, sells, or demolishes his or her property. While the goal of the program is to get vacant properties back into shape and into use, the program was immediately successful in collecting higher amounts of revenue to cover the cost of monitoring, citing, and prosecuting non-compliant owners.⁵²

Example: Chula Vista, California, enacted its vacant property registration system out of concern with the high rate of foreclosures in the City. Under the City ordinance, out-of-town lenders must (1) record assignment of a deed of trust; (2) inspect the property upon recordation of mortgage default; and (3) register the property if it becomes vacant and is in mortgage default. The fees cover the cost of the City's program. The owner must hire a local contact company to secure the property and also post contact information on the property. Owners have ten days to comply. For noncompliance, the City can issue administrative citations and civil penalties and recover the full costs of city enforcement (includes hourly cost of city staff at \$123 an hour). Receivership is also available as a remedy.⁵³

Example: In Cincinnati, Ohio, an owner is required to get a license whenever a building is ordered to be vacated because it is uninhabitable. If the property is fixed up and becomes habitable again, the owner no longer has to retain a license. The fee for the initial year is \$900, and the fees then increase to \$2,700 a year. If the fees are not paid, the City can institute a civil action and file a lien on the property, on which the City can then foreclose. The owner

⁵² Baker, James M., "Vacant Property Registration Fee Program," in *Combating Problems of Vacant and Abandoned Properties: Best Practices in 27 Cities*, (United States Conference of Mayors, June 2006), p. 40.

⁵³ Chula Vista Municipal Code § 15.60.

must also maintain liability insurance in the amount of \$300,000 for residential property, and \$1 million for commercial properties.

- **Ban on vacant properties.** Several cities consider any building that is vacant to be in violation of city code and subject to penalties. These cities require owners of vacant properties to take affirmative steps to either rehabilitate or demolish their properties.

Example: Owners of vacant properties in San Diego are required to submit for approval a "Statement of Intent" to bring vacant structures into productive use. The Statement of Intent must include the following: (1) expected period of vacancy; (2) maintenance plan during period of vacancy; and (3) a plan and time line for the lawful occupancy, rehabilitation, or demolition of the structure.⁵⁴

Example: In Minneapolis, the City can fine and demolish a vacant property after it has been boarded up for 60 days or more.⁵⁵

Example: Louisville, Kentucky, pursuant to authority under state law, imposes an "abandoned urban property" tax on properties which have been vacant or unimproved for one year and have been tax delinquent for at least three years or violate certain maintenance standards. The abandoned urban property tax is three times the regular property tax rate.⁵⁶

- **Public shaming.** In an attempt to publicly shame landlords whose properties are a blight to the community, some cities place a large sign on the front of properties with serious code violations, listing the landlord's name and contact information.

Example: Syracuse, New York.⁵⁷

- **Abandoned property coordinator.** In a system that inherently involves multiple city departments and sections with diverse enforcement responsibilities, it is helpful to have one person with clearly delegated oversight over the entire system who can serve as a liaison among various departments, property owners, and residents.

Example: San Diego has a vacant properties coordinator who is in charge of administering the city's nuisance abatement program. The coordinator's responsibilities include: maintaining an inventory of all vacant properties, coordinating efforts among city departments, performing liaison tasks with the

⁵⁴ City of San Diego, Neighborhood Code Compliance Department, "Vacant Property Rehabilitation Programs," available at <http://www.sandiego.gov/nccd/housing/vacant.shtml>.

⁵⁵ Minneapolis Code of Ordinances, § 249.30(a)(2).

⁵⁶ Louisville, Kentucky Housing and Community Development Department website: <http://www.louisvilleky.gov/Housing/Abandoned+Urban+Property.htm>

⁵⁷ Enterprise Foundation, "Solving Chronic Nuisance Problems: A Guide for Neighborhoods"

city's vacant property task force, and communicating with community groups and local institutions.⁵⁸

- **Property information system.** A property information system that provides current and comprehensive information about properties is a critical part of any effective abandoned and blighted property initiative. Cities can then use this data to target resources to the areas in the need of most attention. The system should be accessible via the Internet and allow the city and residents in the community to easily track and monitor the code enforcement process.⁵⁹ The system should also provide the community with the tools to assess the impact of the code enforcement. A well-run system will "inform planning, intervention, and research around abandoned properties."⁶⁰

Example: Philadelphia's Neighborhood Information System is accessible to city staff, community development corporations, and other community-based agencies that have contracts with the city.⁶¹ Certain parts of the system are also available to the public at large. The system was created in partnership with the University of Pennsylvania and tracks a wide array of information related to properties, including the date of purchase, purchase price, tax delinquency status, city code violations, and utility terminations. The system has been particularly valuable in neighborhood planning for activities such as housing rehabilitation.

Other Examples: Baltimore, Chicago, Los Angeles, Memphis, and New York.

⁵⁸ National Vacant Properties Campaign, "Strategies & Technical Tools," available at: <http://www.vacantproperties.org/strategies/tools.html>.

⁵⁹ Mallach, at 45.

⁶⁰ Hillier, Amy, et al., "Predicting Housing Abandonment with the Philadelphia Neighborhood Information System," *Journal of Urban Affairs*, 25(1) (2003), p. 92.

⁶¹ Hillier, at 92.

Part II. Criminal Nuisance Abatement

Background

Nuisance abatement is one of the most effective enforcement strategies that cities have for dealing with abandoned and blighted properties that are sources of repeated criminal activity. In many parts of Dallas, police calls for drug dealing, illegal weapons, and crimes against property are a regular occurrence. Drug dealing and other criminal activity contributes to a neighborhood's vulnerability and has a detrimental impact on the residents' quality of life and well-being. When a particular property is the source of repeated criminal activity (such as drug dealing by tenants and their guests), and the owner has failed to take reasonable steps to stop the activity (such as evicting the tenants), a nuisance abatement lawsuit is an important tool that cities use to shut down the criminal activity on the property.

Texas Nuisance Abatement Law

In Texas, a nuisance abatement action can be brought under Chapter 125 of the Texas Civil Practice and Remedies Code. Nuisance abatement under Chapter 125 covers two types of nuisances: common nuisance and public nuisance. A common nuisance occurs when a property serves as the location for habitual criminal activity, including drugs, gambling, and prostitution. A common nuisance abatement action is brought against a property, the property's owner or maintainer, or the person who uses the property as a nuisance. A public nuisance occurs where a property is habitually used by a gang for gang activity. A public nuisance suit can be brought against any person who owns or is responsible for maintaining a property being used for habitual gang activities. Unlike common nuisance, the property itself may not be sued.

Both civil and public nuisance abatement actions are based upon a showing that the property owner both allowed the illegal acts to occur on the property and failed to make reasonable attempts to stop them. A suit to abate and enjoin a common or public nuisance may be brought by: (1) an individual; (2) the district, county, or city attorney; or (3) the Texas Attorney General.

In addition to maintaining a property habitually for criminal activity, common nuisance requires that the person who maintains the property: (1) knowingly tolerates the activity; and (2) fails to make reasonable attempts to abate the activity.⁶² In a common nuisance suit, the court may consider the fact that an illegal activity is frequently committed at a property as evidence that the defendant knowingly tolerated the activity. The court may also consider evidence that persons have been arrested for prohibited activities on the property, evidence of the general reputation of the place, and evidence that the defendant refused to cooperate with law enforcement or emergency services with respect to the activity. As a

⁶² TX Civil Practice & Remedies Code, § 125.0015(a).

precondition to filing a nuisance abatement lawsuit, the party filing the suit must first consider whether the property owner promptly notified law enforcement of the occurrence of criminal acts on the property and whether he or she cooperated with the law enforcement investigation.⁶³

If the city or individual bringing the suit is successful in the abatement action, the court will issue a preliminary or permanent injunction ordering the property owner to abate the nuisance. Typically, the court will issue a preliminary injunction first and a permanent injunction and penalties, as appropriate, after a trial on the merits. The court order may include specific steps the owner must take to improve the property. In a common nuisance suit brought against the property (instead of the owner), the court must order that the property be closed for one year after the date of judgment. Violation of the injunctive order can subject the property owner to a fine of \$1,000 to \$10,000 and confinement in jail for 10-30 days.⁶⁴

Evidence used in a nuisance abatement action usually consists of some or all of the following: arrest reports, citations, search warrants, incident reports, complaints, and calls for police service at the property, along with videotapes or photographs of illegal behavior conducted on the property.⁶⁵ A good nuisance abatement case rests on multiple violations within a certain time period. The Attorney General's guidebook on nuisance abatement, for instance, provides an example of a property involving six or more arrests for the same type of illegal activity within the past six months to a year. For a successful nuisance abatement action where a property is linked to criminal activity, policy reports need to identify the property and be specific as to the connection between the crime and the property.

A nuisance abatement action may also be brought under the Texas Alcoholic Beverages Code, Section 101.70, for violations of the code, such as illegally serving alcohol to minors.

History of Nuisance Abatement Enforcement In Dallas

Until this year, the City of Dallas had not made use of nuisance abatement for several years due to prior allegations of police abuse. Business and apartment owners alleged that the City of Dallas was targeting legitimate business, using Chapter 125 as justification to require those owners to implement expensive security measures to abate criminal activity. Opponents of Dallas's conduct said the police's behavior amounted to requiring owners to perform law enforcement's function of policing against criminal activity.⁶⁶ House Bill 1690, authored by Representative Terry Keel,

⁶³ TX Civil Practice & Remedies Code, § 125.002(h).

⁶⁴ TX Civil Practice & Remedies Code, § 125.002(d).

⁶⁵ Attorney General of Texas, Criminal Law Enforcement Division, *Nuisance Abatement Manual* (14th ed. 2005), pp.10-16.

⁶⁶ Ramshaw, Emily, "Cutting Through Crime Owners, City Disagrees on Efforts to Keep Area Around Carwash Safe," *The Dallas Morning News*, December 3, 2004: 1B.; Brooks, Karen, "State: Dallas Ran 'Amok' More Legislation on Nuisance Rules Urged; Miller Touts Changes," *The Dallas Morning News*,

was specifically directed at alleged misuses of the nuisance abatement laws by the City of Dallas against multi-family property owners and businesses.

House Bill 1690 amended Chapter 125 by: (1) enlarging what a city must prove before a property owner can be held responsible for criminal activity; (2) rewarding owners who promptly report criminal activity; and (3) preventing the city from using evidence that the owner reported criminal activity against the owner in an abatement proceeding. This year, through a bill filed by Representative Scott Hochberg from Houston, the Legislature made additional modifications to Chapter 125 by eliminating the requirement of a bond for common nuisance suits brought against the property.

In the Fall of 2007, following the implementation of new local procedures, the City started to bring Chapter 125 nuisance abatement enforcement actions again, after a hiatus of several years. Criminal nuisances continue to be a severe problem in Dallas. In West Dallas, for example, there are properties with as many as 69 criminal offenses committed on the property within the course of just two years.

Chapter 125 Procedures In Dallas

Nuisance abatement actions are brought through the City's SAFE Team. The SAFE Team is a unit within the Dallas Police Department that was created to reduce criminal nuisances by integrating the police department, code enforcement department, the fire department, and the city attorneys.

As discussed above, the City of Dallas has implemented a new process to handle nuisance abatement cases in the wake of alleged misuse and changes to Chapter 125. Local beat officers will first respond to an allegation of criminal activity on a property. The complaint is received and is entered into a citywide database for tracking. If the officers are unable to resolve the problem, a recommendation will be made to open a SAFE Team investigation.

The SAFE Team will research the property at issue to determine if a SAFE case should be opened. Generally, at least three abatable offenses must have been committed on the property within a year before the SAFE Team will consider taking action. If the case appears worthwhile, a SAFE Team unit consisting of a police officer, code officer, and fire inspector will be dispatched to inspect the property.

Once the SAFE Team decides to go forward on a property, certain procedures are followed. First, the SAFE Team will contact the owner to set up an "accord meeting." At this tape-recorded meeting, the owner is advised of the activities occurring on the property and what the owner can do to help address the problem with the assistance

March 4, 2006: 1A; State of Texas, House Committee on Criminal Jurisprudence and House General Investigating and Ethics Committee, "Report on Joint Interim Study Charge 2006," February 28, 2006.

of local law enforcement. Second, the team will return to the property within thirty days to determine whether the owner has taken the suggested steps to abate the problem and whether the problem persists. The team will also check computer records to see if additional complaints or offenses have been registered against the property since the accord meeting. The SAFE Team will continue to work with the property owner despite initial noncompliance or setbacks. Finally, if the owner continually fails to cooperate, the SAFE Team will begin processing a Chapter 125 abatement suit through the team's assistant city attorney.

Barriers to Effectiveness

Nuisance abatement actions are just now being brought again in the City of Dallas after a series of legislative changes. As a result, more time and data is needed to assess the impact of these changes and the effectiveness of Chapter 125 actions as a tool to remedy blighted properties. We spoke to assistant city attorneys in Texas who felt that the current statute is working well and that further legislative reforms are unneeded. Because of the large number of single family properties that are sources of repeated criminal activity in Dallas, more resources for nuisance abatement actions are definitely needed.

The following are the barriers we identified based on comparison with other state and city laws and procedures:

- The Texas nuisance abatement statute is vague in several respects. For one, the statute does not define when an owner “knowingly tolerates” criminal activity and what it means to not make “reasonable attempts” to abate the activity. This lack of statutory guidance makes it more challenging to successfully bring a nuisance abatement action. Furthermore, the Texas statute defines a nuisance as a “place to which persons habitually go” for certain criminal activity, but does not define how many criminal violations need to be tied to a property before it can be deemed habitual. Further legislative guidance at the local or state level as to when a nuisance abatement action may be brought could make Chapter 125 more effective.

Houston, for example, has a new detailed city ordinance that allows for “excessive criminal activity” to be abated and sets forth a detailed definition of what is considered to be “excessive.” The Houston ordinance also provides for “remediation” inspections of problem properties, along with inspection fees of \$400.⁶⁷

- Nuisance abatement procedures can lead to property abandonment, rather than property improvement. For instance, when the city sues a property instead of the property owner, Texas law requires that the property be shut down for a year if a permanent injunction is obtained. The property then becomes an abandoned structure subject to being vandalized and stripped,

⁶⁷ City of Houston Ordinance No. 2006-1124.

and thus at risk of becoming a greater nuisance than before.⁶⁸ If a property needs to be shut down, it may be preferable to place the property in the hands of a receiver instead who can be responsible for maintaining the property.

- Community organizations do not have a right under Chapter 125 to bring nuisance abatement actions and, even if they did have the right, Chapter 125 nuisance abatement is limited to abating criminal activity, and not the other types of property-related problems that can plague a community. If a community organization in a Dallas neighborhood is impacted by blighted properties and wants to bring its own legal action, it has to file a common law action, for which there is much less guidance. While individual residents currently have the right to bring a criminal nuisance abatement action, they rarely do so, in part because of the lack of resources and possible even fear of retaliation, especially when drug activity on the property is involved.

Best Practices

- **Clear definitions of abatable nuisances.** Clearly defined instances in the state law of when a nuisance is abatable fosters compliance.

Example: In Cleveland, if three or more criminal activities occur within 30 days on the same property, the property is declared a nuisance.

- **Making nuisance a felony.** Failure to abate serious nuisances can be made a felony, such as in Phoenix, where the City has achieved a 98% compliance rate for landlords.
- **Eviction of tenants.** When tenants commit multiple or serious crimes on or near their leased premises, some cities impose an obligation on the landlord to evict the tenant, and the city has the authority to evict the tenant if the landlord fails to fulfill this obligation.

Example: In Los Angeles, a landlord must evict a tenant who has been arrested within 1,000 feet of the unit for violent or narcotic crimes. California law also provides that a city attorney can bring an eviction action for tenants who commit crimes on their property.⁶⁹

- **Self-help nuisance abatement actions.** If recourse to local government proves ineffective, community organizations impacted by nuisance property should have the clear legislative authority to bring self-help nuisance abatement actions, and also bring nuisance abatement actions that pertain to health and safety violations and nuisances beyond just those involving criminal activity. Community groups have a long-term vested interest in the community and

⁶⁸ Mallach, at 47.

⁶⁹ LA Ordinance, , § 47.50; Cal. Health & Safety Code, § 11571.1.

may have access to resources such as pro bono legal assistance to file these actions.

Example: Maryland's Drug Nuisance Abatement Law allows community groups to seek injunctive relief when a property is being used as an illegal drug business.⁷⁰

Example: In Baltimore, Maryland, residents of the Butcher's Hill community brought a self-help abatement action against a property that was the source of repeated drug activity. The neighbors sent a letter to the property owner that they intended to board up the property and, when the owner did not respond, the residents followed through on their letter. The residents then went to court to cover their labor and material costs.⁷¹

⁷⁰ MD. Code Ann., Real Prop. § 14-120 (1996).

⁷¹ Sarbanes, Michael, "Neighbors Plow Field of Nightmares," *Shelterforce* 80, March/April 1995.

Part III. Receivership

Receivership is an important tool that, if used appropriately, “liberates neighborhood development previously stalled by the lingering presence of vacant houses that stubbornly defied more traditional approaches.”⁷² Receivership “can significantly enhance a community’s efforts to deal with problem properties.”⁷³

Traditional code enforcement utilizes fines and injunctions to coerce the property owner into renovating his or her property.⁷⁴ Yet, even after fines mount, the owner may still fail to repair the property—this is especially true when the property is abandoned and the owner cannot be located. Receivership laws gives the authority to a third party to make repairs to the property and to pay for the repairs out of rents and other proceeds from the property. Where the goal is restoring a property versus demolition, receivership can be a more powerful and appropriate strategy than code enforcement and nuisance abatement.

Under Chapter 214.003 of the Texas Local Government Code, home rule cities may ask a court to appoint a receiver to take over a property that is not in substantial compliance with municipal ordinances regarding fire protection, structural integrity, zoning, or disposal of refuse—except for single family properties that are owner-occupied. A nonprofit organization with a demonstrated record of rehabilitating properties can be appointed as a receiver. The court also has authority to appoint a receiver under Section 64.001 of the Texas Civil Practice & Remedies Code to allow, among other things, the City to collect on a debt, such as a court judgment. Under this latter section, the receiver must be a citizen and registered to vote—organizations are ineligible for service.

The receiver has the authority to enter into rental leases, collect rents on the property, make any repairs necessary to bring the property into compliance with minimum standards, and exercise any other authority that an owner of the property would have, with the exception of selling the property. Under Chapter 214, after restoring the property to meet minimum code standards, the receiver submits to the court an accounting of all incomes, costs, and expenses, including a receivership fee of up to 10 percent of the costs and expenses. The net income, if any, is returned to the owner. If the total costs and expenses exceed the income, the receiver may maintain control of the property until the expenses are recovered or until the receivership is terminated.

A receiver has a lien on the property for all unreimbursed expenses. The court may order sale of the property if the receiver has been in control for more than a year and the owner has failed to repay the expenses (and if no other lienholders have intervened in the action and offered to repay the costs and assume control). The sale must be conducted pursuant to the provisions of Chapter 51 of the Texas Property

⁷² Kelly, at 231.

⁷³ Mallach, at 49.

⁷⁴ Kelly, at 214.

Code, which require a public auction. The receiver may bid on the property at the sale and may use a lien as credit toward the purchase. The receiver's lien takes priority over all other liens.

One of the greatest benefits of receivership is that, like tax foreclosure and bankruptcy actions, it can be used to release other clouds on the property's title. As a super priority lien, when the receiver forecloses on its lien, it clears out the other liens.

In Dallas, the city seeks a court-appointed receiver in approximately two to three cases a year in situations where an owner refuses to comply with a court's orders and the property is in very bad shape. Receivership is done as a last resort. Most recently, the court appointed a receiver for a multi-family property on Malcolm X Boulevard. The receiver will have the right to recover his costs incurred in running and fixing up the property. The city has not sought a receiver for a single family property, at least not in the past several years.

Barriers to Effectiveness

- The grounds upon which a receivership action can be brought in Texas are limited. Along with Arizona, Texas has the most narrowly drafted statute in the country.⁷⁵ Under Chapter 214, an action is limited to owners who are not in substantial compliance with ordinances regarding fire protection, structural integrity, zoning, or disposal of refuse. Thus, for example, a receiver could not be appointed for a building that is dilapidated and poses a health and safety hazard but does not have structural integrity issues or other issues that fall under one of the other three qualifications listed above. Vacant properties are also presumably ineligible unless it is being used for trash dumping.
- Tenants, residents, and community organizations are unable to bring a receivership action in Texas under Chapter 214 or Chapter 64.
- Receivership can be expensive and time consuming. The receiver needs to have the ability to manage the property and have the financial means to pay for bringing the property back into compliance with code, especially if the short-term rents from the property are insufficient to cover the rehabilitation costs. The legal fees in bringing a suit, especially if it is contested, can be significant. Access to pro bono legal resources is helpful. Receivership actions against occupied properties are the most complex.
- Local title companies must be on board to ensure that the process results in clear title.

⁷⁵ Mallach, at 51.

Best Practices

Allan Mallach, in his book *Bringing Buildings Back*, includes a great list of best practices and considerations that should go into the drafting of a receivership policy. These practices include:

- **Nonprofit authority to bring a receivership action.** A receivership statute should grant nonprofit organizations, community groups, and residents the authority to bring their own receivership action. By being able to bring receivership actions, nonprofit organizations can bring additional resources to the table and build upon a city's efforts to bring problem properties into compliance with the law.

Example: Baltimore has implemented one of the broadest receivership ordinances, under which a nonprofit, as an agent for the City, has the power to ask the court to appoint a receiver for any vacant property that has an outstanding building violation notice. Under the ordinance, the court can grant the receiver the authority to foreclose on the property before any rehabilitation work is done and to auction the property off to a developer with a demonstrated ability of rehabilitating the property immediately. To avoid the appointment of a receiver, the owner must post a bond to guaranty performance.⁷⁶ Actions have been brought against owners of more than 300 properties, with roughly half of the owners taking action to rehabilitate the property.

Example: Cleveland brings a maximum of 50 receivership cases a year against residential properties, which are typically vacant. One nonprofit organization is appointed as the receiver in all of the cases.

Other examples: Illinois and Missouri law allow for nonprofit organizations to bring a receivership action. New Jersey law allows for "qualified rehabilitation agencies" to bring an action.⁷⁷

- **Authority for the receiver to sell the property to promote neighborhood goals.** A receivership law should ensure that the reuse of the property is consistent with the neighborhood's revitalization plans and housing goals. The law should also provide for a judicially supervised sale if the owner fails to regain control within a reasonable amount of time.⁷⁸

Example: New Jersey requires that the property be used for housing for low- and moderate-income households. Instead of requiring a sale, Illinois law allows for a quitclaim deed to be issued to the receiver if the owner does not regain control of the property within two years. The property must be used for

⁷⁶ Kelly, at 218-19.

⁷⁷ Mallach, at 162.

⁷⁸ Mallach, at 63.

low- and moderate-income housing for at least ten years. Missouri law is similar in allowing a judicial quitclaim to be issued if the owner does not regain control of the property within a year.⁷⁹

- **Allow for extinguishment of all liens and other interests in the property upon sale or transfer of the property.** A receivership statute should ensure that the purchaser of the property gains clear title, free from liens and other interests.⁸⁰

Example: New Jersey

⁷⁹ Mallach, at 164.

⁸⁰ Mallach, at 161.

Part IV. Civil Asset Forfeitures

Texas Chapter 59 Forfeitures

Chapter 59 of the Texas Code of Criminal Procedure provides authority for a law enforcement agency to seize real property that is being used in the commission of certain types of crimes, including drug distribution and first degree or second degree felonies. The police seize the property by securing the premises and taking control of the property. The District Attorney's office then has 30 days to file a civil "in rem" ("against the property") action in district court. Throughout the court action, the police have the responsibility for keeping up the property. To the extent the government's lawsuit is successful, the owner then relinquishes any interest in the property. The property or proceeds from the property can then be used only for law enforcement purposes. If the property is sold, it must be sold at a public auction. Because asset forfeiture involves relinquishment of an owner's property interests, the procedure is generally used for forfeiture of real property in only narrow circumstances involving serious and repeated criminal activity.

If the crimes on the property are committed by someone other than the owner, the owner can raise an "innocent owner" defense. Prior to 2003, an owner had to prove that he or she did not "knew or reasonably should have known" of the criminal activity. In 2003, however, this defense was expanded. Now, an owner can be successful as long as the owner can show that the property "was used or intended to be used without the effective consent of the owner."⁸¹ We could not find any court guidance concerning this defense. Based on the language alone, however, we conclude that it will be very difficult, if not impossible, to successfully bring an asset forfeiture action against property that is owned by an absentee landlord, even in the case of repeated criminal activity on the property.

Barriers to Effectiveness

Civil asset forfeiture of real property is used very sparingly in Dallas. The last time an action was brought was in 2001, and the case then took three years to complete. There are several barriers in Texas to using this tool for transforming blighted properties into community assets:

- Under state law, the police are required to seize and secure the property as soon as the civil forfeiture lawsuit is filed in court and to then maintain the property throughout the forfeiture action, which can drag on for two years or even longer. The maintenance of the property during this time period requires lots of resources. The police must either maintain the property in-house or hire an outside entity such as a property management company to keep up the property. The state also is subject to liability for

⁸¹ TX Code of Crim. Proc., § 59.02(h)(1)(C).

any damages that happen to the property during the lawsuit, in the event the state loses the lawsuit. Unlike the federal government, which has a U.S. Marshall's office that is trained and equipped to maintain seized property, the State of Texas does not have a similar agency.

- If the property is in a low-income neighborhood and is encumbered by liens, the government is less likely to take on the liability of bringing a property through the asset forfeiture process. The government is responsible for paying off any liens on the property after the government obtains ownership of the property. The government will also want to be able to recoup its costs of maintaining the property and other costs involved in the forfeiture action.
- The innocent owner defense is very broad and does not appear to place an affirmative requirement on a landlord to evict tenants or otherwise be proactive in keeping the property free from crime. Because of the lack of guidance in the statute and from courts as to what this standard means, the District Attorney's office is reluctant to bring actions involving a potential innocent owner defense.
- To successfully win an asset forfeiture action requires lots of footwork on the part of the local police department, as well as collaboration between the police and other government agencies. The police need special training on how to make these cases work.

Federal Asset Forfeitures

The federal government has the power to seize properties being used for certain types of criminal activities, including a violation of federal drug trafficking laws.⁸² Unlike the state asset forfeiture policy, the federal government does not have to take control of the property until after the civil forfeiture action is completed. This cuts down on administrative costs and dramatically lowers the government's liability exposure. Pending the court action, the government can obtain a restraining order to require that the property is maintained and that the mortgage and property tax payments remain current.

The federal statute also provides more guidance on when and how an owner can raise an "innocent owner" defense, thereby eliminating some of the ambiguity that exists with the Texas law. For example, to claim the defense, the owner must prove by a preponderance of the evidence that, "upon learning of the conduct giving rise to the forfeiture, [the owner] did all that reasonably could be expected under the circumstances to terminate such use of the property." Examples of doing all "that could be reasonably expected" include revoking permission for those engaging in the

⁸² The relevant provisions of the federal civil asset forfeiture statute are contained in 18 U.S.C. §§ 881, 983, and 981. The Department of Justice has published a comprehensive manual outlining the government's policies and procedures on asset forfeiture: United States Department of Justice, United States Marshall, Asset Forfeiture Office, *Real Property Manual* (Aug. 2001).

conduct to use the property or taking reasonable actions in consultation with a law enforcement agency to discourage or prevent the illegal use of the property.⁸³

Typically, property seized by the federal government must be used for law enforcement purposes. The federal government, however, has a program called Operation Goodwill, which allows for the transfer of seized properties in a short period of time to community organizations to improve neighborhoods and build goodwill between law enforcement agencies and communities. The properties must then be used to support drug abuse treatment, crime prevention and education, housing, job skills, or other community-based public health and safety programs.

The United States Attorney's office told us that they would potentially be interested in working with the District Attorney and Dallas police department on some of the drug house cases in West Dallas, especially if done in collaboration with the Weed and Seed program. The federal asset forfeiture statute provides for the sharing of forfeited assets with state and local law enforcement agencies and encourages cooperation among different agencies.

Barriers to Effectiveness

- There needs to be more collaboration between federal and local agencies and training for police on how to build cases specifically for potential future civil forfeiture actions. It is important for the law enforcement agencies to have special training on civil forfeitures and on how to give notice to owners for each criminal activity occurring on the property.
- The federal government is generally reluctant to seize real properties with little value because of the cost of maintaining the property and paying off any liens on the property. However, these costs to the federal government can be abated if the property is transferred to a community group such as through U.S. Operation Goodwill or the City of Dallas land bank.
- A federal asset forfeiture action requires many different layers of approval from different government agencies, which can take a lot of time to obtain and can make asset forfeiture a very cumbersome process.

Best Practices

There are several instances in which the federal government has worked in collaboration with community groups to seize blighted properties being used for criminal activity, and then transferred the property to community groups.

- In Tulsa, Oklahoma, the U.S. Department of Justice seized nine properties in a neighborhood being used to sell cocaine. After the owner and conspirators were convicted, the government seized the properties. Recognizing the risk of

⁸³ 18 U.S.C. § 983(d)(B)(i).

selling the property at low prices to speculators and recycling the problem of absentee ownership, the federal government gave the properties to Habitat for Humanity, through U.S. Operation Goodwill.⁸⁴

- In Portland, Oregon, the federal government seized a drive-through business being used for drug distribution. The government transferred the property to a neighborhood group to be used as a community center.⁸⁵

⁸⁴ Ginnie Graham, "Officials Celebrate Property Transfer," *Tulsa World*, Aug. 5, 2005.

⁸⁵ United State Attorney's Office for the District of Oregon, "U.S. Marshal Transfers Criminally-Forfeited Property Across the Street from Franklin High School and Atkinson Elementary School to Community Organization," press release, June 6, 2006, available at <http://www.usdoj.gov/usao/or/pressroom2006.htm>.

Part V. Recommendations for Action

Based on an examination of Dallas's existing policies concerning abandoned and blighted properties, and based on an examination of best practices from around the country, we recommend the following actions in moving forward:

State Legislative Changes

1. **Amend the state law governing receivership actions to include the following:**
 - Expand state law to allow community organizations and residents to file a receivership action.
 - Expand the grounds upon which a receivership action can be brought.
 - Allow the receivership property to be sold to the land bank or nonprofit organization as an alternative to the public auction. Require that use of the property after resale be consistent with the neighborhood's revitalization plans and housing goals.
 - Allow for extinguishment of all liens and other clouds on title upon the sale or transfer of the property.
2. **Reform state law on civil asset forfeiture to:**
 - Allow for the government to take control of the property upon completion of the court forfeiture action, instead of upon the filing of the lawsuit.
 - Provide for expedited court review of asset forfeiture actions (a "rocket docket").
 - Provide guidance on when an owner may raise an innocent owner defense. Disallow defense from being raised when landlords of single family properties fail to evict tenants who are allowing the property to be used for repeated criminal activity, such as drug distribution. Also disallow defense for landlords who own multiple properties that are the sources of repeated criminal activity and are rented to "straw renters" with names on several leases of the landlord's properties.
 - Allow for seized real property to be transferred to a community land bank, or to other community groups for affordable housing, crime prevention education, and other community-based programs.
 - Allow for the District Attorney to place a super-priority lien on the property for the costs of bringing an asset forfeiture action and maintaining the property that, upon foreclosure, would extinguish all other liens and other clouds on title.
3. **Amend state nuisance abatement law to:**
 - Include clearly defined instances of when a nuisance abatement lawsuit can be filed, including an obligation for landlords to evict tenants living in units with three or more drug violations over the course of a year.

- Provide authority for community-based nonprofit organizations to bring self-help nuisance abatement actions and extend authority to non-criminal nuisances.
- Extend state law to create a special cause of action against landlords who own multiple single family properties that are repeatedly used for criminal activity, who rent to “straw renters” whose names are on several leases of the landlord, and who fail to obtain criminal background checks for all of the occupants.

City Policy Actions

1. **Hire a Neighborhood Preservation Coordinator who reports directly to the Mayor.** Because the tasks required to revitalize a neighborhood are handled by many different city departments in Dallas (including the Housing Department, Economic Development, Police, Code Compliance, Public Works, and Sanitation Services), there needs to be one point person who reports directly to the Mayor to in regards to revitalizing the City’s neighborhood improvement districts: (1) facilitate collaboration and coordination across the different city departments; (2) oversee the implementation of a comprehensive revitalization plan for each district.
2. **Create a Community Bill of Rights** granting community organizations the authority to seek injunctions to enforce municipal code ordinance when the City does not take action.
3. **Retain McKinsey & Associates to conduct a follow up audit of the city’s code enforcement process.** The implementation of the administrative adjudicative process by the City of Dallas in 2004 appears to be an important step towards dealing with problem properties more effectively. An analysis should also be conducted to determine the effectiveness of the new administrative process and to determine which of the 2004 recommendations have been successfully implemented and the impact of the implementation.
4. **Adopt and fund a Comprehensive Neighborhood Preservation Initiative.** Enact a general obligation bond initiative to fund a proactive preservation and code enforcement program in the City’s most distressed neighborhoods. The initiative should include support to distressed neighborhoods to develop and implement comprehensive neighborhood revitalization plans, and include specific numerical targets of properties to be revitalized through renovations or demolition and new construction or “greening” projects. For example, Columbus, Ohio, through its Home Again Program, used \$25 million in bonds to target 1,000 vacant homes over six years for preservation and home rehabilitation.
5. **Tighten the City’s vacant property ordinances and increase enforcement.** Change the City’s ordinances to make it illegal to own a building that is vacant

and boarded up for at least 90 days, by eliminating the requirement that the building must also violate another provision of the Code, and shortening the time period from 180 days. Require property owners to post no trespassing signs on properties that are vacant over a certain time period. Increase capacity to bring more lawsuits against severely dilapidated properties to order the repair or demolition of these structures as appropriate, and provide funding to nonprofit organizations to acquire and revitalize these properties. As needed, expand the Urban Rehabilitation Docket to handle a higher load of these cases.

6. **Explore adoption of the Cleveland Housing Court model** and its reliance on code enforcement advocates from the community, the utilization of code enforcement workshops, and other community outreach activities.
7. **Explore amending the city ordinance governing relocation benefits for dangerous structures.** Bring together neighborhood leaders and tenant advocates to discuss changes to the City ordinance governing relocation benefits, to consider imposing the duty on the landlord and not the City, and to consider creating exceptions to the law by which the City can proceed to repair or demolish a dangerous single family structure without having to pay for the relocation costs of tenants. In the alternative, explore the creation of additional funding to pay for relocation benefits, such as a new vacant property registration system. Amendments to state law may also be required.
8. **Adopt performance measurement targets for code compliance efforts in distressed neighborhoods,** based on the number of units that are brought into compliance and then remain in compliance over a one-year period. In collaboration with neighborhoods. For example, create a list of the top ten worst properties for each neighborhood improvement district and bring together city departments and neighborhood groups to revitalize these properties within a year.
9. **Extend the multi-tenant registration system to all rental properties.** Rental registration systems provide opportunities and obligations for code inspectors to be on site at properties that are the subject of serious code violations. The costs of the system can be offset by requiring small registration fees and through fines placed against noncompliant properties. The ordinance should also provide city code inspectors with authority to inspect the inside of single family rental properties.
10. **Create a publicly-accessible data system along the lines of the Philadelphia model.** The system should include the following information: property valuation, tax status, municipal liens, code violations, crime reports, utility shut-offs, building permits, sales, and foreclosures. The data system should be set up to allow residents to track the processing of code enforcement actions and outcomes and allow community organizations to create maps and track performance measurements. The system should also include an early-

warning system to flag problem properties before the problems escalate. We recommend the City partner with a local university to track trends, to evaluate the magnitude of problem properties in specific neighborhoods, and analyze the effectiveness of different types of intervention strategies.

11. **Adopt a vacant property registration system.** Require owners of properties that have become vacant or abandoned for a certain length of time to register formally with the local government and pay a registration fee.
12. **Target a portion of money collected from code enforcement and nuisance abatement actions** to fund community-based activities such as community watch programs, rehabilitation of houses, and video cameras for neighborhoods to film drug activity. Also target a portion of proceeds to expand training to city staff on code enforcement and best practices.
13. **Enforce the city's liens related to code enforcement activity.** Further research is needed to find out why the City has not foreclosed on liens related to code enforcement actions, outside of tax foreclosure lawsuits. Possible amendment to state law is needed.
14. **Dedicate additional resources and tools to shut down single family rental properties and landlords who own single family properties that are sources of repeated criminal offenses.** It is shocking that there are properties in West Dallas with as many as 69 criminal offenses on an individual single family property over the course of just two years. It is next to impossible for any neighborhood to revitalize under these conditions. Police reports for crimes linked to properties should automatically be sent to the property owner. When there are more than three to six crimes on a single family property over the course of six months, the city should bring a nuisance abatement action to shut down the property or bring a receivership action to allow a nonprofit organization to take over the property (amendments to state law will be needed to expand receivership actions in this regards). The city should explore adopting new laws and policies to deal with the problems of straw renters and landlords who own multiple single family properties that are the sources of repeated criminal activity.

Community-Based Actions

1. **Expose the high costs of property abandonment.** We recommend that Builders of Hope work with a local university to conduct a study of the costs that abandoned and blighted properties impose on the city, including the costs of heightened police enforcement, maintenance, and lower property values. The study should include a cost-benefit analysis to the city of creating and expanding code enforcement programs. In order to expand local support for code enforcement and nuisance abatement, it is critical that the public and

government understand why they should care about this and the economic impact it has on the city as a whole.

2. **Explore partnerships between neighborhood groups and the City of Dallas to recruit volunteer “housing specialists,”** similar to those used in Cleveland and Atlanta. The specialists could work in coordination with the City’s new neighborhood code representatives to assist with tracking code violations, notifying owners, and providing information to property owners about bringing properties into compliance. This program could also be used to track the effectiveness of the City’s current code enforcement program. For example, the volunteer housing specialists in each neighborhood could create a list of the ten worst properties, report these to the City, and track what happens to the properties over the course of a year. A picture of these properties could also be posted on a website and forwarded to the news media.
3. **Raise funds to create a receivership program and work with the city to appoint nonprofit organizations as receivers in more code enforcement and abandoned building cases.**
4. The City of Dallas has recently created a task force to look at the problems of vacant properties. **Community groups should contact the city and ask to be included in the task force early on so they can contribute their perspectives and ideas.**
5. **Develop a partnership among the community, the United States Attorney’s office, and the Dallas County District Attorney’s office to implement an organized collaborative criminal nuisance abatement initiative** that: (a) targets properties being used as drug houses, (b) trains police on building an asset forfeiture case, and (c) where appropriate, seizes the properties under the federal civil asset forfeiture laws and transfers the properties to community-based nonprofits through U.S. Operation Goodwill for affordable housing and community-based programs. Invite the District Attorney and United States Attorney on a bus tour to point out the worst properties in the neighborhood and educate them about the problems the community is facing.
6. **Sponsor a roundtable,** in partnership with the National Vacant Properties Campaign, to bring together neighborhood groups, Dallas leaders, and national experts to discuss the current barriers to revitalizing neighborhoods in Dallas and develop a community plan of action for dealing with the issues of abandoned and blighted properties.

Follow-up Research

During our research, we came across several other recommended tools for communities to utilize in transforming vacant and abandoned properties into

community assets. The following tools are some of the ones we have highlighted for potential areas of future research:

1. **Straw renters.** A couple of persons we spoke with raised a problem with straw renters: persons, usually women, who put their names on multiple leases on behalf of someone with a criminal history who then utilizes the property for drug activity. Further research is needed on this issue.
2. **Greening programs.** For areas with large numbers of vacant lots, community greening programs (such as the Philadelphia Green Project) have been an important component of some neighborhood revitalization efforts, through the creation of projects such as community gardens and pocket parks. Further research on these programs and how they could benefit West Dallas may be appropriate.
3. **Spot eminent domain.** A narrowly defined eminent domain statute that targets vacant blighted properties has been effective in some cities, through targeting the worst unoccupied properties while protecting the interests of owners living in their homes as well as tenants. We recommend further research on these statutes.
4. **Foreclosure Issues.** Because of the current foreclosure crisis, we recommend research on how this crisis is impacting Dallas neighborhoods and West Dallas in particular: Are banks keeping up foreclosed properties and, if not, are additional policies needed to ensure that these properties are code compliant and do not remain vacant for extended periods of time? Several cities have adopted specific policies to deal with the abandoned property issues generate by the large number of foreclosed properties in the market.
5. **Comprehensive research on the worst properties.** There is currently a lack of information on the full range of issues associated with problem properties in West Dallas. For the 100 properties generating the most police calls, it would be informative to know more about these properties; for example, what percent are occupied by homeowners versus renters, who the property owners are, whether the properties have tax delinquencies, and how many have code enforcement violations. It is difficult to craft a policy response to eliminate crime and blight associated with properties without first understanding the full scope of the issues associated with these properties.
6. **Models of community engagement.** Further research is needed on different models of community engagement whereby neighborhood residents are active and playing an effective role in the code enforcement process. Potential models for research include Atlanta, Philadelphia, and Baltimore.
7. **Expansion of land bank.** Many of the vacant and abandoned properties in West Dallas have tax delinquencies, but the current city land bank program is at capacity in terms of the properties it can bring through the tax foreclosure

process. Further research is needed to determine how the land bank can be expanded to target more of these properties with multiple years of tax delinquencies, and also how the tax foreclosure process could be improved to further facilitate the sale of these properties.

8. **Self-help common law nuisance abatement actions.** Research is needed to determine to what extent community organizations or residents impacted by a nuisance property can bring a common law action to require repairs or make the repairs themselves.
9. **Foreclosure on city liens.** Further research is needed on whether and how the city may foreclose on properties with liens related to code enforcement. How many liens are there and how often are these liens not part of an ad valorem tax foreclosure action? Why has the city not historically foreclosed on these liens?

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

MEETING DATE: May 1, 2019

NAME & TITLE: C. Alejandro Sanchez, P.E., CFM, Public Works Director

DEPARTMENT: Public Works Department

ITEM

Discussion and action regarding signs over and across Laguna Boulevard on the North and South sides of the "Entertainment District".

ITEM BACKGROUND

On February 12, 2019 a request to place a sign across Laguna Boulevard from businesses in the area. See attached email. They indicated the signage should read "Welcome to the Entertainment District" or similar.

On February 12, 2019 City Council directed staff to look for the location of the signs and to work with all the stakeholders in the area to agree with the design and location.

As an update, staff has conducted research on the estimated cost of several gateway signs. The approximate cost would be upwards of \$200,000 each, with a total sign cost of approximately \$400,000 plus design fees.

BUDGET/FINANCIAL SUMMARY

N/A

COMPREHENSIVE PLAN GOAL

Goal 1: Enhance the standards and appearance of public right-of-way and properties.

LEGAL REVIEW

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

RECOMMENDATIONS/COMMENTS



Darla Jones <djones@myspi.org>

Signage over Laguna Blvd.

1 message

Sail SPI <sailspl@gmail.com>

Fri, Feb 15, 2019 at 4:37 PM

Reply-To: john@sailspl.com

To: djones@myspi.org

Darla

Thanks you very much for your time today. As discussed, we'd like the city to erect an over the street sign to help make Island visitors aware of the South Side Entertainment District. The sign should start on the NE corner of Palm and Laguna, and span across Laguna to the parking lot in front of Lobo Del Mar. The neighboring business would benefit from the extra exposure as well as beautifying the area and providing extra exposure to Coconuts, Liams, etc.

Darla, I'm sure the city realizes that we want to build successful businesses, but also businesses that contribute financially and aesthetically to the community.

John Ferrone

The MeatBall Cafe

Longboard Bar and Grill

Southern Wave Sailing Charters

(956) 772-7245 - (866)-704-7245 toll free

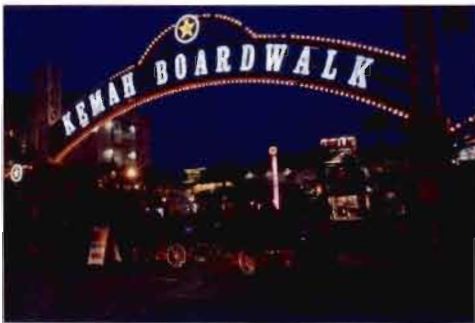
Info@SailSPI.com www.SailSPI.com

ENTERTAINMENT DISTRICT GATEWAY SIGN

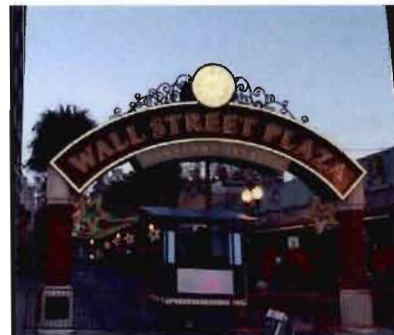
COSTS



GATEWAY SIGN SAMPLES



- Location: Kemah, TX
- Built: 1998
- Cost: \$

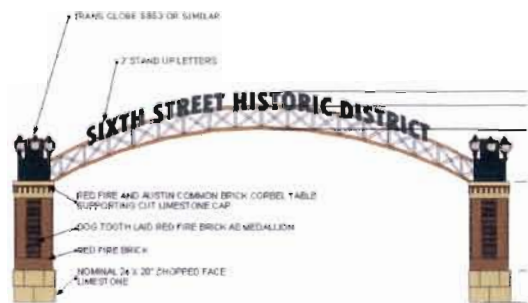


- Location: Orlando, FL
- Built: 2018
- Cost: \$175,000 (Retrofit)

GATEWAY SIGN SAMPLES...CONT.

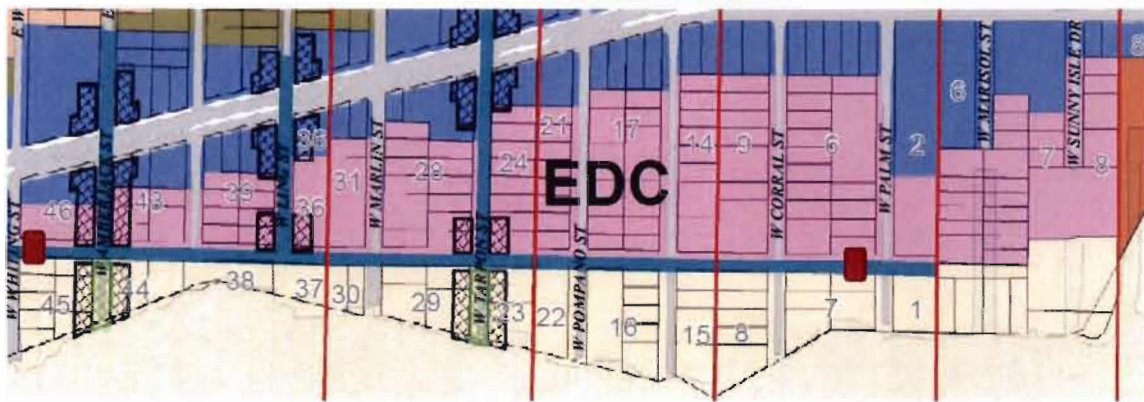


- Location: Seabrook, TX
- Built: 2011
- Cost: \$223,755



- Location: Austin, TX
- Built: Not yet bid or built
- Cost: \$ 75,000 to 200,000

SIGN LOCATION



14-6

GATEWAY SIGN NEXT STEPS

- ▶ Approximate Sign Cost - \$ 400,000 for both
- ▶ Architect and Engineering Fees - \$30,000 to \$60,000
- ▶ Actions moving forward
 - ▶ Request for Qualifications (RFQ) to begin design
 - ▶ Determine Location
 - ▶ Determine Funding

**CITY COUNCIL MEETING
AGENDA REQUEST FORM
PUBLIC HEARING**

MEETING DATE: May 1, 2019

PUBLIC HEARING:

ITEM DESCRIPTION

Conduct Public Hearing to discuss a proposed text amendment to Chapter 20-11 (D) of the Zoning Ordinance to Regulate the Construction and Operation of Temporary Structures within 150 feet of Padre Boulevard.

RECOMMENDATIONS/COMMENTS

1. The Mayor opens the Public Hearing by reading the caption from the City Council's agenda.
2. The Mayor asks if anyone is present to speak in favor of.
3. Once everyone in favor has spoken, the Mayor asks if anyone is present to speak in opposition to.
4. Once everyone in opposition has had an opportunity to speak, the Mayor will then close the Public Hearing.

Please keep in mind that the City Council will normally have discussion and action during the next item on the agenda. The Public Hearing is for the purpose of receiving comments from the public. It is not necessary for the Council Members to respond to the public at this time. If a member of the public raises a question, the members of the City Council should make note of it to address during the next discussion and action item after the Public Hearing has been closed.

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

MEETING DATE: May 1, 2019

NAME & TITLE: David Travis, Building Official
C. Alejandro Sanchez, P.E., CFM, Public Works Director
Marta Martinez, Planning Administrative Assistant

DEPARTMENT: Planning Team

ITEM

Discussion and action regarding a proposed text amendment to Chapter 20-11 (D) of the Zoning Ordinance to Regulate the Construction and Operation of Temporary Structures within 150 feet of Padre Boulevard and approve first reading of Ordinance..

ITEM BACKGROUND

December 19, 2018, the Planning and Zoning Commission approved the text amendment to Chapter 20-11(D) of the Zoning Ordinance to regulate the construction and operation of temporary structures within 150 feet of Padre Boulevard.

January 16, 2019, the City Council denied the text amendment to Chapter 20-11(D) of the Zoning Ordinance to Regulate the Construction and Operation of Temporary Structures within 150 feet of Padre Boulevard, and directed staff to take it back to the Planning and Zoning Commission.

April 18, 2019 the Planning and Zoning Commission review and approved the text amendment to Chapter 20-11(D) of the Zoning Ordinance to regulate the construction and operation of temporary structures within 150 feet of Padre Boulevard with some changes.

BUDGET/FINANCIAL SUMMARY

Not Applicable

COMPREHENSIVE PLAN GOAL

LEGAL REVIEW

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

Comments:

RECOMMENDATIONS/COMMENTS

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS,
AMENDING CHAPTER 20 OF THE CODE OF ORDINANCES (ZONING
CHAPTER) SECTION 20-11(D) TO REGULATE THE CONSTRUCTION
AND OPERATION OF TEMPORARY STRUCTURES, AND DEALING WITH
RELATED MATTERS**

WHEREAS, Chapter 211 of the Texas Local Government Code empowers the City Council of the City of South Padre Island to enact zoning regulations and districts and provide for their administration, enforcement and amendment; and

WHEREAS, the Planning and Zoning Commission and the City Council has complied with all notice and public hearing requirements of the Code of Ordinances and Chapter 211 of the Texas Local Government Code; and

WHEREAS, the City Council desires to amend the Zoning regulations to allow for certain uses not currently delimited but consistent with existing uses in certain districts; and

WHEREAS, the City Council specifically finds that the requirements specified herein are rationally related to protecting the public purposes of lessening congestion in the streets, securing the safety of its citizens from fire, panic, and other dangers, promoting the health and the general welfare of its citizens; preventing the overcrowding of land, and avoiding undue concentration of population

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

SECTION 1: That Chapter 20, Section 20-11(D) of the City of South Padre Island Code of Ordinances be amended by deleting the following;

- (2) Temporary structures are prohibited within one-hundred and fifty (150) feet of Padre Boulevard.
- (3) Commercial sales activities of any kind are not allowed in temporary structures regardless of their location.
- (9) City Exemption: Notwithstanding the requirements of this City Code of Ordinances relating to open display and the use of temporary structures, the City of South Padre Island shall be exempt from all provisions herein, and is expressly permitted to authorize the use of public property and the public right-of-way for the purposes of outdoor display and temporary structures for the purpose of publicly sponsored events, as well as recognized events sponsored by other agencies authorized by the City.

SECTION 2: That Chapter 20, Section 20-11(D) of the City of South Padre Island Code of Ordinances be amended by adding the following;

- (2) Temporary structures are prohibited within one-hundred and fifty (150) feet of Padre Boulevard unless they are directly associated with operations of the onsite permanent business and a Temporary Structure Permit has been obtained by the property owner or lessee. No more than one (1) Temporary Structure Permits may be issued within a calendar quarter. Each permit shall be valid for not more than seven (7) days. Temporary Structure Permits will not be issued consecutively.
- (3) Commercial sales activities excluding food and beverage of any kind are not allowed in temporary structures regardless of their location. The Activity must be an extension of the primary business or recreational.
- (9) City Exemption: Notwithstanding the requirements of this City Code of Ordinances relating to open display and the use of temporary structures, the City of South Padre Island shall be exempt from all provisions herein, and is expressly permitted to authorize the use of: 1) private property with express authorization from private property owner, 2) public property and 3) the public right-of-way for the purposes of outdoor display and temporary structures for the purpose of publicly sponsored events, as well as recognized events sponsored by other agencies authorized by the City.

SECTION 3: This Ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

SECTION 4: If for any reason, any section, paragraph, subdivision, clause, phrase, word, or provision of the Ordinance shall be held 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 according to law.

PASSED, APPROVED AND ADOPTED on First Reading, the ____ day of _____ 2019.

PASSED, APPROVED AND ADOPTED on Second Reading, the ____ day of _____ 2019.

ATTEST:

CITY OF SOUTH PADRE ISLAND,
TEXAS

SUSAN HILL, CITY SECRETARY

DENNIS STAHL, MAYOR

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: April 18, 2019

Item: 5 & 6

TO: Planning and Zoning Commission

FROM: Planning Department

ITEM DESCRIPTION:

Discussion and action regarding a proposed text amendment to Chapter 20-11(D) of the Zoning Ordinance to Regulate the Construction and Operation of Temporary Structures within 150 feet of Padre Boulevard.

DISCUSSION:

BACKGROUNDS

December 19, 2018, the Planning and Zoning Commission approved the text amendment to Chapter 20-11(D) of the Zoning Ordinance to regulate the construction and operation of temporary structures within 150 feet of Padre Boulevard.

January 16, 2019, the City Council denied the text amendment to Chapter 20-11(D) of the Zoning Ordinance to Regulate the Construction and Operation of Temporary Structures within 150 feet of Padre Boulevard, and directed staff to take it back to the Planning and Zoning Commission

The Requirements

1. Sec.20-18 Changes and amendments.

- (C) Submission of changes to Planning and Zoning Commission. Before taking action on any proposed amendment, supplement or change, the City Council shall submit same to the Planning and Zoning Commission for its recommendation and report in the event there is a Planning and Zoning Commission, and if there is no Planning and Zoning Commission then the City Council may amend this ordinance as provided by law.

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

Amendments:

That Chapter 20, Section 20-11(D) of the City of South Padre Island Code of Ordinances be amended by deleting the following;

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- (2) Temporary structures are prohibited within one-hundred and fifty (150) feet of Padre Boulevard unless they are directly associated with operations of the onsite permanent business and a Temporary Structure Permit has been obtained by the property owner or lessee. No more than three (3) Temporary Structure Permits may be issued within calendar year. Each permit shall be valid for not more than four (4) days.
- (3) Commercial sales activities of any kind are not allowed in temporary structures regardless of their location.
- (9) City Exemption: Notwithstanding the requirements of this City Code of Ordinances relating to open display and the use of temporary structures, the City of South Padre Island shall be exempt from all provisions herein, and is expressly permitted to authorize the use of: 1) private property with express authorization from private property owner, 2) public property and 3) the public right-of-way for the purposes of outdoor display and temporary structures for the purpose of publicly sponsored events, as well as recognized events sponsored by other agencies authorized by the City.

COMMISSION ACTION:

MOTION:

BY: _____ SECOND BY: _____

McNulty	Avery	Fletcher	Zipp	Olle	Teniente	Garlock
Yes	Yes	Yes	Yes	Yes	Yes	Yes
No	No	No	No	No	No	No
Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain

16-5

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS,
AMENDING CHAPTER 20 OF THE CODE OF ORDINANCES (ZONING
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WHEREAS, the City Council specifically finds that the requirements specified herein are rationally related to protecting the public purposes of lessening congestion in the streets, securing the safety of its citizens from fire, panic, and other dangers, promoting the health and the general welfare of its citizens; preventing the overcrowding of land, and avoiding undue concentration of population

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SECTION 3: This Ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

SECTION 4: If for any reason, any section, paragraph, subdivision, clause, phrase, word, or provision of the Ordinance shall be held 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 according to law.

PASSED, APPROVED AND ADOPTED on First Reading, the ____ day of _____ 2019.

PASSED, APPROVED AND ADOPTED on Second Reading, the ____ day of _____ 2019.

ATTEST:

CITY OF SOUTH PADRE ISLAND,
TEXAS

SUSAN HILL, CITY SECRETARY

DENNIS STAHL, MAYOR

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

MEETING DATE: May 1, 2019

NAME & TITLE: Ed Caum, CVB Director

DEPARTMENT: Convention and Visitors Bureau

ITEM

Presentation regarding Pro Watercross 2019 event.

ITEM BACKGROUND

The Special Events Committee met on Thursday, April 18, 2019 and approved funding in the amount of \$35,000 and in-kind services up to \$31,000. The Committee also recommended for staff to inquire about possibly hosting the event in August 2019. A recommendation was made for the Convention and Visitors Advisory Board to approve.

BUDGET/FINANCIAL SUMMARY

COMPREHENSIVE PLAN GOAL

Policy 1.1.1: The City should identify and target consumer populations for the various recreational activities and businesses the island offers (i.e., kite boarders, windsurfers, eco-tourists, winter visitors, artists, music, cultural enthusiasts, athletic competitors, etc.)

LEGAL REVIEW

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

Comments:

RECOMMENDATIONS/COMMENTS

PRO WATERCROSS™

PRO WATERCROSS NATIONAL TOUR

People all over the world love hot summer days, extreme sports, music, racing, and competition! You are probably wondering how do we reach these consumers? You start with the secret ingredient: water, but how will we get their attention? Use one of the world's most exciting watersports: Pro Watercross Racing!

From the hottest beaches and waterways all over the USA, thousands of racing enthusiasts have been on hand to catch the excitement of Pro Watercross racing; which combines the electricity and appeal of traditional beach events with the high-speed thrills of competitive motor sports. Dramatic staging, a professional sound system, grandstands, banners, flags, and pit tents set the stage for a truly large-scale event.



Entering its 24th season of racing, Pro Watercross has become the world's leading personal watercraft racing circuit and sanctioning body. Each action-packed event features the top watercraft racers from all over the world doing battle against one another while negotiating buoys, obstacles and pounding waves. Each racer will be vying for a portion of cash, prizes, and awards while in route to the prestigious Pro Watercross World Championships and your city can be part of the action...



EVENT DETAILS: Pro Watercross anticipates over 150 individual competitors at national events, both USA and international competitors bringing with them their pit crew, families, friends and fans. Each Tour event features the best of the best as well as the up-and-coming men and women in the highly explosive and exciting sport of personal watercraft racing otherwise known as "watercross". These riders will utilize some of the most advanced equipment and technology to help their watercraft reach speeds of over 85 miles-per-hour. Throughout the week, riders will engage in a fierce battle of skill, technology and innovation on and off the water - this is Supercross on water.

The Pro Watercross Tour takes place from May through August with its World Championships beginning in October, these events not only attract the professional and amateur competitors from the USA, but from all over the globe enabling them the opportunity to demonstrate their skills and compete in a safe environment.



CLOSED COURSE RACE: Similar to motocross on the water, closed course racing is handle-bar to handle-bar competition that pits rider and machine in a personal watercraft battlefield. Reaching top speeds close to 85 mph; closed course racing features a buoy-marked closed course track that is designed to keep the competition tight and fans close to the action. Each race begins with one of the most gut-wrenching experiences in motorsports – the side-by-side gated start. Similar to motocross, watercross racing start features 20 riders exploding off the line, each thinking to themselves “I’m going to be the first one to that buoy.” Surviving the first-turn is just the beginning. Speed, technique and racing ability will all come into play over the next 20 minutes, as the riders begin to negotiate a series of left and right-hand turns.



FREESTYLE: Each event features a Freestyle segment that highlights the acrobatic abilities of these highly specialized athletes and their watercraft. One of the true “extreme sports,” freestyle features some of the most gifted athletes on the beach. Freestyle is *the* crowd favorite, as spectators get a chance to interact with the competitors before, during and after the competition



“ON-SITE” PRESENTATION: The Pro Watercross Tour incorporates several unique and exciting staging features into its aquatic arena. The Tour’s custom-built stage, scoring stands, shoreline banners and more provide excellent signage locations to enhance sponsors image. The combination of advanced promotion and advertising, professional on-site appearances, great racing, and spectator crowds create an event experience that keeps spectators buzzing for weeks to follow. During competition, our top-flight announcers guide spectators through the waves and around the buoys, giving insight into the personalities and technology of professional watercross racing. In between the races, the focus changes to the athletes, sponsors and local partners. Spectators are enticed to visit the food and vendor booths and meet the riders in the pits. Our professional announcers will ensure delivery of PA announcements and keep the crowd entertained with the hottest music and on-site giveaways.

COMPETITORS: The Pro Watercross Tour can assure you that these events will bring in a large number of talented watercross competitors. To attract participants at the regional, national and world levels, each event is covered extensively; e-blasts promotions, Facebook, YouTube, smartphone app just to mention a few will be used to reach past and present watercross members and fans. Additionally, announcements and advertisements may be placed in nationally distributed watercraft magazines and the top PWC online magazines.

ECONOMIC IMPACT: Participants, their families, and support crew spend money on fuel, meals, hotels, miscellaneous expenditures, etc. Each host site will have a different economic impact, geographic location; marketing area and host site enthusiasm all come in to play. Area hotels and campgrounds can expect Pro Watercross competitors to begin arriving on Thursday and Friday, with a majority of them staying through to Monday.



MARKETING AND ADVERTISING: The pre-event grassroots marketing effort will be executed 30-60 days prior to each tour stop. Posters and postcards are distributed in each key market area the Pro Watercross Tour travels to. Local businesses in each area will be asked to hang a poster in the entry window and place postcard at the exit door; distribution is normally handled with the assistance from the host city.

Pro Watercross may utilize radio advertising through two or more local radio stations running commercials from Monday prior to the event through Sunday of the event, with a live remote on both Saturday and Sunday. Along with the radio advertising we found that inviting local TV stations, radio and news print to join us on site Friday afternoon for a "media day at the beach" to drum up excitement and news coverage for the event weekend. Media have a chance to mingle with the professional riders, as well as try out the newest personal watercrafts on the market today!

LIVE ON TOUR: The online watercraft enthusiast becomes engaged with each event during the "Pro Show" while watching and listening from the comfort of their own home. Streaming the Pro Watercross Tour Stop live on the web makes it accessible to a worldwide audience. This means attendance to our events can reach anyone, anywhere; all they need is access to the internet. The biggest benefit to live streaming is that your community will receive more exposure to a greater audience and can dramatically expand its reach from local or regional to national and international. Pro Watercross national event stream live on Facebook, YouTube and Twitter simultaneously with South Padre Island, Texas's TV commercials streaming during our live breaks.



Pro Watercross live web streaming original and recorded events reached over 2,360,700 views in 2018 through various social media networking sites; Facebook, YouTube, Instagram, Twitter, Ustream.

SOCIAL BUZZ... Word of mouth is our best advertising; Pro Watercross Facebook fan base has grown to over 148,000+ fans and 151,000 followers as of today, with a recent viral video that has over 52 million current views. This will benefit our host cities and sponsors, bringing awareness to the beautiful backdrops for our events as well as the competitors spreading the word about the fun they had, where they went and how they finished in the competition. The Pro Watercross National Tour is working with industry leaders to grow the sport of watercross, bringing it great venues throughout the USA; where our athletes, their families, crew and spectators/fans can enjoy the event as well as the surrounding area.



The Tour takes to social media to drive this message home and once the conversation has been started, our athletes take over... We use social media as our chief source of getting the word out on Facebook, Instagram and Twitter to generate interest. As awareness of Pro Watercross events increases through these social media avenues, participation has been growing with competitors from all over the world and with them bringing more families, crew and fans into each area to help us reach the ultimate goal: more people in the area, spending money, enjoying the great hospitality and fun found at each of our world class events.

Throughout the competitive season the Tour sends out E-blast to reach not only our athletes... these regular updates keep the fan informed on who is in the lead in the points, who won at the last round and what to expect at the next tour stop. South Padre Island, Texas's logo and link are included in each E-blast, not just throughout the race season, but all year long as one of our supporting partners.

TV PROGRAM COVERAGE: Pro Watercross films and broadcast all the Tour stops which are featured on DISH, DirecTV and major cable networks through regional sports networks as well as international distribution and digital online media outlets. In the U.S.A. each show is broadcasted typically three times on each affiliate. *Regional Sports Networks (RSN) are cable television channels that presents sports programming in any given geographical region throughout the United States and Canada.*



South Padre Island, Texas will receive two (2) 30-second TV commercial during the event's TV show as well as a 45-60 second vignette that highlights the area. A representative from South Padre Island, Texas will work directly with Pro Watercross' production team on this vignette, giving valuable input and information to the production team.

PRO WATERCROSS 2018 TV Network Distribution Report

(As of June 29, 2018; Subject to change; Affiliates listed are confirmed)

Affiliate	hh	Territory
Altitude Sports	7mhh	CO; UT; WY; ID; NE; KS; MT; NM; NV; SD
Cox Sports Television	5.5mhh	LA; AR; MS; TX; FL; VA; GA; OK; MO; KS; OH; ID; NE; NV; CA; AZ
NESN National	5mhh	National Cable Network
AT&T SportsNet, Southwest	4mhh	TX; LA; AR; NM; OK
AT&T SportsNet, Pittsburgh	3mhh	PA; WV; OH; NY
ROOT Sports, Northwest	3mhh	WA; OR; MT; ID; AK
Spectrum SportsChannel	2.2mhh	OH
Comcast Television	2.1mhh	MI; IN
Mediacom – MC-22	1.1mhh	IA; IL; IN; MN; SD; MO; WI
AT&T SportsNet Rocky Mountain West	300khh	NV; CA; AZ; WY; UT; ID
Spectrum SportsChannel	650khh	WI
SWX Sports	525khh	WA; MT; WY
WIFS TV 57, Madison	350khh	WI
ROC Sports Network	300khh	Rochester, NY
Midco Sports Network	300khh	MN; ND; SD
Buckeye Cable Sports Network (BCSN)	200khh	Toledo, OH; Erie, PA
GCI Channel 907	125khh	AK
APSU TV	85khh	TN
KWBJ TV 22	20khh	Morgan City, LA
Spectrum Local	20khh	Owensboro, KY
HBC 3	10khh	Winona, MN
DTC 3	10khh	Nashville, TN
Eleven Network	8.8mhh	National (cable and satellite network)
REV'N Network	40mhh	National (digital broadcast network)
The Action Channel	21mhh	National (digital broadcast network)
Tuff TV Network	14mhh	National (digital broadcast network)
Untamed Sports TV	5.2mhh	National (digital broadcast network)
BEN Television	11mhh	Europe (Sky TV Channel 175)
CaribVision	500khh	The Caribbean Islands; Canada

**CLICK HERE TO WATCH THE
PRO WATERCROSS HARTWELL, GA TV SHOW**

TOTAL

100+ MHH

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HOST SITE REQUIREMENTS

The following are the basic site requirements that we look for in a site to host a Pro Watercross Tour Stop: *Every site has its own unique landscape and UWP will work closely with your organization with the venue requirements.*

- ★ 1000 feet of beach or clean shoreline (i.e. grass/sand).
- ★ Water with sand or hard pan bottom with easy slope.
- ★ Onsite parking by parking lot or grass.
- ★ Adequate restrooms (permanent or port-o-pots) on site.
- ★ Hotels within 5 miles of site.
- ★ ATV use on beach to haul boats to water.
- ★ The beach or land area will need to be closed to swimming from Thursday through Sunday of the event weekend.



COST TO SOUTH PADRE ISLAND, TEXAS FOR THE PRO WATERCROSS NATIONAL TOUR STOP:

RIGHTS FEE: South Padre Island, Texas would pay UWP, LLC the rights fee of \$35,000 with a deposit of \$10,000 paid at the signing of the contract, the balance due is paid on or before the Friday prior to the event weekend – in addition to the rights fee:

- ★ South Padre Island, Texas guarantees the competition area free of charge, starting Thursday before the Event through Sunday or the completion of the Event if later.
- ★ South Padre Island, Texas is responsible for overseeing water traffic control through communication with local marinas, boat patrols, and signage in appropriate locations.
- ★ Onsite Ambulance with a minimum of two EMTs for Saturday & Sunday for each annual event. Times to be established at a later date.
- ★ Provide participants/event parking and security.
- ★ Advertising promotion – local advertising in print, digital and other sources (if available), which must be preapproved by UWP, LLC before commitment is made.
- ★ Provide UWP, LLC with marketing material to help promote the local/regional community.
- ★ Provide UWP, LLC with hotel accommodations of 25 room nights starting Thursday and departing on Monday.

SPONSORSHIP AMENITIES:

- ✧ Provide a two-day event professionally run and specifically designed to entertain an audience each day.
- ✧ Produce and distribute a one RSN ½ hour TV show. "Pro Watercross Tour Stop" TV show that will highlight the athletes. In the United States and Canada, a Regional Sports Network (RSN) is a cable television channel that presents sports programming to a local market and geographical region.
- ✧ Two (2):30 second commercial spots during the RSN TV broadcast (2018 reached into over 100+ million households).
- ✧ A 45-60 second vignette on the South Padre Island, Texas area aired throughout USA on Regional Sports Networks.
- ✧ South Padre Island, Texas CVB will receive opening and/or closing billboards for each segment during each television show.
- ✧ Live Web Streaming - two 3-4-hour broadcasts, one on Saturday and one on Sunday (weather permitting).
- ✧ A minimum of two (2) :30 second commercials each day
- ✧ South Padre Island, Texas CVB logo placement within the event area, which will include two (2) court-side banners at each 2019 Pro Watercross Tour events.
- ✧ South Padre Island, Texas CVB logo placement on the front side of the announcing tower is the focal point of the on-land entertainment.
- ✧ PA announcements at each 2019 Tour Stops.
- ✧ South Padre Island, Texas CVB logo inclusion on all E-blasts throughout the 2019 campaign.

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- ✧ South Padre Island, Texas CVB logo inclusion in social marketing campaigns reaching over 148,000+ followers on Facebook plus other social media outlets. Host is responsible for providing Pro Watercross with social media content – this includes graphics (logo/picture) and specific wording.
- ✧ South Padre Island, Texas CVB logo inclusion on print media including event posters and postcards.
- ✧ South Padre Island, Texas CVB linked logo & video inclusion on the Pro Watercross website, which includes and individual webpage for each tour stop.

SPONSORSHIP/PROMOTIONS

The event host will be entitled to all promotional, sponsorship, and merchandising dollars it raises pertaining to the watercross event. The Pro Watercross is entitled to all series promotional, sponsorship, and merchandising dollars it raises.

UWP, LLC / Pro Watercross agrees to honor all event sponsorship commitments regarding signage, booth space, etc., that the South Padre Island, Texas CVB makes pertaining to the watercross race, while the host site agrees to honor all commitments regarding booth space, signage, etc., made by Pro Watercross.

The rights to the sale of soft goods merchandise pertaining specifically to the Pro Watercross are retained by Pro Watercross and Pro Watercross reserves the right to have the series' soft goods area at the event. It is understood that a copy of the insurance policy is available, upon request, and that also, upon request, the host site can name up to three additional insured on said policy.

END RESULT

Pro Watercross offers host cities/venues the opportunity to bring an exciting and entertaining event in to their community. Pro Watercross generates a tremendous amount of publicity, exposure for your area, and bring a substantial amount of money to the region.

The appeal of Pro Watercross racing will send out a message to the other lifestyle enthusiasts that something is happening in your area. On race weekend, people from all over the USA will descend on the city, fill hotels, and spend money in the local community. The added publicity will build traffic that will in turn generate more revenue for the city and the entire area.

Our mutual goal is to establish a relationship between the event and the host city that is a win-win for all those involved. Thank you for your consideration to host a Pro Watercross Tour Stop.

In conclusion, we would like to thank you for your time and consideration in reviewing our RFP. Please feel free to contact any of our references (tour host cities) or Pro Watercross with any questions or comments. We have been producing great events that give our athletes a safe environment to compete in; as well as entertain audiences for over 20 years. Watercross is a unique and thrilling sport and our events are a testament to our passion for the sport and commitment to our host cities and sponsors and we promise you it will not be your average day at the beach...

Pro Watercross | UWP, LLC
1937 Fairport Nine Mile Point Road
Penfield, NY 14526
585-330-0742

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TYPICAL SCHEDULE OF EVENTS

WEDNESDAY-PM/THURSDAY-AM - Pro Watercross equipment truck arrives.

THURSDAY/FRIDAY (pending venue):

8:00 AM Set-barricades to secure parking lot – participant parking/pit area.

9:00 AM Participant parking / pit area opens.

VENUE SET-UP

- Venue set-up
- Main staging tower (2 hours)
- Hang banners on tower
- Tents on top of tower
- Water (flagging) tower in water (1 hour)
- Hang banners
- Set starting gate
- Race course (3-4 hours)
- Blow up buoys
- Concrete block- chain & rope
- Set race course
- Locate tech tent
- Pick up equipment and tools (1 hour)
- Refuel boats for Friday

FRIDAY

2:00 – 5:00 PM On-site registration and check-in

7:00 – 8:30 PM Potential late registration and check-in at host hotel

SATURDAY

6:00 AM Staff arrives to finalize venue and race course.

6:30 – 8:00 AM Rider's check in.

7:30 – 8:30 AM Safety inspection on all personal watercrafts.

8:30 AM Mandatory riders meeting and safety briefing, which includes rules of the area and waterways.

9:00 AM Practice begins; riders are familiarized with the race.

10:15 AM Competitor prayer, national anthem is played and racing begins with novice and amateur.

11:00 AM Pro Racing (moto 1)

12:00 PM Pro Freestyle

12:30 – 2:00 PM Pro Racing continues

2:00 PM - end Racing continues, all classes. Novice/Amateur classes 2 motos

6:00 PM Beach area cleaned up.

TBD-7:00 PM Racer Party

SUNDAY

7:00 AM Staff arrives to finalize venue and race course.

8:00 – 8:30 AM Riders meeting and safety briefing

9:15 AM National anthem is played, and racing begins.

11:00 AM Pro Racing (moto 2)

12:00 PM Pro Freestyle (finals)

12:30 PM Pro Racing (finals)

2:00 PM - end Amateur Finals begin.

4:30 PM Racing ends and awards are given out. Buoy removal begins immediately.

5:00 PM Equipment break-down and beach area is cleaned up.

MONDAY

10:00 AM Site inspection/finalize equipment breakdown and loading of equipment trailer.

Please note that these times may not be exact.

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PRO WATERCROSS

2018 TV PRO WATERCROSS NETWORK DISTRIBUTION REPORT

(As of June 29, 2018; Subject to change; Affiliates listed are confirmed)

Affiliate	hh	Territory
Altitude Sports	7mhh	CO; UT; WY; ID; NE; KS; MT; NM; NV; SD
Cox Sports Television	5.5mhh	LA; AR; MS; TX; FL; VA; GA; OK; MO; KS; OH; ID; NE; NV; CA; AZ
NESN National	5mhh	National Cable Network
AT&T SportsNet, Southwest	4mhh	TX; LA; AR; NM; OK
AT&T SportsNet, Pittsburgh	3mhh	PA; WV; OH; NY
ROOT Sports, Northwest	3mhh	WA; OR; MT; ID; AK
Spectrum SportsChannel	2.2mhh	OH
Comcast Television	2.1mhh	MI; IN
Mediacom – MC-22	1.1mhh	IA; IL; IN; MN; SD; MO; WI
AT&T SportsNet Rocky Mountain West	300khh	NV; CA; AZ; WY; UT; ID
Spectrum SportsChannel	650Khh	WI
SWX Sports	525khh	WA; MT; WY
WIFS TV 57, Madison	350khh	WI
ROC Sports Network	300khh	Rochester, NY
Midco Sports Network	300khh	MN; ND; SD
Buckeye Cable Sports Network (BCSN)	200khh	Toledo, OH; Erie, PA
GCI Channel 907	125khh	AK
APSU TV	85khh	TN
KWBJ TV 22	20khh	Morgan City, LA
Spectrum Local	20khh	Owensboro, KY
HBC 3	10khh	Winona, MN
DTC 3	10khh	Nashville, TN
Eleven Network	8.8mhh	National (cable and satellite network)
REV'N Network	40mhh	National (digital broadcast network)
The Action Channel	21mhh	National (digital broadcast network)
Tuff TV Network	14mhh	National (digital broadcast network)
Untamed Sports TV	5.2mhh	National (digital broadcast network)
BEN Television	11mhh	Europe (Sky TV Channel 175)
CaribVision	500khh	The Caribbean Islands; Canada

RSN SPORTS TV COVERAGE:

Tour media buys included five to seven ½-hour Regional Sports Network (RSN) TV Shows for each National Tour Stop, with one 1-hour TV show for the National Championships. RSN TV broadcast of the Pro Watercross National Tour TV shows carry an estimated value of \$180,000 for the tour.

REGIONAL SPORTS NETWORK TV ASSETS

- 30-second TV commercial spots during RSN TV programs.

In the United States and Canada, a Regional Sports Network (RSN) is a cable television channel that presents sports programming to a local market and geographical region.

TOTAL

100+ MHH

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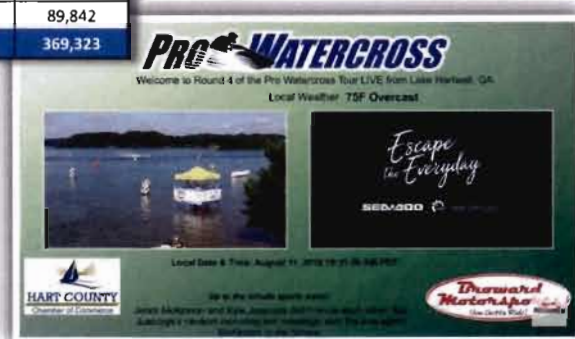
PRO WATERCROSS

LIVE STREAMING: Watercraft enthusiasts are engaged with each event, while watching and listening from the comfort of their own home and mobile devices. Streaming Pro Watercross events live on the web makes it accessible to a worldwide audience. This means attendance to events can reach anyone, anywhere; all they need is access to the Internet. The biggest benefit to live streaming is that advertisers receive more exposure to a greater audience and can dramatically expand its reach from local or regional to national and international.

LIVE STREAMING ASSETS

- 30-second to 2-minute commercial spots available throughout live streaming broadcasts. (2018 reach: 542,750+).
- Logo incorporated into rotating sponsor banner

2018 Pro Watercross National Championships & 2018 Pro Watercross World Championships	Total Views	Total Minutes	Facebook Reach
2018 Pro Watercross National Tour: Round 1 Panama City Beach, FL	59,431	50,482	57,570
2018 Pro Watercross National Tour: Round 2 Pensacola, FL	32,862	39,040	31,343
2018 US Open Tour (Hydroflight/SUPXross) Reno Sparks, NV	14,087	2,967	13,951
2018 US Open Tour (Hydroflight/SUPXross) Erie, PA	19,487	8,487	18,926
2018 Pro Watercross National Tour: Round 3 Racine, WI	19,170	25,298	18,169
2018 Pro Watercross National Tour: Round 4 Hartwell, GA	58,947	40,694	57,882
2018 Pro Watercross National Championship: Charleston, WV	182,388	59,824	18,113
2018 Hydroflight and SUPXross World Championships: Naples, FL	64,189	26,552	63,527
2018 Pro Watercross World Championships: Naples, FL	92,189	82,018	89,842
2018 Totals (9 Events)	542,750	335,362	369,323



2019 PRO WATERCROSS "SOUTH PADRE ISLAND, TX NATIONALS" BUDGET

<u>PROJECTED EXPENSES</u>		<u>PROJECTED INCOME</u>	
	2019		2019
*TRAVEL / STAFFING:		SPONSORSHIP	
Staffing	\$7,000	**HOT Grant / Bid Fee	\$35,000
Flights	\$7,000	National Tour Sponsorship	\$25,000
Car Rental	\$1,000	Registration	\$20,000
Hotel	\$3,000		
Food/Dining	\$1,500		
Miscellaneous Travel Expenses	\$1,500		
Equipment Transportation	\$3,000		
EVENT EXPENSES:			
Prize Money	\$11,500		
Equipment Rental	\$2,500		
Miscellaneous Event Expenses	\$3,500		
TV Production	\$30,000		
TV Closed Captioning	\$500		
TV Distribution	\$2,000		
Live Web Streaming	\$2,000		
Social Media Advertising	\$500		
Total Expenses:	\$76,500	Total Revenue:	\$80,000

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South Padre Island Convention & Visitors Bureau

South Padre Island Tax Funding Application

Hotel Occupancy Tax Use Guidelines Under Texas State Law



STATE LAW

By law of the State of Texas, the City of South Padre collects a Hotel Occupancy Tax (HOT) from hotels, condominiums, bed & breakfasts, and other lodging facilities. Under state law, the revenue from the HOT may be used only to directly promote tourism and the hotel and convention industry.

Chapter 351 of the Tax Code states that the use of HOT funds is limited to:

- a) **Convention Centers and Visitor Information Centers:** the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation and maintenance of convention center facilities or visitor information centers, or both;
- b) **Registration of Convention Delegates:** the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants;
- c) **Advertising, Solicitations and Promotions that Directly Promote Tourism and the Hotel and Convention Industry:** advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity;
- d) **Promotions of the Arts that Directly Promote Tourism and the Hotel and Convention Industry:** the encouragement, promotion, improvement, and application of the arts if the activity or facility can be shown to have some direct impact on tourism and the hotel/convention industry. The impact may include showing that the art event or facility generated hotel nights or that guests who were already at hotels attended the arts event or facility.
- e) **Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry:** historical restoration and preservation activities or promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums.
- f) **Sporting Event Expenses that Substantially Increase Economic Activity at Hotels:** Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the city or its vicinity.
- g) **Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations:**
 - 1. The commercial center of the city;
 - 2. A convention center in the city;
 - 3. Other hotels in or near the city; or
 - 4. Tourist attractions in or near the city.

The law specifically prohibits the use of the local hotel tax to cover the costs for general city transit costs to transport the general public.

- h) **Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.**
- i) **Coastal Erosion Projects.**



CITY POLICY

The City of South Padre Board shall annually develop or review, at its strategic planning session, a targeted annual events calendar. The CVA Staff shall develop Requests for Proposals for those events. Once the targeted events are in place, the CVA Board may solicit RFP's or accept applications from groups and businesses whose program or events at their facility fits into one or more of the above categories. All requests for funds should be submitted on the official application by the below noted deadlines.

The Requests for Proposals shall generally be for five (5) years, with the goal of having a permanent, successful, self-funding event in place by the end of that period. The same timeline and goals shall apply to any person or group applying for SPI-CVA funding for an event. The SPI-CVA generally will not respond to "one off" events, unless they are MAJOR events with a significant impact on:

1. Tourism, specifically HOT tax impact. If an event will not generate significant hotel night activity or gain participation of existing hotel guests, it is not eligible to receive HOT tax funding;
2. Out-of-area media; and/or
3. Local (SPI/PI) participation.

The Convention and Visitors Advisory Board will review the application during one annual funding review period. Effective September 1, 2019, all applications must be presented at least two years prior to the date of the proposed event or expenditure.

APPLICATION PROCESS

Applications for funding will be submitted through the city application forms with required attachments provided by the applicants. City staff and the Convention and Visitors Advisory Sub-committees and Board will review the applications solely through the written applications, unless two or more Board members request an in-person presentation. In such a case, the applicant may be asked to be present at a meeting to answer any questions regarding the application for hotel tax funding. Applicants will be notified at least one week prior to the meeting of the time and place for the review.

An applicant may apply to the Convention and Visitors Advisory Board for a variance from the above deadlines if they can show that their event will have a substantial impact on tourism and hotel activity and there was reasonable cause for them to have missed the deadline. The Convention and Visitors Advisory Board may approve such a variance by a two-thirds vote of its members.

Eligibility and Priority for Hotel Tax Funds:

Funding priority will be given to those events based on the three-pronged test referenced above. There must be a **significant** impact on:

1. Tourism, specifically HOT tax impact. If an event will not generate significant hotel night activity or gain participation of existing hotel guests, it is not eligible to receive HOT tax funding;
2. Out-of-area media; and/or
3. Local (SPI/PI) participation.



Compliance

Selected applicants must:

1. Place a link to the South Padre Island CVB listing of hotels on the applicants website;
2. Attend one of the annual informational seminars on hotel occupancy tax funding;
3. Coordinate all marketing, public relations and media through the SPI-CVA marketing contractor; and
4. Comply with all data collections requirements of the SPI-CVA Economic Impact contractor.

The SPICVB will consider providing direct financial support that includes “non-financial support” listed in Section I (above), if events requesting initial support can prove their potential to generate overnight visitors by:

- a) **Prior Impact:** historic information on the # of room nights used during previous years of the same events;
- b) **Current Room Block:** current information on the size of a room block that has been reserved at area hotels to accommodate anticipated overnight guests attending the funded event and the actual “pick up/utilization” of the room block;
- c) **Historic Event Attendance by Hotel Guests:** historical information on the number of guests at hotel or other lodging facilities that attended the funded event (through surveys, facility or event visitor logs, or other sources;

The SPICVB CVA sub-committee shall review the information provided by the applicant to ensure candidates meet the funding criteria and guidelines and the sub-committee shall make a recommended determination as to eligibility and on any recommended funding to the Convention and Visitors Advisory Board. The Convention and Visitors Advisory Board may accept or amend the CVAB sub-committee’s recommendations by a majority vote of the Committee.

There shall be a five-year cap on the number of years that an event may continue to receive hotel tax funding for operational costs other than marketing expenses.

The Convention and Visitors Advisory Board has the discretion to shorten or terminate that limitation if deemed appropriate. All organizations should assume that potential SPICVA funding would decrease every year for the term of this agreement. **Any event promoter/producer responding to a SPICVA RFP or making a request for funding must include a member of the SPI CVA Board, Staff or expert sub-committee on their organization’s Board of Directors for the duration of the agreement.**

Use of Revenues from Event

A portion of the revenues from any event and/or project receiving any type of funding assistance from the HOT funds should be channeled back into the future costs of operating that same event or the continued operation of the project. Additionally, one youth charity or facility, in the same discipline as the event, should be designated as a “legacy project” of South Padre Island’s funding of a particular event.



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Post Event Report

Within 30 days of the event's completion, the funded entity must complete the city provided post event form and be prepared to note the actual impact figures for the event, and receipts for expenditures or payments that were covered by hotel occupancy tax.

Submit to complete applications to:

Marisa Amaya
Event Development & Packaging Manager
Convention and Visitors Advisory Board
C/O City of South Padre Island Convention and Visitors Bureau
7355 Padre Blvd.
South Padre Island, TX 78597

Phone: (956) 761-3834
Email: marisa@sopadre.com

Black Out Periods for Hotel Tax Funding

Due to high hotel occupancy during certain time periods, grants will not be given for operational costs for events/projects on the following dates:

- **The months of March, June and July**

The CVB may still expend local hotel tax for marketing events that occur during these time periods. The Convention and Visitors Advisory Board may, with a recommendation from the CVB staff and a two-thirds vote, grant an event a variance from these blackout periods.



APPLICATION FOR INITIAL FUNDING

Today's Date: 4/8/19

ORGANIZATION INFORMATION

Name of Organization: Pro Watercross

Address: 1937 Fairport Nine Mile Point Rd

City, State, Zip: Penfield, NY 14526

Contact Name: AJ Handler Contact Office Phone Number: 585-330-0742

Contact Cell Phone Number: 585-330-0742

Web Site Address for Event or Sponsoring Entity www.prowatercross.com

Non-Profit or For-Profit status: For-profit Tax ID #: 45-5191163

Entity's Creation Date: 4/12

Purpose of your organization:

Race, sanction and membership organization

EVENT INFORMATION

Name of Events or Project: Pro Watercross National Tour - South Padre Island Nationals

Date of Event or Project: June 1-2 OR June 8-9, 2019



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Primary Location of Event or Project: to be determined

Amount Requested: \$ 35,000

Primary Purpose of Funded Activity/Facility:

National Tour stop on the Pro Watercross National Tour - personal watercraft

(PWC) closed course racing, freestyle competition and endurance racing.

Please see the attached file "event description"

How will the hotel tax funds be used: (please attach a list of the hotel tax funded expenditures)

The HOT Grant Funds will be used to facilitate the entire event throughout the Tour and the

National Championships; from beginning to end, through pre-event promotions, event banners,

live web streaming and TV production. The pre-event promotions through digital media, including social

media, e-blast, press releases as well as Tour live web streaming which will encourage athletes, their

families, crew members, as well as spectators and fans to come to South Padre, TX to be part of the

action and excitement of the Pro Watercross National Tour.

Percentage of Hotel Tax Support of Related Costs

100 ☒ Percentage of **Total Event Costs** Covered by Hotel Occupancy Tax

 Percentage of **Total Annual Facility Costs** Covered by Hotel Occupancy Tax for the Funded Event

 Percentage of **Annual Staff Costs** Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities %

Are you asking for any cost reductions for city facility rentals or city services, and if so, please quantify and explain:



Which Category or Categories Apply to Funding Request & Amount Requested Under Each Category:

- a) **Convention Center or Visitor Information Center:** construction, improvement, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both. Amount requested under this category: \$ _____
- b) **Registration of Convention Delegates:** furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: \$ _____
- c) **Advertising, Solicitations, Promotional programs to attract tourists and convention delegates** or registrants to the municipality or its vicinity. Amount requested under this category: \$ 35,000
- d) **Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** the encouragement, promotion, improvement, and application of the arts that can be shown to have some direct impact on tourism and the hotel/convention industry. The impact may be that the art facility or event can show hotel nights that are booked due to their events or that guest at hotels attend the arts event. Eligible forms of art include instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture photography, graphic and craft arts, motion picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms: \$ _____
- e) **Historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums.** Amount requested under this category: \$ _____
- f) **Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the city or its vicinity.**
Amount requested under this category: \$ _____

How many attendees are expected to come to the sporting related event? 150 athletes

How many of the attendees at the sporting related event are expected to be from another city or county? 150+

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

Area hotels and campgrounds can expect Pro Watercross competitors to begin arriving on Thursday and Friday, with
a majority of them staying through to Monday.



- g) **Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations: 1) the commercial center of the city; 2) a convention center in the city; 3) other hotels in or near the city; and 4) tourist attractions in or near the city. Please note that the ridership of any such transportation must be primarily tourists to qualify for hotel tax funding.**

Amount requested under this category: \$ _____

What sites or attractions will tourists be taken to by this transportation?

N/A

Will members of the general public (non-tourists) be riding on this transportation? _____

What percentage of the ridership will be local citizens? _____

- h) **Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.**

Amount requested under this category: \$ _____

What tourist attractions will be the subject of the signs?

N/A



QUESTIONS FOR ALL FUNDING REQUEST CATEGORIES

How many years have you held this Event or Project:

This will be the first time that a national tour stop has been held in South Padre Island, Texas.

Pro Watercross is entering its 24th season of racing, and has been producing the Watercross National Tour since 2001

Expected Attendance: _____

How many people attending the Event or Project will use South Padre Island lodging establishments? _____

How many nights do you anticipate the majority of the tourists will stay: 4 nights

Do you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels:

Yes, athletes and the families/pit crew will spend time in the area at various hotels, camp grounds, vacation rentals.

Because kids are out for the summer, many will use this opportunity to stay a couple extra days to explore the area.

50-70 per night spread out through several hotels ranging in price to accommodate the different economic levels.

List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from HOT and the number of hotel rooms used:

Month/Year Held	Assistance Amount	Number of Hotel Rooms Used
_____	_____	_____
_____	_____	_____
_____	_____	_____

How will you measure the impact of your event on area hotel activity (e.g.; room block usage information, survey of hoteliers, etc.)?

Information is requested through competitor entry forms;



A link to the CVB must be included on your promotional handouts and in your website for booking hotel nights during this event. Are you able to comply? ☒ Yes ☐ No

Will you negotiate a special rate or hotel/event package to attract overnight stays?

yes, _____

[If we have a tour operator, we will require them to use that service.]

What other marketing initiatives are you planning to promote hotel and convention activity for this event?

South Padre Island Nationals TV show will includes a 30-60 vignette of the area, South Padre Island can use this to promote the area in any way they would like.

What geographic areas does your event reach?

National, Pro Watercross social media platforms have over 150,000 followers worldwide and our TV shows reach into 100+ million household in 2018.

Please see attached file "Pro Watercross TV-Live"

If the funding requested is related to a permanent facility (e.g. museum, visitor center):

- Expected Visitation by Tourists Monthly/Annually: _____
- Percentage of those who visit the facility who indicate they are staying at area hotels/lodging facilities: _____% (use a visitor log that asks them to check a box if they are staying at an area lodging facility)

What amount of event insurance do you have for your event and who is the carrier:

5,000,000 general aggregate

[Insert South Padre Island Minimum Event Insurance Coverage Minimums and duty to list South Padre Island as an added insured]

Any marketing for the event must be consistent with the brand image for South Padre Island and all such marketing pieces that are funded with hotel tax must be coordinated and developed by the South Padre Island CVB marketing agency. Are you able to comply?

☒ Yes ☐ No



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Where appropriate, the CVB will require access to event participant database information that will show zip code data to measure likely impact from the funded event.

SUPPLEMENTAL INFORMATION REQUIRED WITH APPLICATION:

Along with the application, please submit the following:

- _____ Proposed Marketing Plan for Funded Event
- _____ Schedule of Activities or Events Relating to the Funded Project
- _____ Complete budget for the Funded Project
- _____ Room night projections, with back-up, for the Funded Event

Submit to complete applications to:

Marisa Amaya
Event Development & Packaging Manager
Convention and Visitors Advisory Board
C/O City of South Padre Island Convention and Visitors Bureau
7355 Padre Blvd.
South Padre Island, TX 78597

Phone: (956) 761-3834
Email: marisa@sopadre.com



17-24

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

MEETING DATE: May 1, 2019

NAME & TITLE: Ed Caum, CVB Director

DEPARTMENT: Convention and Visitors Bureau

ITEM

Discussion and action to authorize Interim City Manager to execute a contract with Ink Publishing in the amount of \$95,100 to promote South Padre Island to United Airlines passengers during the peak summer travel months.

ITEM BACKGROUND

Hemispheres Magazine: One of the preeminent American travel magazines – in flight or otherwise. Hemisphere Travel Show: is a television – style series celebrating locations around the world. This 30-minute show is broadcast automatically on the seatback TV screens on over 18,000 flights each month, reaching a truly captive audience of two million travelers. It's also available on personal devices entertainment as part of United Private Screening.

BUDGET/FINANCIAL SUMMARY

Contract will be funded with the \$400,000 allocation for airlift incentives.

COMPREHENSIVE PLAN GOAL

Policy 1.1.5: The City should continue to market the Island's unique character and assets aggressively.

Capturing the South Padre Island experience, distilling it into a marketing theme, and capitalizing on its message is critical for economic development efforts. The Island's eclectic style is a valuable economic commodity.

LEGAL REVIEW

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

RECOMMENDATIONS/COMMENTS

Authorize Interim City Manager to execute the contract with Ink Publishing.

18-1

Ink Advertising Terms & Conditions

1. Acceptance and Definitions

The Terms apply to advertisements in/on:

- 1.1. any print or digital magazine published by Ink; and/or
- 1.2. a website or application associated with any magazine published by the Publisher; and/or
- 1.3. any other media in respect of which Publisher has the rights to publish advertising (including but not limited to any of the following: booking confirmation page; booking confirmation email; pre travel reminder email; check in email; print at home boarding pass; post travel email; mobile advertising; seat- back; headrest cover) (collectively "Relevant Media").
(each an "Advertisement", together the "Advertisements").
- 1.4. By signing an order form (the "Confirmation of Order") , the Advertiser (being the person placing the order for the Advertisement, whether they are the advertiser of the product or service referred to in the Advertisement, or the advertising agency or media buyer for the Advertiser) accepts and agrees to be bound in full by the Terms.
- 1.5. The Terms are final and binding and no variations will be allowed unless expressly agreed by prior written consent.

2. Charges & Payments

- 2.1. All Advertisements are accepted on the basis that they will be paid for by no later than close of business on the Copy Deadline date as set out in the Confirmation of Order, unless otherwise agreed in writing.
- 2.2. If credit terms are granted by the Publisher, it reserves the right to withdraw this facility at any time.
- 2.3. Publisher's standard credit terms require payment to be received as cleared funds within seven (7) days from date of the relevant invoice.
- 2.4. All orders booked and confirmed after the Copy Deadline date will be on a prepayment basis only unless agreed in writing by the publisher.
- 2.5. Prices quoted to Advertisers will be subject to sales tax as applicable.
- 2.6. All prices quoted within the European Union (the "EU") will not be chargeable to VAT (or other sales tax) once the VAT status of the Advertiser is verified in accordance with the Supply of Services within Article 56 of the Council Directive 2006/112/EC, with the Advertiser being required to account for VAT under the reverse charge as appropriate. If the VAT status is not verified then VAT will be charged at the current UK rate in line with Council Directive 2006/112/EC.
- 2.7. Invoices shall be paid in full. Any taxes, bank charges or other deductions shall be strictly for the account of the Advertiser.
- 2.8. Invoices shall be paid by Advertisers in the same currency as the relevant invoice. Any foreign exchange losses or charges shall be strictly for the account of the Advertiser.
- 2.9. If the Advertiser fails to pay any amounts due, the Publisher reserves the right to charge interest calculated at the rate of 8% per annum.
- 2.10. The Publisher may, in its absolute discretion, revise the prices charged for the Advertising at any time. These revised prices will not apply to any Confirmation of Orders signed prior to the date of such change.

3. Cancellations by Advertisement Type

- 3.1. Advertising in any print or digital magazine, as per clause 1.1, published by the Publisher:
 - 3.1.1. An order for the above media type may be cancelled by notification in writing without liability up to 30 days prior to the relevant Copy Deadline date (as set out in the Confirmation of Order).
 - 3.1.2. Orders that are cancelled less than 30 days prior to the relevant Copy Deadline date, for any reason including a failure to provide or approve artwork or to make payment in accordance with the agreed terms, will be subject to cancellation charges as follows:
 - 3.1.3. 20 – 30 days before the Copy Deadline date: 25% of the total amount contracted to be paid by the Advertiser to the Publisher for the relevant Advertisement.
 - 3.1.4. 10 – 19 days before the Copy Deadline date: 50% of the total amount contracted to be paid by the Advertiser to the Publisher for the relevant Advertisement.
 - 3.1.5. 0 – 9 days before the Copy Deadline date: 100% of the total amount contracted to be paid by the Advertiser to the Publisher for the relevant Advertisement.

18-2

- 4.17. In respect of Advertisements published on a website, the Publisher does not guarantee continuous, uninterrupted access by users of the website on which the Advertisement is published, but will use its best endeavours to provide this.
- 4.18. The Publisher expressly does not guarantee the level of response in any form of advertising, nor the number of "click-throughs" or "impressions" from Advertising published in Relevant Media and on Publisher websites and applications.
- 4.19. For the avoidance of doubt, nothing in these Terms will limit or exclude Publisher's responsibility for death or personal injury resulting from its own negligence, fraud or any other liability that cannot be excluded.
- 4.20. The Advertiser agrees to indemnify the Publisher, its parent, subsidiaries, affiliates, officers and employees fully in respect of any claim made against them arising from, or in connection with, the Advertiser's breach of failure to perform any of these Terms and/or the publication of the Advertisement by the Publisher, such indemnity to include all legal costs in defending any such claim.
- 4.21. Advertiser grants the Publisher the right to (i) *use the Advertiser's name, trademarks and/or logos as the Publisher may consider necessary for the purposes of publishing the Advertisement* and (ii) *to reproduce the Advertisement in any media for promotional purposes.*
- 4.22. The Advertiser confirms that it has contracted to buy the Advertising exclusively on the basis of the Media Pack provided by the Publisher and that it is not relying upon any other representation or warranty.
- 4.23. The signatory of the Confirmation of Order confirms that he/she is acting with the full authority of the Advertiser and is not acting ultra vires.
- 4.24. The Advertiser guarantees to the Publisher that (i) *any information provided in connection with the Advertising is accurate complete, true and not misleading;* (ii) *it has obtained the consent of any living person whose name or image (in whole or in part) is contained in any Advertisement;* (iii) *the Advertisements are legal, decent, honest and truthful and are not contrary to the provisions of any relevant law, regulation or code of practice, and are not libellous or obscene and do not infringe the rights of any person (including any person's intellectual property rights);* (iv) *the Advertising is not prejudicial to the image or reputation of the Publisher or any of its affiliates; and* (v) *all Advertisements submitted digitally for publication will be free of any viruses and no Advertisement will cause an adverse effect on the operation of any website.*
- 4.25. The Advertiser is responsible for the delivery of the copy by the Copy Deadline specified in the Confirmation of Order to the Publisher.
- 4.26. If no date is specified in the Confirmation of Order, copy must be submitted in appropriate format, not later than 30 days prior to the publication date.
- 4.27. Any costs incurred by the Publisher at the request of the Advertiser for the design of the Advertisements will be charged to the Advertiser regardless of whether the advertisement runs or not.
- 4.28. All artwork and transparencies are held at the Advertiser's risk and should be insured by the Advertiser against loss and damage from whatever cause.

5. Force Majeure

- 5.1. The Publisher will not be liable for failure to perform any obligation under this agreement if such failure is caused by the occurrence of any unforeseen contingency or circumstances beyond the reasonable control of the Publisher, including without limitation internet outages, communication outages, fire, flood, war, Act of God or any other Force Majeure event.

6. Other

- 6.1. The Terms of this agreement will survive any termination of the agreement.
- 6.2. Publication of an Advertisement by the Publisher does not mean that the Publisher accepts that the Advertisement has been provided in accordance with the Terms or that the Publisher has waived its rights under the Terms.
- 6.3. Telephone calls to and from the Publisher may be recorded for training purposes and dispute resolution.
- 6.4. These terms and conditions shall be governed by and construed in accordance with English Law.



Alisha Workman <alisha@sopadre.com>

United Airlines / South Padre Island

Aura Addie <aura.addie@ink-global.com>
To: Alisha Workman <alisha@sopadre.com>
Cc: Ed Caum <ed@sopadre.com>

Wed, Apr 17, 2019 at 9:29 AM

Good Morning Alisha and Ed,

I'm glad to hear the great news! I'd be happy to hold your positioning.

I am working on generating the Insertion order now. It'll be coming from an automated email address so just keep an eye out for it. As soon as you're able to receive CVA Board/City Council approval and authorize the insertion order, then your spot will be officially reserved. My finance department will also then generate an invoice for you.

In regards to deadlines I was able to get you some extensions on the print, however there has been a slight change in the video deadline due to our distribution model.

- Print Deadline for June – May 7th
- Video Deadline for July – May 1st

Let me know if you have any questions, comments, or concerns. And best of all, Welcome On-Board!

Cheers!

Aura Addie

Media Executive

Main +1 786 482 2065 ext. 3032

Direct +1 786 627 3032

Email Aura.Addie@ink-global.com

Brand recognition improves an impressive 50% when in-flight. Find out why [here](#)



UNITED



18.4



Alisha Workman <alisha@sopadre.com>

United Airlines / South Padre Island

Aura Addie <aura.addie@ink-global.com>
To: Alisha Workman <alisha@sopadre.com>
Cc: Ed Caum <ed@sopadre.com>

Mon, Apr 15, 2019 at 11:40 AM

Hi Alisha and Ed,

I'm so glad we were able to connect on the phone this morning! I'm glad we all agree that this is the perfect time to promote South Padre Island to United Airlines Passengers as Texas' Best Beach especially during the peak summer travel months of June, July, and August!! I also look forward to continuing the conversation for next fiscal year as well.

Here are a couple examples of the travel show you requested:

1. Brownsville, TX - <http://www.unitedmags.com/hemispheres-travel-show-texas>
2. Ft. Lauderdale, FL - <http://www.unitedmags.com/hemispheres-travel-show-three-perfect-days-fort-lauderdale>
3. Springdale, UT - <http://www.unitedmags.com/hemispheres-travel-show-three-perfect-days-springdale-utah>

I've also attached an example of another destination putting a call-to-action in regards to Flights (this ad was placed in our sister magazine). United will put a similar logo on it, but this was just meant to give you a visual idea. Below are the details on the TV:

United Airlines' TV Show: <http://www.unitedmags.com/hemispheres-travel-show> (Archive of Destination videos)

- Broadcast across 17,000+ domestic flights **monthly**
- The Tv commercials play on all LiveTV equipped planes
- Viewers cannot skip the Shows commercial ad breaks
- The show will be available via the United App on ALL United-WiFi equipped flights
- This added distribution will give all 12 million monthly passengers access to **The Hemispheres Travel Show**
- PDE is available on 90,000 flights EVERY month, your show will remain on the channel for **6 months (540,000 total flights)**
- **The Hemispheres Travel Show** is also available on [unitedmags.com](http://www.unitedmags.com) (30+ impressions per month)

Feedback from United Airlines and testimonials from advertisers we have worked with on the United TV platform:

- United is seeing an 8-10% increasing in bookings to destinations after the video has played for the entire month (this was before the video was available on all Personal Devices!).
- "We could not have had a better partner than the Hemispheres/Ink team. Their experience in documenting and capturing what makes a city a vibrant destination was clearly evident by the final product. Newark is experiencing an unbelievable transformation and the Hemispheres video helps keep the trajectory of our story." - Ricardo Salazar - Vice President Sales & Marketing - Greater Newark Convention and Visitors Bureau
- "We did a 3 perfect days video for Springdale, Utah. It was our first campaign like this, so we didn't know what to expect. What I know now is it was hands down the best marketing dollars we could have ever spent! The feedback we have received is absolutely astonishing! I have the unique perspective, of both being a part of putting the project together and owning a Hotel in Springdale. What I can say is our bookings are up considerably,

18-5

- Positioning June – right hand read alongside the Family Travel Package
- Positioning July, August – right hand read in the first 50% of the magazine

3x 30-second videos (total investment \$35,700 invoiced monthly at \$11,900)

- July, August, September

Total Investment \$95,100 net.

Total Reach 41.4 million travelers at least during our peak summer months

In terms of timing, I know we discussed using our inhouse creative department to make your creative. Since you want to have the message about how easy it is to travel to South Padre Island and would want to have a call to action to book flights, we have to send the ad to United for approval. There shouldn't be any issues, just moving the deadline up a day or two, as this is a very small extra step of approval, please see below:

- Decision: Friday, April 19th
- Artwork details submission: Friday, April 26th
- Video Deadline: May 10th
- On-board June 1!

Let me know if you have any questions and what you decide to move forward with! I look forward to a bright future together.

[Quoted text hidden]

[Quoted text hidden]

2 attachments



Flights Call- To - Action.PNG
1058K



ink-hemispheres-media-kit.pdf
8102K

18-6

ORDER CONFIRMATION



Please fax back to +1 917 591 6247

Company: South Padre Island CVB
Address: 610 Padre Boulevard
South Padre Island
TX
78597
United States

Date: 17 Apr 2019
Account No.: 00PC94
Booking Number: 0479228

Booked By: Alisha Workman
Booked With: Aura Addie

Print Booking Details

Title	Issue	Ad Type	Position	Cost
Hemispheres	June 2019	Page Colour	RHR Family + 1ST 50%	USD 19,800.00
Hemispheres	July 2019	Page Colour	RHR Family + 1ST 50%	USD 19,800.00
Hemispheres	August 2019	Page Colour	RHR Family + 1ST 50%	USD 19,800.00
Hemispheres Travel Show	July 2019	30 Seconds Commercial	Best	USD 11,900.00
Hemispheres Travel Show	August 2019	30 Seconds Commercial	Best	USD 11,900.00
Hemispheres Travel Show	September 2019	30 Seconds Commercial	Best	USD 11,900.00
Total Print:				USD 95,100.00

ORDER TOTAL
Net USD 95,100.00
Total USD 95,100.00

Additional Booking Information

Notes: Welcome On-Board!

☐ Please tick this box to receive exciting news and offers on all of our award-winning and global media products.

Signature: _____

Date: _____

Name: _____

18-7

MEET MARTINIQUE

and its people



If you are looking for vibrant authenticity with a taste of France in the Caribbean, you will find it all in Martinique!

DIRECT FLIGHTS OUT OF MIAMI (MIA)

5 weekly flights

American Airlines 

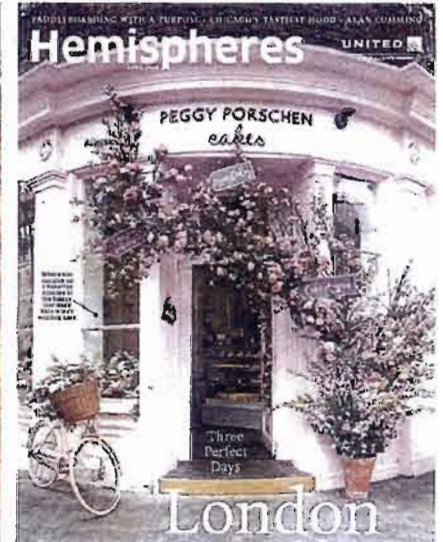
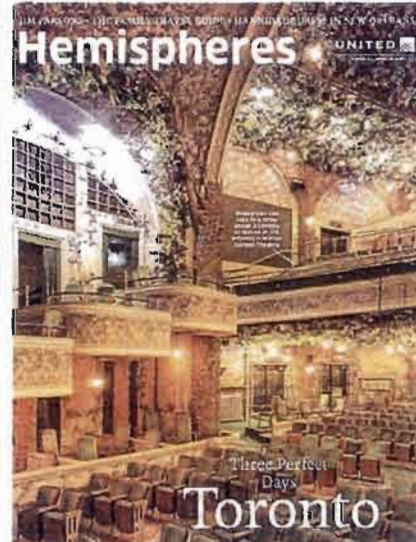
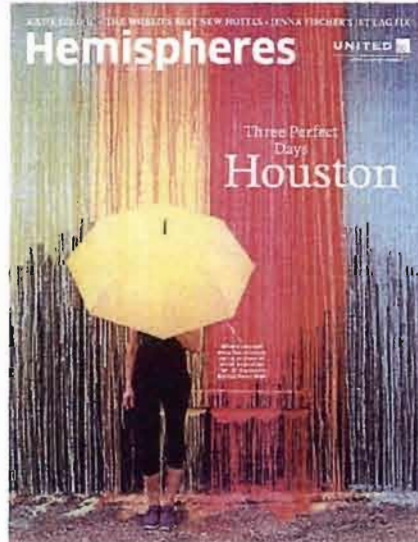
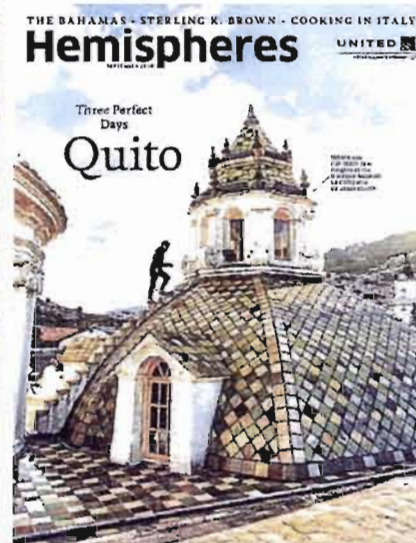
For more information: us.martinique.org,
001 594 754 0000, 001 594 754 0001, 001 594 754 0002



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Hemispheres *for* United

2019 MEDIA KIT



18-9



Hemispheres Travel Show

The *Hemispheres Travel Show* is a television-style series celebrating amazing locations around the world. This 30-minute show is broadcast automatically on the seatback TV screens on over 18,000 flights each month, reaching

a truly captive audience of two million travelers. It's also available on personal device entertainment as part of United Private ScreeningSM. Every month we explore a city or region with our own visual take on *Hemispheres'*

trademark feature, "Three Perfect Days." For each episode, we enlist three locals to show us how they spend their perfect day—from the best restaurants and shops to the ultimate outdoor adventures and scenic hideaways.

This is a fantastic way for us to reach even more travelers each month and offer them a beautifully produced, informative, and entertaining view of a destination that might just end up becoming their next vacation spot.

<http://www.unitedmags.com/the-hemispheres-travel-show>

01-21



HSBC, one of the world largest banking organisations, discovers a new country

Not since the days of the Italian explorer Christopher Columbus and his discovery of the new worlds have people been so excited.

Discovery of this new country by this modern day explorer will lead to riches just as Columbus did for Spain and HSBC will do for you.

Ink Global - we are travel media, are excited to be able to take you there
Stamp your (business) passport and visit Flyland

NEW YORK, Aug. 27, 2018 /PRNewswire/ -- There is a new global economy with a population larger than Belgium, a GDP that rivals Norway, and worldly citizens who are well educated and on the move. Like most places, people here fall in love, make lasting business connections, aspire to polite social behaviours, and indulge in an array of food, drink and entertainment.



**Air travellers
have built
a soaring
economy in
the sky worth
\$400.5 billion**

**More than
\$1.26 billion
being added
every day**

**11.9 million
people flying
around the
world each
day**

**The 25th
largest economy
in the world**

*This utopia is real, but it
exists 30,000 feet above
the surface of the earth.*

Simon Leslie
Chief Executive Officer Ink
Global, we are travel media:

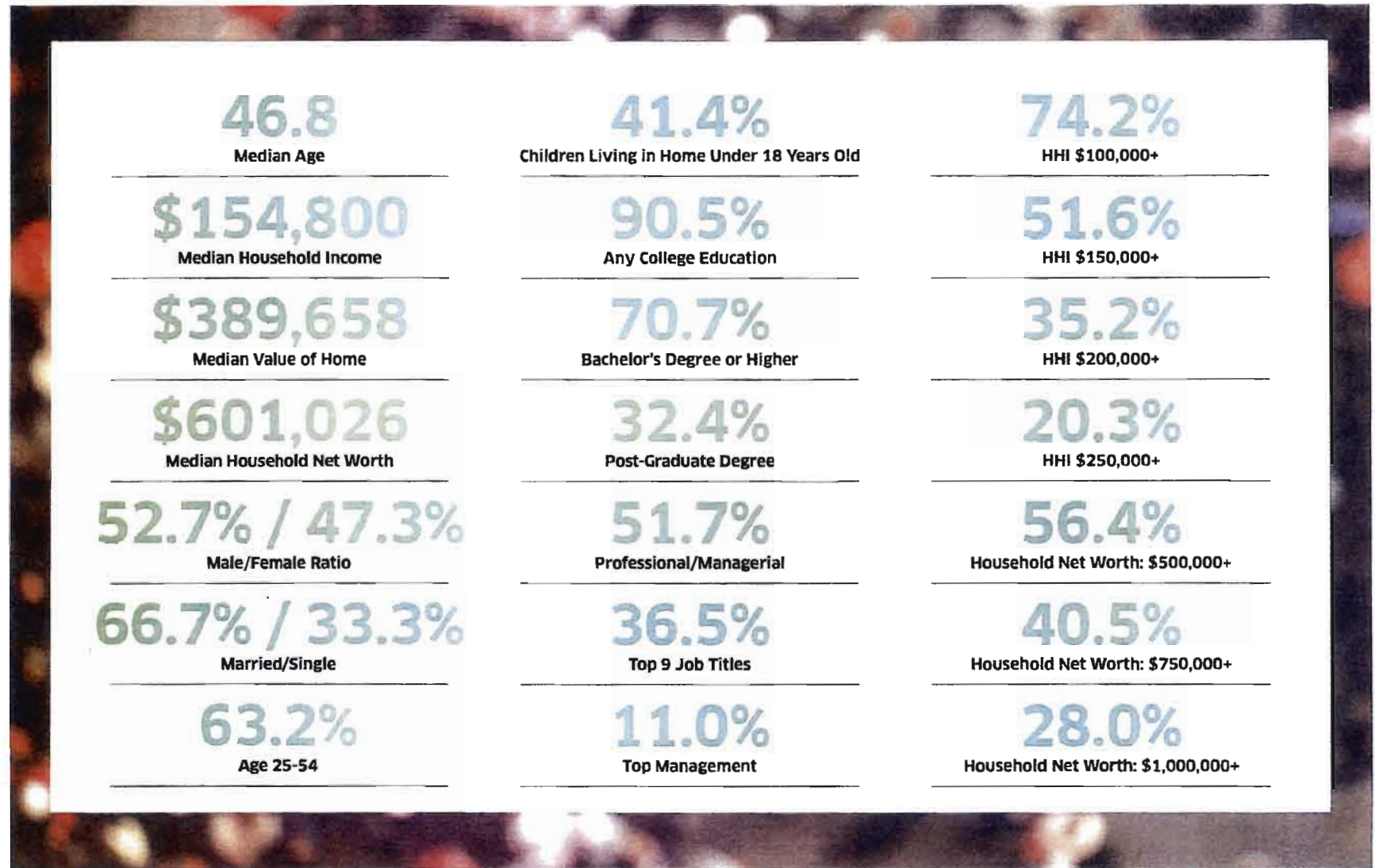
"It's really obvious from the report's findings that airline passengers are also a very desirable customer base for any brand today. They have money, education and spend like no others. It is time to make sure you are targeting this highly affluent bunch of real people, and to get your brand into their hands. People taking to the skies. Real spenders travelling to airports very close to the shops selling your products, visiting your cities and hotels or people needing your services online. Ink Global gives you access to this new commercial country in the sky.

Cindy Wong
HSBC Regional Head of
Marketing, North America:

"Air travel has become an increasingly important part of peoples' lives in the last 10 years, thanks to growing global commerce and pure wanderlust. It has made more experiences, opportunities and relationships possible than ever before. The key to seamless, efficient and worry-free travel is having a bank that goes wherever you go. HSBC is in 67 countries around the globe to ensure that travellers have access to the money, support and services that they need to make the most of their adventure."

THE HEMISPHERES MAGAZINE AUDIENCE

United Demographics



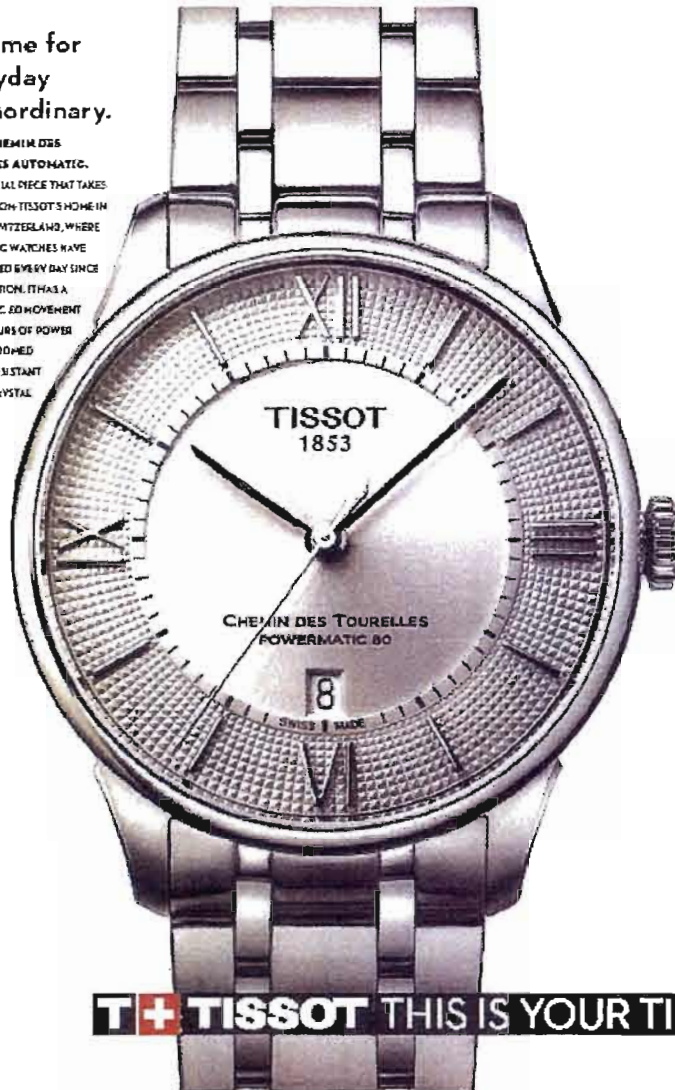
Source: 2018 GfK MRI Spring

2-18-21

IN HEMISPHERES MAGAZINE

It's time for
everyday
extraordinary.

TISSOT CHEMIN DES
TOURELLES AUTOMATIC.
A VERY SPECIAL PIECE THAT TAKES
ITS NAME FROM TISSOT'S HOME IN
LE LOCLE, SWITZERLAND, WHERE
ASTONISHING WATCHES HAVE
BEEN CREATED EVERY DAY SINCE
ITS FOUNDATION. IT HAS A
POWERMATIC 80 MOVEMENT
WITH 80 HOURS OF POWER
RESERVE, A DOMED
SCRATCH-RESISTANT
SAPPHIRE CRYSTAL
AND A SEE-THROUGH
CASEBACK.



T+ TISSOT THIS IS YOUR TIME

ZURICH - PARIS - LONDON - NEW YORK - BEIJING - HONG KONG - SINGAPORE - NEW DELHI - DUBAI - MOSCOW

TISSOT.COM

125
FROM LOVE, THE BEST.

Wellendertl

Win a
TERRA-ED!

EXPERIENCE

The moment the view turns into
something unforgettable.
This is the moment we work for.



Discover the world of ZEISS.
WWW.ZEISS.COM/ZEISS08

UNTUCKit
SHIRTS DESIGNED TO
BE WORN UNTUCKED

untuckit.com

It's.
Not.
Your.
Phone.
That's.
Slow.
It's.
Your.
Network.

Come
home to
a better
network.



©2010 Verizon Wireless

18-13

Rates Effective with the January 2019 Issue of Hemispheres

Frequency: Monthly

*Including 15 Second Video Commercial

	1x	3x	6x	12x
Spread	\$115,608	\$109,215	\$103,461	\$98,406
Full Page	\$67,560	\$64,009	\$60,662	\$58,004
2/3 page	\$49,646	\$47,154	\$44,806	\$42,940
1/2 page	\$39,112	\$37,242	\$35,480	\$34,082
1/3 page	\$28,576	\$27,330	\$26,155	\$25,223
1/4 page	\$23,303	\$22,369	\$21,488	\$19,769
1/6 page	\$18,037	\$17,413	\$17,596	\$16,360
Inside front cover spread	\$151,875	\$144,656	\$137,798	\$131,284
Inside front cover page	\$79,688	\$76,078	\$72,649	\$69,392
First spread	\$135,850	\$129,433	\$123,336	\$117,544
First right hand page	\$71,665	\$68,457	\$65,409	\$62,513
Inside back cover	\$71,665	\$68,457	\$65,409	\$62,513
Outside back cover	\$84,500	\$80,650	\$76,993	\$73,518
Adjacent to seat back guide	\$71,665	\$68,457	\$65,409	\$62,513

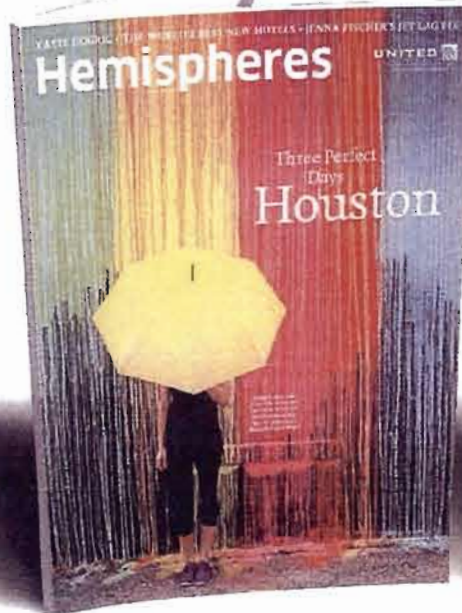
Our 2019 deadlines

Production schedule

Issue	Space deadline	Video deadline	Print deadline	Onboard
January	16th November	16th November	3rd December	1st January
February	14th December	14th December	3rd January	1st February
March	18th January	18th January	1st February	1st March
April	15th February	15th February	1st March	1st April
May	15th March	15th March	2nd April	1st May
June	12th April	12th April	3rd May	1st June
July	17th May	17th May	3rd June	1st July
August	14th June	14th June	1st July	1st August
September	12th July	12th July	2nd August	1st September
October	16th August	16th August	2nd September	1st October
November	20th September	20th September	3rd October	1st November
December	18th October	18th October	1st November	1st December



h1-21



Contact us

Alyson Rosen
 Advertising Director
Alyson.Rosen@ink-global.com
 +1 786 -870-4238

View the digital edition of United *Hemispheres*
 magazine online at hemispheresmagazine.com

18-15.

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

MEETING DATE: May 1, 2019

NAME & TITLE: Ed Caum, CVB Director

DEPARTMENT: Convention & Visitors Bureau

ITEM

Discussion and action to amend The Atkins Group contract and to approve a budget amendment in the amount of \$150,000 for the summer marketing push.

ITEM BACKGROUND

Convention and Visitors Advisory Board approved the request for a budget amendment from excess reserves at their regular meeting held April 24, 2019. The CVB Marketing Subcommittee recommended this additional revenue to supplement the scheduled media plan for the Summer 2019. Upon approval of the enhancement revenues the Marketing Subcommittee will work with The Atkins Group to develop the media plan, as quickly as possible.

BUDGET/FINANCIAL SUMMARY

Increase line item 02-594-0531 by \$150,000.

Marketing Budget - The current level of excess reserves in the Convention Centre fund is approximately \$1.8 million.

COMPREHENSIVE PLAN GOAL

The City shall establish marketing strategies to make the City a highly competitive destination for regional, national, and international visitors (Strategy 2.1.1.2).

LEGAL REVIEW

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

RECOMMENDATIONS/COMMENTS

Approve budget amendment from excess reserves in the amount of \$150,000 and amend The Atkins Group contract.



South Padre Island FY19 Summer Push – Media Approach

Budget: \$150,000

Objectives:

1. Boost family visitation during summer season
2. Make travelers aware of South Padre Island's plethora of activities
3. Increase awareness of and visitation to the SPICVB website
4. Provide multiple touch points for the message
5. Utilize media with a high and efficient reach against various target audiences
6. Monitor response-rates, use CPI (cost-per-inquiry), Google Analytics, CPC (cost per click) etc., as contributing criteria for media selection

Strategies:

1. Target Audience:
 - Primary: Leisure Travelers/Families 25-54
2. Geography
 - a. Texas
 - i. Heavy emphasis on RGV (focusing on upper valley only)
 - ii. Drive/Fly Markets: Houston, Dallas, Austin, San Antonio
 - b. Mexico
 - i. Monterrey, Reynosa, Tamaulipas, Garcia, Saltillo, San Nicolas, Guadalupe, San Pedro Garza, San Luis Potosi
3. Timing
 - a. June-August 2019

Budget Breakout: Option A

1. RGV: 46%, \$70,000
 - a. Add OTT (over-the-top) streaming television into May, June & July
 - b. Add programmatic broadcast/TV into May, June & July
 - c. Extend radio buy into June & July
 - d. Increase paid social budgets
2. Texas (Houston, Dallas, San Antonio, Austin): 27%, \$40,000
 - a. Add e-blasts targeting families, travel enthusiasts, beach goers
 - b. Add streaming radio (Pandora)
3. Mexico: 27%, \$40,000
 - a. Increase Facebook budget (this tactic has been instrumental in driving web sessions and overall conversions)
 - b. Extend cable & radio buys into June/July

Budget Breakout: Option B

4. RGV: 46%, \$70,000
 - a. Add OTT (over-the-top) streaming television into May, June & July
 - b. Add programmatic broadcast/TV into May, June & July
 - c. Extend radio buy into June & July
 - d. Increase paid social budgets

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5. Texas (Houston, Dallas, San Antonio, Austin): 24%, \$35,000
 - e. Add e-blasts targeting families, travel enthusiasts, beach goers
 - f. Add streaming radio (Pandora)
6. Mexico: 27%, \$40,000
 - g. Increase Facebook budget (this tactic has been instrumental in driving web sessions and overall conversions)
 - h. Extend cable & radio buys into June/July
7. Seattle: 3%, \$5,000
 - a. Employ small scale test in Seattle (emerging market) and target affluent families with HHI \$125k+
 - b. Utilize paid social, primarily Facebook for this effort

Media Consumption:

1. Target audience of Adults 25-54 with HHI \$75K+ are:
 - a. Heaviest Internet users
 - b. Heavy TV users

Media Selection:

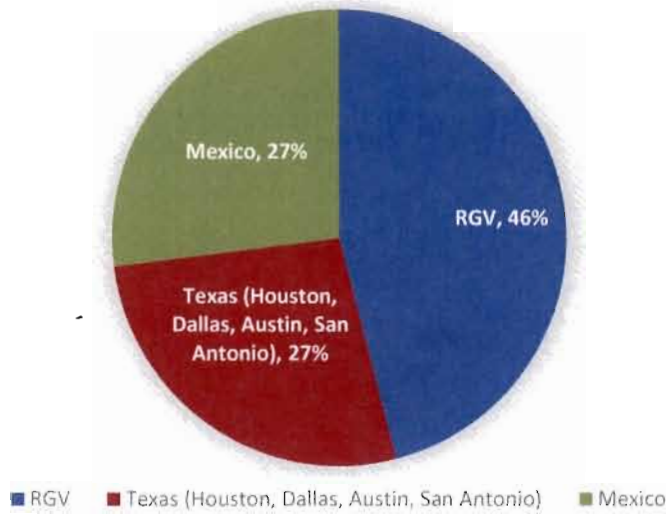
1. Recommended Media
 - a. Broadcast (TV, Radio)
 - b. Internet (Paid social, E-blasts, Pandora, OTT Streaming)

Media Tactics/Appendix:

- a. Paid Social
 - i. Focus solely on Facebook but also tie in Instagram for families
- b. E-blasts
 - i. A cost effective way to reach thousands of eyeballs that is both tailored (messaging) and targeted to the consumer. Last Fall, we saw very high open rates and click through rates and recommend utilizing this vehicle again.
- c. OTT
 - i. OTT refers to broadcast-quality video content that is delivered to television screens through devices that are connected to the internet. This stands in contrast to digital video, which is any video delivered via the internet.
 - ii. Viewers access OTT content through several different delivery points, including smart TVs (e.g. Samsung, Vizio or Sony), streaming media devices (e.g. Roku, AppleTV, FireTV or Chromecast), gaming devices (e.g. Xbox or Playstation), desktop and mobile devices.
- d. Radio
 - i. Can be targeted by format selection
 - ii. Generates high frequency quickly & is a great promotional tool
 - iii. Purchase stations with the highest reach of our target audience
 - iv. Utilize :30 spot for cost efficiencies
 - v. Look for promotional opportunities and/or added value to extend the message
- e. TV/Cable
 - i. Brings South Padre Island to life with the combination of sight, sound and motion
 - ii. Works well to attract attention, generate awareness and establish preference for products and services
 - iii. Reaches targeted audiences through program selection
 - iv. Purchase programs/networks with highest reach of the target audience
 - v. Buy :30 spots to showcase the island

Budget Pie Chart (\$150,000)

Option A



Option B

