

**MINUTES OF THE CITY COUNCIL REGULAR MEETING
CITY OF SOUTH PADRE ISLAND**

WEDNESDAY, SEPTEMBER 7, 2022

1. CALL TO ORDER

The City Council Members of the City of South Padre Island, Texas held a Special Meeting on Wednesday, September 7, 2022 at the Municipal Complex Building, 2-Floor, 4601 Padre Boulevard, South Padre Island, Texas. Mayor McNulty called the meeting to order at 5:31 p.m. A quorum was present: Mayor Patrick McNulty, Council Members, Ken Medders, Kerry Schwartz, Joe Ricco and Eva Jean Dalton.

City staff members present were City Manager Randy Smith, Director of Operations Wendi Delgado, Chief Financial Officer Rodrigo Gimenez, Fire Chief Jim Pigg, Police Chief Claudine O'Carroll, CVB Director Blake Henry, Public Works Director Alex Sanchez, Assistant Public Works Director Jon Wilson, Shoreline Director Kristina Boburka, Environmental Health Director Victor Baldovinos, Parks and Recreation Manager Debbie Huffman, CVB Special Events Manager April Brown, Management Assistant Hilda Delgado, and City Secretary Angelique Soto.

2. PLEDGE OF ALLEGIANCE AND TEXAS PLEDGE

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

3. PUBLIC COMMENTS AND ANNOUNCEMENTS:

Public comments and announcements were given at this time.

4. PRESENTATIONS AND PROCLAMATIONS:

4.1. NATIONAL FOOD SAFETY MONTH PROCLAMATION. (BALDOVINOS)

5. APPROVE CONSENT AGENDA:

Mayor McNulty announced that Consent Agenda Item 5.13 would be considered separately..

Council Member Dalton made a motion, seconded by Council Member Schwartz to approve Consent Agenda Items 5.1 through 5.12. Motion carried unanimously.

5.1. APPROVAL OF RESOLUTION NO. 2022-18 AND THE DEPARTMENT OF TRANSPORTATION AGREEMENT FOR THE TEMPORARY CLOSURE OF HWY 100 FOR THE 2022 SPI PRIDE PARADE ON SATURDAY, OCTOBER 8, 2022. (HUFFMAN)

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2022-18 and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

5.2. APPROVAL OF RESOLUTION NO. 2022-19 AND THE DEPARTMENT OF TRANSPORTATION AGREEMENT FOR THE TEMPORARY CLOSURE OF HWY 100 FOR THE 2022 WALK FOR WOMEN, OCTOBER 9, 2022. (HUFFMAN)

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2022-19 and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

5.3. APPROVAL OF THE SECOND AND FINAL READING TO ADOPT ORDINANCE 22-06 MAKING APPROPRIATIONS FOR EACH DEPARTMENT, PROJECT, PROGRAM AND ACCOUNTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023. (GIMENEZ)

A true and correct copy of said Ordinance was placed in the City's Ordinance Book and entitled Ordinance No. 22-06 and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

- 5.4. APPROVAL OF THE SECOND AND FINAL READING TO ADOPT ORDINANCE 22-07 ESTABLISHING THE AD VALOREM AND PERSONAL PROPERTY TAX RATE OF .289143 FOR TAX YEAR 2022, AND SETTING THE ASSESSED VALUATION AT ONE HUNDRED PERCENT (100%) OF THE FAIR MARKET VALUE AND PROVIDING FOR DISCOUNTS IN THE EVENT OF EARLY PAYMENT, AND PROVIDING FOR PENALTY AND INTEREST IN ACCORDANCE WITH STATE LAW. (GIMENEZ)**

A true and correct copy of said Ordinance was placed in the City's Ordinance Book and entitled Ordinance No. 22-07 and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

- 5.5. APPROVE AMENDMENTS TO THE PURCHASING POLICY TO INCORPORATE UPDATED THRESHOLDS AND CURRENT PROCEDURES. (GIMENEZ)**

- 5.6. APPROVE INVOICES FOR PAYMENT. (GIMENEZ)**

- 5.7. APPROVE ACCEPTANCE OF TEXAS DEPARTMENT OF TRANSPORTATION PROJECT GRANT AGREEMENT RPT 2303 (29) 051_22 FOR \$738,400 AND AUTHORIZE CITY MANAGER OR CFO TO ENTER GRANT AGREEMENT. (ARRIAGA)**

- 5.8. APPROVE RESOLUTION NO. 2022-20 AUTHORIZATION EXECUTION OF AN ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR A TRANSPORTATION ALTERNATIVE SET-ASIDE (TASA) PROGRAM PROJECT. (SANCHEZ)**

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2022-20 and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

- 5.9. APPROVE THE MINUTES FROM THE AUGUST 17, 2022 REGULAR CITY COUNCIL MEETING AND THE AUGUST 22, 2022 SPECIAL CITY COUNCIL MEETING. (SOTO)**

- 5.10. APPROVE A BUDGET AMENDMENT IN THE AMOUNT OF \$30,500 FROM BEACH MAINTENANCE EXCESS RESERVES FUND FOR THE BEACH ACCESS STANDARDIZED RESTROOM DESIGNS. (BOBURKA)**

- 5.11. APPROVAL OF MINOR REVISIONS TO THE TRANSPORTATION DRUG AND ALCOHOL POLICY FOR THE CITY OF SOUTH PADRE ISLAND AS REQUIRED BY TXDOT. (DELGADO)**

- 5.12. APPROVED A BUDGET AMENDMENT OF FEDERAL FORFEITURE FUNDS IN THE AMOUNT OF \$6,847.00 FOR DSR PRESENT COMPACT HARLEY DAVIDSON PACKAGE. (O'CARROLL)**

- 5.13. DISCUSSION AND POSSIBLE ACTION TO EXTEND THE CITY'S DECLARATION OF A LOCAL STATE OF DISASTER DUE TO THE COVID-19 VIRUS EPIDEMIC TO 11:59 P.M. ON FRIDAY, OCTOBER 14, 2022. (MCNULTY)**

Council Member Medders made a motion, seconded by Council Member Schwartz to extend the City's Declaration of a Local State of Disaster due to the COVID-19 Virus Epidemic to 11:59 p.m. on Friday, October 14, 2022. Motion carried unanimously.

6.REGULAR AGENDA

- 6.1. DISCUSSION AND POSSIBLE ACTION TO APPOINT MEMBERS TO THE GOLF CART STEERING COMMITTEE TO REVIEW CURRENT CITY ORDINANCES, AND STATE LAWS, NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION RULES REGULATING THE RENTAL AND OPERATION OF GOLF CARTS AND TO MAKE RECOMMENDATIONS TO CITY COUNCIL TO IMPROVE THE SAFETY OF OPERATING GOLF CARTS OR SLOW MOVING VEHICLES ON THE ISLAND. (SCHWARTZ)**

Council Member Schwartz made a motion, seconded by Mayor McNulty for Council Members Schwartz and Medders to serve on this committee and meet with the appropriate staff members to review laws and ordinances regarding Golf Cart safety and bring recommendations to City Council. Motion carried unanimously.

- 6.2. UPDATE AND DISCUSSION REGARDING SHORT TERM RENTAL REGISTRATIONS AND HOTEL/MOTEL OCCUPANCY TAX COLLECTIONS. (MCNULTY)**

Chief Financial Officer Rodrigo Gimenez provided an update regarding the Short Term Rental registrations and tax collections.

The Finance Department has been working with the company, Avenue, to enhance the website to be more user-friendly, reconciling tax returns with the state and the city, which would identify those that owe taxes to the City. Letters will be sent next week to notify owners/property managers of delinquent taxes. Software is being utilized to identify properties for online advertisements and ensure permits are listed with the City's database and notify property owners to become compliant. Also, the audit regarding the Hotel/Occupancy Tax payers is scheduled this year.

The Finance Department has created a Short-Term Rental registration tutorial on the Avenue website.

Delinquent Hotel/Motel Occupancy Taxpayers are notified by Avenue and most comply.

- 6.3. DISCUSSION AND ACTION TO APPROVE RESOLUTION NO. 2022-21 ESTABLISHING PROCEDURES FOR A SPECIAL ELECTION TO BE HELD ON NOVEMBER 8, 2022 FOR THE PURPOSE OF ELECTION ONE COUNCIL MEMBER, PLACE 4. (SOTO)**

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve Resolution No. 2022-21 Establishing procedures for a Special Election to be held on November 8, 2022 for the purpose of electing one Council Member, Place 4. Motion carried unanimously.

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2022-21 and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

- 6.4. DISCUSSION AND ACTION TO APPROVE A BUDGET AMENDMENT FROM GENERAL FUND EXCESS RESERVES FOR \$20,000 TO PURCHASE A NEW RECYCLING TRAILER FOR EXCESS RECYCLABLE MATERIALS. (BALDOVINOS)**

Council Member Medders made a motion, seconded by Council Member Ricco to approve a budget amendment from the General Fund Excess Reserves for \$20,000 to purchase a new recycling trailer for excess recyclable materials. Motion carried unanimously.

- 6.5. DISCUSSION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER#3 FOR LAGUNA BOULEVARD STREET AND DRAINAGE IMPROVEMENTS. (SANCHEZ)**

Mayor McNulty made a motion, seconded by Council Member Ricco to approve Change Order #3 for the Laguna Boulevard Street and Drainage Improvements, without the 30-day extension. Motion carried unanimously.

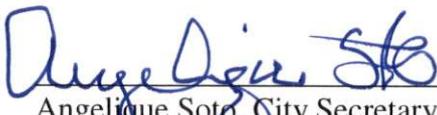
6.6. Discussion and possible action to approve Resolution No. 2022-22 approving submission of grant application for the Bullet-Resistant Shield Grant Program to the Office of the Governor to equip peace officers with bullet-resistant shields to increase the safety of law enforcement officers and prevent further loss of life. (O'Carroll)

Council Member Ricco made a motion, seconded by Council Member Medders to approve Resolution No. 2022-22 approving the submission of grant application for the Bullet-Resistant Shield Grant Program to the Office of the Governor to equip peace officers with bullet-resistant shields to increase the safety of law enforcement officers and prevent further loss of life. Motion carried unanimously.

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2022-22 and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

7.ADJOURN.

There being no further business, Mayor McNulty adjourned the meeting at 5:57 p.m.



 Angelique Soto, City Secretary

APPROVED



 Patrick McNulty, Mayor

