

MINUTES CITY OF SOUTH PADRE ISLAND CITY COUNCIL REGULAR MEETING
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WEDNESDAY, MAY 15, 2019

I. CALL TO ORDER

The City Council Members of the City of South Padre Island, Texas held a Regular Meeting on Wednesday, May 15, 2019 at the Municipal Complex Building, 2nd Floor, 4601 Padre Boulevard, South Padre Island, Texas. Mayor Stahl called the meeting to order at 5:30 p.m. A quorum was present: Mayor Dennis Stahl, Council Members Ken Medders, Jr., Kerry Schwartz, Joe Ricco and Alita Bagley. Council Member Eva-Jean Dalton was out with an excused absence.

City staff members present were Interim City Manager Randy Smith, Chief Financial Officer Rodrigo Gimenez, Public Works Director Alex Sanchez, Administrative Services Director Wendi Delgado, Fire Chief Doug Fowler, Environmental Health Director Victor Baldovinos, Interim Shoreline Management Director Kristina Boburka, CVB Director Ed Caum, Planning Director Aaron Hanley, Interim Chief of Police Claudine O'Carroll, Director of Research Marketing & Analytics Michael Flores, Assistant Public Works Director Jon Wilson, Information Technology Director Mark Shellard, Building Official David Travis, Public Information Officer Angelique Soto and Assistant City Secretary Marta Martinez.

II. PLEDGE OF ALLEGIANCE AND TEXAS PLEDGE

Mayor Stahl led the Pledge of Allegiance and the Texas Pledge.

III. PUBLIC COMMENTS AND ANNOUNCEMENTS

Public comments and announcements were given at this time.

IV. PRESENTATIONS AND PROCLAMATIONS:

A. PRESENTATION: SOUTH PADRE ISLAND FIRE DEPARTMENT K-9 AIRSON DOG PROGRAM

V. APPROVE CONSENT AGENDA:

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

A. APPROVE MINUTES OF APRIL 17, 2019 WORKSHOP AND REGULAR MEETING ALONG WITH MAY 1, 2019 REGULAR MEETING. (S. HILL)

B. APPROVE INVOICES FOR PAYMENT. (GIMENEZ)

Invoices approved for payment were paid by General Fund checks numbered 144357 through 144454 and EFT payments totaling \$536,518.83.

C. APPROVE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDING MARCH 31, 2019 AS PRESENTED BY VALLEY VIEW CONSULTING. (GIMENEZ)

D. APPROVE RESOLUTION NO. 2019-21 FOR THE TEMPORARY CLOSURE OF HIGHWAY 100 FOR THE 5TH ANNUAL 2019 SUMMER LONGEST CAUSEWAY RUN AND FITNESS WALK ON SATURDAY, JUNE 1, 2019. (HUFFMAN)

A true and correct copy of said Resolution was placed in the City’s Resolution Book and entitled Resolution No. 2019-21, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

E. APPROVE A BUDGET AMENDMENT TO ALLOCATE GRANT FUNDS FOR TRAINING IN THE AMOUNT OF \$1,050. (FOWLER)

F. APPROVE SECOND AND FINAL READING OF ORDINANCE NO. 19-08 AMENDING CHAPTER 20 (ZONING), SECTION 20-11(D) TO REGULATE THE CONSTRUCTION AND OPERATION OF TEMPORARY STRUCTURES. (TRAVIS)

A true and correct copy of said Ordinance was placed in the City’s Ordinance Book and entitled Ordinance No. 19-08, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

G. APPROVE EXCUSED ABSENCE FOR COUNCIL MEMBER EVA-JEAN DALTON FROM THE MAY 15, 2019 CITY COUNCIL MEETING. (DALTON)

VI. DISCUSSION AND ACTION TO APPROVE RESOLUTION NO. 2019-22 CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE MAY 4, 2019 SPECIAL ELECTION FOR THE PURPOSE TO FILL A VACANCY IN THE UNEXPIRED TERM OF MAYOR. (HILL)

After inspection of the returns, Council Member Schwartz made a motion to approve Resolution No. 2019-22 canvassing the returns and declaring the results of the May 4, 2019 Special Election to fill a vacancy in the unexpired term of Mayor. Council Member Ricco seconded the motion. Motion carried on a unanimous vote.

A true and correct copy of said Resolution was placed in the City’s Resolution Book and entitled Resolution No. 2019-22, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

Results of the May 4, 2019 Special Election:

Special Election—to fill a vacancy in the unexpired term of Mayor:

Candidates	Votes Cast		Total
	Early	Election Day	
Clayton Brashear	178	67*	245*
Darla Jones	332	85	417
Patrick McNulty	188	97	285

*One (1) Provisional vote was accepted by the Cameron County Elections Balloting Board and the City of South Padre Island Early Voting Ballot Board and included in this tally.

VII. DISCUSSION AND ACTION TO APPROVE ORDER OF RUNOFF ELECTION FOR MUNICIPALITIES FOR JUNE 29, 2019 FOR THE PURPOSE TO FILL A VACANCY IN THE UNEXPIRED TERM OF MAYOR. (HILL)

Council Member Bagley made a motion, seconded by Council Member Ricco, to approve the Order of Runoff Election for June 29, 2019 to fill the vacancy in the unexpired term of Mayor. Motion passed on a unanimous vote.

VIII. DISCUSSION AND ACTION TO APPROVE RESOLUTION NO. 2019-23 ESTABLISHING PROCEDURES FOR A RUNOFF ELECTION TO BE HELD ON JUNE 29, 2019 FOR THE PURPOSE TO FILL A VACANCY IN THE UNEXPIRED TERM OF MAYOR. (HILL)

Council Member Bagley made a motion to approve Resolution No. 2019-23 establishing procedures for a Runoff Election to be held on June 29, 2019 to fill a vacancy in the unexpired term of Mayor. Motion was seconded by Council Member Schwartz, which carried unanimously.

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2019-23, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

IX. DISCUSSION AND ACTION TO APPROVE A PAYMENT PLAN REQUEST FOR HOTEL OCCUPANCY TAX INCLUDING PENALTIES AND APPLICABLE INTEREST IN THE AMOUNT OF \$21,064.43 DUE FROM PENINSULA ISLAND RESORT & SPA. (GIMENEZ)

Council Member Bagley made a motion to approve a payment plan request for Hotel Occupancy Tax due from the Peninsula Island Resort & Spa in the amount of \$21,064.43. Motion was seconded by Council Member Ricco. Motion carried unanimously.

X. PRESENTATION AND DISCUSSION REGARDING THE ESTABLISHMENT OF THE SEA TURTLE ART TRAIL. (CAUM)

CVB Director Ed Caum presented the Sea Turtle Art Trail which would highlight five to 10 hand painted turtles to be located in various locations on South Padre Island

XI. PRESENTATION AND DISCUSSION REGARDING THE IMPLEMENTATION OF A COURTESY 'COMBAT WOUNDED' PARKING PROGRAM. (FLORES/RICCO)

Director of Research Marketing & Analytics Michael Flores presented the implementation of the 'Combat Wounded' Veteran Parking Program which reserved spots to be located at selected city owned properties on South Padre Island.

XII. DISCUSSION AND ACTION TO APPROVE PR 100 (PADRE BOULEVARD) IMPROVEMENTS CHANGE ORDER #7 - PAVEMENT MARKINGS. (SANCHEZ)

Council Member Bagley made a motion, seconded by Council Member Ricco, to approve Change Order #7 - Pavement Markings for the PR 100 (Padre Boulevard) Improvement project. Motion carried on a unanimous vote.

XIII. DISCUSSION AND POSSIBLE ACTION TO APPROVE PURCHASE OF A DIVE-RESCUE AND FIREFIGHTING BOAT NOT TO EXCEED \$120,000 WITH BEACH MAINTENANCE FUNDS. (FOWLER)

This item was pulled from the agenda.

XIV. DISCUSSION AND ACTION TO APPROVE A BUDGET AMENDMENT IN THE AMOUNT OF \$16,100 FOR REPLACEMENT OF OUTBOARD MOTOR FOR POLICE BOAT (M-12 MAJEK ILLUSIONS). (SANCHEZ)

Council Member Ricco made a motion to approve a budget amendment for the replacement of an outboard motor for the Police boat unit in the amount of \$16,100. Motion was seconded by Council Member Schwartz. Motion passed unanimously.

- XV. **DISCUSSION AND ACTION TO APPROVE RESOLUTION NO. 2019-24 SUSPENDING THE JUNE 5, 2019 EFFECTIVE DATE OF AEP TEXAS INC.'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES, APPROVING COOPERATION WITH THE CITIES SERVED BY AEP TEXAS AND AUTHORIZING INTERVENTION IN AEP TEXAS INC.'S REQUESTED RATE CHANGE PROCEEDINGS BEFORE THE COMMISSION, HIRING LLOYD GOSSELINK ATTORNEYS AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS REQUIRING REIMBURSEMENT OF CITIES' RATE CASE EXPENSES. (SMITH)**

Mayor Stahl made a motion, seconded by Council Member Ricco to approve Resolution No. 2019-24 in its entirety. Motion carried on a unanimous vote.

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2019-24, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

- XVI. **EXECUTIVE SESSION: CLOSED SESSION PURSUANT TO SECTION 552.071 OF THE TEXAS GOVERNMENT CODE ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER, REGARDING OPTIONS IN ADDRESSING ABANDONED, BLIGHTED OR SUBSTANDARD STRUCTURES AND PROPERTIES.**


At 6:45 p.m., City Council convened into Executive Session.
At 7:22 p.m., the City Council reconvened into open session.

- XVII. **DISCUSSION AND POSSIBLE ACTION REGARDING OPTIONS IN ADDRESSING ABANDONED, BLIGHTED OR SUBSTANDARD STRUCTURES AND PROPERTIES. (RICCO)**

Mayor Stahl made a motion to instruct the Interim City Manager, staff and legal to work on solutions that provide for resolution to buildings that do not have certificates of occupancy and bring back to Council recommendations to address substandard structures and properties. Council Member Ricco seconded the motion, which passed unanimously.

- XVIII. **ADJOURN.**

There being no further business, Mayor Stahl adjourned the meeting at 7:24 p.m.


Marta Martinez, Assistant City Secretary

APPROVED


Dennis Stahl, Mayor

