NOTICE OF MEETING
CITY OF SOUTH PADRE ISLAND
PLANNING AND ZONING COMMISSION MEETING

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

THURSDAY, DECEMBER 19, 2019
3:00 PM AT THE MUNICIPAL BUILDING,
CITY COUNCIL CHAMBERS, 2ND FLOOR
4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TEXAS

1. Call to Order

2. Pledge of Allegiance

3. Public Comments and Announcements
   This is an opportunity for citizens to speak to the Commission relating to agenda or non-agenda items. Speakers are required to address the Commission at the podium and give their name before addressing their concerns. [Note: State law will not permit the Planning and Zoning Commission 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 Planning and Zoning Commission meeting]

4. Discussion and Action
   4.1. Approve minutes of October 17, 2019 and November 21, 2019 regular meetings.
   4.2. Discussion and action regarding the extension request for six (6) months for the Performance Guarantee of the Replat of “Lot 17, Block 92, Padre Beach Subdivision, Section VII”.
   4.3. Discussion and action regarding the one time extension request for the Performance Guarantee of the Replat of “Lots 1 – 4, Block 8, Padre Beach Subdivision, Section I”.
   4.4. Discussion and action regarding the one time extension request for the Performance Guarantee of the Replat of “Lots 26 & 27, Block 40, Padre Beach Subdivision, Section IV”.

5. Adjourn
NOTE:
One or more members of the City of South Padre Island City Council may attend this meeting; if so, this statement satisfies the requirements of the OPEN MEETINGS ACT.

DATED THIS THE 12TH DAY OF DECEMBER 2019

Susan M. Manning, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION 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 DECEMBER 12, 2019, AT OR BEFORE 5:00 PM AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.

Susan M. Manning, 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.

Agenda: December 19, 2019 Regular Planning And Zoning Commission Meeting
MEETING DATE: December 19, 2019

NAME & TITLE: Marta Martinez

DEPARTMENT: Planning/Parks & Rec. Department

ITEM
Approve minutes of October 17, 2019 and November 21, 2019 regular meetings.

ITEM BACKGROUND
N/A

BUDGET/FINANCIAL SUMMARY
N/A

COMPREHENSIVE PLAN GOAL
N/A

LEGAL REVIEW
Sent to Legal: No
Approved by Legal: No

RECOMMENDATIONS/COMMENTS:
1. CALL TO ORDER

The Planning and Zoning Commission of the City of South Padre Island, Texas held a Meeting on Thursday, October 17, 2019 at the Municipal Complex Building, 2\textsuperscript{nd} Floor, 4601 Padre Boulevard, South Padre Island, Texas. Vice Chairman Gary Olle called the meeting to order at 3:00 p.m. A quorum was present: Commission Member Norris Fletcher, Howard Avery, and Gordon Garlock. Commission Members with an excused absence were Dina Rich, Art Teniente and David Zipp.

City staff members present were: Planning Director Aaron Hanley and Administrative Assistant Marta Martinez.

2. PLEDGE OF ALLEGIANCE

Vice Chairman Olle led the Pledge of Allegiance.

3. PUBLIC COMMENTS AND ANNOUNCEMENTS.

Public comments and announcements were given at this time.

4. DISCUSSION AND ACTION.

4.1. APPROVE MINUTES OF JULY 18, 2019.

Commissioner Fletcher made a motion, seconded by Commissioner Garlock to approve the regular meeting minutes for July 18, 2019 as submitted. Motion carried unanimously.

4.2. DISCUSSION AND ACTION REGARDING THE ONE TIME EXTENSION REQUEST FOR THE PERFORMANCE GUARANTEE OF THE REPLAT OF “LOTS 8A, 8B, AND 8C, BLOCK 171, PADRE BEACH SUBDIVISION, SECTION XI”.

After some discussion Commissioner Garlock made a motion, seconded by Commissioner Fletcher to approve the one time extension request for the Performance Guarantee of the replat of “Lots 8A, 8B, and 8C, Block 171, Padre Beach Subdivision, Section XI. Motion carried unanimously.
4.3 DISCUSSION AND ACTION REGARDING THE PROPOSED REPLAT OF “LOTS 1-4 AND 9-12, BLOCK 96, PADRE BEACH SUBDIVISION, SECTION VII” TO MERGE THEM INTO “LOT 1”.

Agenda item was rescheduled for a future meeting.

5. ADJOURNMENT

There being no further discussion; Vice Chairman Olle adjourned the meeting at 3:09 p.m.

__________________________ __________  ______________________________
Marta Martinez, Secretary         Gary Olle, Vice Chairman
I. CALL TO ORDER

The Planning and Zoning Commission of the City of South Padre Island, Texas held a Meeting on Thursday, November 21, 2019 at the Municipal Complex Building, 2nd Floor, 4601 Padre Boulevard, South Padre Island, Texas. Vice Chairman Gary Olle called the meeting to order at 3:00 p.m. A quorum was present: Commission Member Norris Fletcher, Howard Avery, Gordon Garlock, and Dina Rich. Commission Member with an excused absence were David Zipp and Art Teniente.

City staff members present were: Public Works Director Alex Sanchez and Parks and Recreation Manager Debbie Huffman.

II. PLEDGE OF ALLEGIANCE

Vice Chairman Olle led the Pledge of Allegiance.

III. PUBLIC COMMENTS AND ANNOUNCEMENTS.

Public comments and announcements were given at this time.

IV. APPROVE MINUTES OF JULY 18, 2019 REGULAR MEETING.

Commissioner Garlock made a motion, seconded by Commissioner Avery to approve the regular meeting minutes for July 18, 2019 as submitted. Motion carried unanimously.

V. ELECTION OF CHAIRMAN.

Commissioner Avery made a motion, seconded by Commissioner Garlock to nominate Gary Olle for Chairman. Motion carried unanimously.

VI. DISCUSSION AND ACTION REGARDING THE PROPOSED REPLAT OF “LOT 26, BLOCK 171, PADRE BEACH SUBDIVISION, SECTION XI” TO CREATE TWO LOTS “LOTS 26A AND 26B”.

Commissioner Fletcher made a motion, seconded by Commissioner Avery to approve the replat of “Lot 26, Block 171, Padre Beach Subdivision, Section XI” to merge them into two lots “Lots 26A and 26B”. Motion carried unanimously.
VII. DISCUSSION AND ACTION REGARDING THE PROPOSED REPLAT OF “LOTS 16 AND 17, BLOCK 63, PADRE BEACH SUBDIVISION SECTION V” TO MERGE THEM INTO ONE LOT “LOT 16A”.

Chairman Olle made a motion, seconded by Commissioner Fletcher to approve the replat of “Lots 16 and 17, Block 63, Padre Beach Subdivision, Section V” to merge them into one lot “Lot 16A”. Motion carried unanimously.

VIII. DISCUSSION AND ACTION REGARDING THE PROPOSED REPLATE OF “LOTS 1-4 AND 9-12, BLOCK 96, PADRE BEACH SUBDIVISION, SECTION VII” TO MERGE THEM INTO ONE LOT “LOT 1”

After some discussion Commissioner Garlock made a motion, seconded by Commissioner Avery to approve the replat of “Lots 1-4 & 9-12, Block 96 Padre Beach Subdivision, Section VII” to merge them into one lot “Lot 1”. Motion carried unanimously.

IX. ADJOURNMENT

There being no further discussion; Commissioner Garlock made a motion, seconded by Commissioner Fletcher to adjourn the meeting at 3:15 p.m.

__________________________________________  ________________________________
Marta Martinez, Secretary                      Gary Olle, Chairman
MEETING DATE: December 19, 2019

NAME & TITLE: Aaron Hanely, Planning Director

DEPARTMENT: Planning/Parks & Rec. Department

ITEM
Discussion and action regarding the extension request for six (6) months for the Performance Guarantee of the Replat of “Lot 17, Block 92, Padre Beach Subdivision, Section VII”.

ITEM BACKGROUND
December 19, 2018, the Planning and Zoning Commission approved a replat of "Lots 17A & 17B, Block 92 Padre Beach Subdivision, Section VII" to merge them into "Lot 17".

BUDGET/FINANCIAL SUMMARY
N/A

COMPREHENSIVE PLAN GOAL
N/A

LEGAL REVIEW
Sent to Legal: No
Approved by Legal: No

RECOMMENDATIONS/COMMENTS:
The Ownership


The Requirements

1. Sec.23-15 Performance Guarantee.

(D) Release of Guarantee.

(1) Term. The term of the performance guarantee shall not exceed one (1) year.

(2) Inspection. Before the subdivider's obligation to the City of South Padre Island is terminated, all required improvements shall be constructed under the observation and inspection of the inspecting agency, and shall either be accepted for maintenance by the City Council (or respective agency) in the instance of public improvements, or given final approval by the City Council on recommendation by the Director of Public Works in the instance of private improvements.


(f) If, at the end of the one (1) year period, all of the improvements reflected by the final engineering plans have not been completed:

1. The subdivider may submit a one time renewal of the performance guarantee (a limit of one renewal only), which has been recalculated in order to allow for inflation, a period not to exceed one (1) additional year; or

2. The surety shall perform on the guarantee and directly remit to the City the amount of the guarantee. It shall be the responsibility of the surety to perform on such guarantee regardless of the expiration of the guarantee and regardless of whether or not the City reminds the surety of such contract termination.

   The City will contract the completion of the work reflected by the final engineering plans approved by the City. Any amount not utilized to complete the outstanding work will be returned to the subdivider once the work has been accepted by the City.

   All costs incurred by the City in contracting for completion of the work will come from the performance guarantee.

3. The subdivider may vacate the plat by replatting back to the original configuration prior to the plat in question.
If the subdivider elects to vacate the plat after the performance period has expired, they shall immediately remit 100% of the performance guarantee to the City. This will be returned to the subdivider only after the plat has been successfully vacated.

If the subdivider has not completed the vacation of the plat within six (6) months of the end of the last performance guarantee period, the total amount of the performance guarantee shall be forfeited to the City to allow completion of the work reflected by the final engineering plans approved by the City. Any amount not utilized to complete the outstanding work (including contracting expenses) will be returned to the subdivider once the work has been accepted by the City.

Staff Recommendation

Staff recommends approval of extension for six (6) months.

COMMISSION ACTION:

MOTION: ____________________________________________

BY: _______________________________  SECOND BY: ___________________________

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Expired Guarantee Check - Lot 17 Block 92

Patrick McNulty <patrick@willisdevelopment.com>
To: Alfredo Hernandez <fred@aghconsultants.com>
Cc: Marta Martinez <MMartinez@myspi.org>

Mon, Dec 2, 2019 at 2:50 PM

Please extend guarantee for 6 months

Patrick J. McNulty
Willis Development, LLC
5813 Padre Blvd
South Padre Island, Texas 78597
956.572.3191 fax 844.572.3192
patrick@willisdevelopment.com
www.willisdevelopment.com

Texas law requires all real estate licensees to give the following information about brokerage service to prospective sellers, tenants, buyers and landlords.
http://www.trec.state.tx.us/pdf/contracts/op-k.pdf

Attention: THIS E-MAIL IS INTENDED ONLY FOR THE INDIVIDUAL TO WHOM IT IS ADDRESSED. IT CONTAINS INFORMATION THAT MAY BE CONFIDENTIAL UNDER LAW. IF YOU ARE NOT THE INTENDED RECIPIENT OR AGENT RESPONSIBLE FOR DELIVERING THIS MESSAGE, DO NOT READ, COPY OR DISTRIBUTE THIS INFORMATION. IF YOU RECEIVED THIS E-MAIL IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY PHONE 956.572.3191

From: Alfredo Hernandez <fred@aghconsultants.com>
Sent: Monday, December 2, 2019 5:45:24 PM
To: Patrick McNulty <patrick@willisdevelopment.com>
Cc: 'Marta Martinez' <MMartinez@MySPI.org>
Subject: FW: Expired Guarantee Check - Lot 17 Block 92

[Quoted text hidden]
MEETING DATE: December 19, 2019

NAME & TITLE: Aaron Hanely, Planning Director

DEPARTMENT: Planning/Parks & Rec. Department

ITEM
Discussion and action regarding the one time extension request for the Performance Guarantee of the Replat of “Lots 1 – 4, Block 8, Padre Beach Subdivision, Section I”.

ITEM BACKGROUND
December 19, 2018, the Planning and Zoning Commission approved a replat of "Lots 1 - 5, Block 8, Padre Beach Subdivision, Section I" to reconfigure them into "Lots 1 - 4, Block 8, Padre Beach Subdivision, Section I".

BUDGET/FINANCIAL SUMMARY
N/A

COMPREHENSIVE PLAN GOAL
N/A

LEGAL REVIEW
Sent to Legal: No
Approved by Legal: No

RECOMMENDATIONS/COMMENTS:
DISCUSSION:

The Ownership

1. The lots belong to 200 West Corral, LLC – Ronald Weisfeld.

The Requirements

1. Sec.23-15 Performance Guarantee.

(D) Release of Guarantee.

(1) **Term.** The term of the performance guarantee shall not exceed one (1) year.

(2) **Inspection.** Before the subdivider's obligation to the City of South Padre Island is terminated, all required improvements shall be constructed under the observation and inspection of the inspecting agency, and shall either be accepted for maintenance by the City Council (or respective agency) in the instance of public improvements, or given final approval by the City Council on recommendation by the Director of Public Works in the instance of private improvements.

(3) **Procedure for the Release of Performance Guarantee.**

(f) If, at the end of the one (1) year period, all of the improvements reflected by the final engineering plans have not been completed:

1. The subdivider may submit a one time renewal of the performance guarantee (a limit of one renewal only), which has been recalculated in order to allow for inflation, a period not to exceed one (1) additional year; or

2. The surety shall perform on the guarantee and directly remit to the City the amount of the guarantee. It shall be the responsibility of the surety to perform on such guarantee regardless of the expiration of the guarantee and regardless of whether or not the City reminds the surety of such contract termination.

The City will contract the completion of the work reflected by the final engineering plans approved by the City. Any amount not utilized to complete the outstanding work will be returned to the subdivider once the work has been accepted by the City.

All costs incurred by the City in contracting for completion of the work will come from the performance guarantee.

3. The subdivider may vacate the plat by replatting back to the original configuration prior to the plat in question.
If the subdivider elects to vacate the plat after the performance period has expired, they shall immediately remit 100% of the performance guarantee to the City. This will be returned to the subdivider only after the plat has been successfully vacated.

If the subdivider has not completed the vacation of the plat within six (6) months of the end of the last performance guarantee period, the total amount of the performance guarantee shall be forfeited to the City to allow completion of the work reflected by the final engineering plans approved by the City. Any amount not utilized to complete the outstanding work (including contracting expenses) will be returned to the subdivider once the work has been accepted by the City.

**Staff Recommendation**

Staff recommends approval of one time extension of one (1) additional year.

**COMMISSION ACTION:**

MOTION: ____________________________________________________________

BY: ______________________________  SECOND BY: _________________________

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Extension to bond for sidewalks

1 message

Ronald Weisfeld <rweisfeld@hotmail.com>  Mon, Dec 2, 2019 at 3:30 PM
To: "mmartinez@myspi.org" <mmartinez@myspi.org>

I request a one year extension for the sidewalk requirement per the replat of lots 1-4 block 8 padre beach aka 200 West Corral.

Ronald Weisfeld
P.O. Box 600002
Dallas, Tx 75360
214-336-9450 mobile
MEETING DATE: December 19, 2019

NAME & TITLE: Aaron Hanely, Planning Director

DEPARTMENT: Planning/Parks & Rec. Department

ITEM
Discussion and action regarding the one time extension request for the Performance Guarantee of the Replat of “Lots 26 & 27, Block 40, Padre Beach Subdivision, Section IV”.

ITEM BACKGROUND
December 19, 2018, the Planning and Zoning Commission approved a replat of "Lot 26, Block 40 Padre Beach Subdivision, Section IV" to subdivide them into "Lots 26 & 27".

BUDGET/FINANCIAL SUMMARY
N/A

COMPREHENSIVE PLAN GOAL
N/A

LEGAL REVIEW
Sent to Legal: No
Approved by Legal: No

RECOMMENDATIONS/COMMENTS:
The Ownership


The Requirements

1. Sec.23-15 Performance Guarantee.

(D) Release of Guarantee.

(1) Term. The term of the performance guarantee shall not exceed one (1) year.

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The City will contract the completion of the work reflected by the final engineering plans approved the by the City. Any amount not utilized to complete the outstanding work will be returned to the subdivider once the work has been accepted by the City.

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Staff Recommendation

Staff recommends approval of one time extension of one (1) additional year.

COMMISSION ACTION:

MOTION:

__________________________________________________________

BY: ______________________________ SECOND BY: _________________________

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Good morning I will like to request a extension for my bond, I greatly appreciate your time and your help.

Shaddai Const.
Abel Hernandez
(956)9296167

Sent from my iPhone

On Dec 5, 2019, at 9:02 AM, Marta Martinez <mmartinez@myspi.org> wrote:

[Quoted text hidden]