

<b>MINUTES CITY OF SOUTH PADRE ISLAND CITY COUNCIL REGULAR MEETING</b>
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**WEDNESDAY, AUGUST 21, 2019**

**I. CALL TO ORDER**

The City Council Members of the City of South Padre Island, Texas held a Regular Meeting on Wednesday, August 21, 2019 at the Municipal Complex Building, 2<sup>nd</sup> Floor, 4601 Padre Boulevard, South Padre Island, Texas. Mayor McNulty called the meeting to order at 5:30 p.m. A quorum was present: Mayor Patrick McNulty, Council Members Ken Medders, Jr., Kerry Schwartz, Joe Ricco, Alita Bagley and Eva-Jean Dalton.

City staff members present were 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, CVB Director Ed Caum, Planning Director Aaron Hanley, Interim Chief of Police Claudine O'Carroll, Assistant Public Works Director Jon Wilson, Information Technology Director Mark Shellard, Building Official David Travis, Public Information Officer Angelique Soto, Parks and Recreation Manager Debbie Huffman, Police Sergeant Gilbert Silva, Police Lieutenant Juan Herrera and City Secretary Susan Manning.

**II. PLEDGE OF ALLEGIANCE AND TEXAS PLEDGE**

Mayor McNulty 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. PROCLAMATION: 2020 CENSUS COMPLETE COUNT COMMITTEE**

**V. APPROVE CONSENT AGENDA:**

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

**A. APPROVE MINUTES OF JULY 30, 2019 SPECIAL MEETING AND AUGUST 7, 2019 WORKSHOP AND REGULAR MEETING. (MANNING)**

**B. APPROVE INVOICES FOR PAYMENT. (GIMENEZ)**

Invoices approved for payment were paid by General Fund checks numbered 145115 through 145218 and EFT payments totaling \$497,719.35.

**C. APPROVE LETTER OF SUPPORT FOR NEIGHBORS IN NEED OF SERVICES (NINOS) FOR THEIR GRANT SUBMISSION TO CONTINUE ITS HEAD START AND EARLY HEAD START SERVICES; AND AUTHORIZE THE MAYOR TO SIGN. (MCNULTY)**

**D. APPROVE RESOLUTION NO. 2019-34 TO DECLARE VARIOUS ASSETS AS SURPLUS PROPERTY AND AUTHORIZE THE CITY MANAGER TO DISPOSE OF SUCH PROPERTY IN A MANNER THAT IS BENEFICIAL TO THE CITY AND IN ACCORDANCE WITH THE FIXED ASSET POLICY. (GIMENEZ)**

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2019-34, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

- E. **APPROVE PROJECT GRANT AGREEMENT RUR 2002 IN THE AMOUNT OF \$566,405; AND AUTHORIZE THE CITY MANAGER TO ENTER GRANT AGREEMENT. (ARRIAGA)**
- F. **APPROVE AMENDMENT FOR PROJECT GRANT AGREEMENT RPT 1802(21)032\_18 IN THE AMOUNT OF \$120,159; AND AUTHORIZE THE CITY MANAGER TO ENTER GRANT AGREEMENT. (ARRIAGA)**
- G. **APPROVE A BUDGET AMENDMENT OF FEDERAL FORFEITURE FUNDS IN THE AMOUNT OF \$5,852 FOR FOUR (4) LWRC-DIRECT IMPINGEMENT 5.56 MM NFA SBR SELECT FIRE 10.6 BARRELL WEAPONS. (O'CARROLL)**
- H. **APPROVE SIDE STREET IMPROVEMENT (PHASE I), CHANGE ORDER NO. 2 IN THE AMOUNT OF \$41,371.68 AND APPROVE A BUDGET AMENDMENT FOR THE SAME AMOUNT. (SANCHEZ)**
- I. **APPROVE SOUTH PADRE ISLAND EMPLOYEE HANDBOOK POLICY 00-00, HAZARD COMMUNICATION PROGRAM, AS MANDATED BY THE TEXAS HEALTH AND SAFETY CODE, CHAPTER 502. (DELGADO)**
- J. **APPROVE RESOLUTION NO. 2019-35 NOMINATING RICARDO MORADO AS THE CITY OF SOUTH PADRE ISLAND'S REPRESENTATIVE TO POSITION NINE (9) ON THE CAMERON APPRAISAL DISTRICT BOARD OF DIRECTORS. (MCNULTY)**

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2019-35, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

- K. **APPROVAL TO ALLOW THE MAYOR TO EXECUTE THE AGREEMENT AND SUPPORTING DOCUMENTATION BETWEEN THE U.S. ARMY CORPS OF ENGINEERS (USACE), THE CITY OF SOUTH PADRE ISLAND AND CAMERON COUNTY FOR THE PLANNING ASSISTANCE TO STATES PROGRAM (PAS) TO DEVELOP A REGIONAL SEDIMENT MANAGEMENT PLAN. (BOBURKA)**
- VI. **PRESENTATION REGARDING OPPORTUNITY ZONE PROGRAM DESIGNED TO ENCOURAGE LONG-TERM INVESTMENT IN ELIGIBLE COMMUNITIES. (DALTON)**

Council Member Dalton gave a presentation introducing the Opportunity Zone Program that encourages businesses to develop and invest in low-income communities, which in turn, will bring a much needed boost to local communities.

- VII. **UPDATE AND DISCUSSION REGARDING SUBSTANDARD STRUCTURES ON SOUTH PADRE ISLAND. (TRAVIS/HANLEY/RICCO)**

Building Official David Travis gave a brief update regarding the substandard structures on South Padre Island and the steps being taken to remedy the situation.

- VIII. **UPDATE FROM KIMLEY-HORN REGARDING THE PADRE BOULEVARD (PR 100) MEDIAN, BOARDWALK AND SIDEWALK RELATED IMPROVEMENTS RELATED TO THE VENUE TAX PROJECT. (SANCHEZ)**

Tom Grant of Kimley-Horn & Associates, Inc. gave an update on the Padre Boulevard median, sidewalk, boardwalk and traffic signal construction. Tom anticipates plans to go out to bid in September, with a bid opening and award of contract in October.

**IX. DISCUSSION AND ACTION TO PROCEED WITH REQUEST FOR QUALIFICATIONS (RFQ) FOR DESIGN SERVICES FOR THE WIND SPORT VENUE TAX PROJECT. (RICCO)**

Council Member Ricco made a motion to go out for Request for Qualification (RFQ) to design the Wind Sport Venue Tax Project. Council Member Medders seconded the motion. Motion passed on a unanimous vote.

**X. DISCUSSION AND ACTION TO APPROVE FIRST READING OF ORDINANCE TO PROHIBIT THE RENTAL AND/OR LEASING OF DOCKLESS MOTOR-ASSISTED SCOOTERS ON CITY PROPERTY, PROVIDING FOR REGULATIONS FOR USE AND PROVIDING FOR IMPOUND OF IMPROPERLY PARKED DOCKLESS VEHICLES. (RICCO/SCHWARTZ)**

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve the first reading of Ordinance No. 19-13 that would include a \$100 administrative fee (Sec. 18-36(B)) and a seven (7) day time frame before being considered abandoned (Sec. 18-36(C)). Motion carried unanimously.

**XI. DISCUSSION AND ACTION TO PROCEED WITH REQUEST FOR QUALIFICATIONS (RFQ) FOR DESIGN SERVICES FOR THE SKATE PARK PORTION OF THE JOHN L. TOMPKINS PARK PHASE II. (SCHWARTZ)**

Council Member Schwartz made a motion proceed with a Request for Qualification (RFQ) for the design of the skate park to be located in the John L. Tompkins Park. Council Member Ricco seconded the motion, which passed on a unanimous vote.

**XII. DISCUSSION AND ACTION REGARDING THE APPROVAL OF RESOLUTION NO. 2019-36 PERMITTING THE ENCROACHMENT ON W. SWORDFISH, W. RED SNAPPER AND W. DOLPHIN STREETS BY LA SOLANA CONDOMINIUMS, BUT OTHERWISE RETAINING ALL RIGHTS AND AUTHORITY OVER ITS RIGHT OF WAY AUTHORIZED BY LAW. (RICCO/SMITH)**

Council Member Ricco made a motion to approve Resolution No. 2019-36 that will permit La Solana Condominiums to encroach on W. Swordfish, W. Red Snapper and W. Dolphin Streets with the City retaining all rights and authority of the right of way. Council Member Schwartz seconded the motion. Motion carried unanimously.

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2019-36, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

**XIII. DISCUSSION AND ACTION TO APPROVE FIRST READING OF ORDINANCE NO. 19-11 AMENDING THE CITY OF SOUTH PADRE ISLAND CODE OF ORDINANCES BY REPEALING CURRENT SECTION 18-30(D)(8) AND REPLACING IT WITH SECTION 18-30(D)(8)(I)-(IV) AS IT DEALS WITH SOUND-EMITTING DEVICES ON COMMERCIAL RENTAL/LEASED GOLF CARTS. (RICCO/SCHWARTZ)**

Council Member Ricco made a motion to approve first reading of Ordinance No. 19-11 amending Chapter 18 of the Code of Ordinances by repealing Section 18-30(D)(8) and replacing with Section 18-30(D)(8)(I)-(IV) as it pertains to sound-emitting devices on commercial rental/leased golf carts and asked for an individual roll call vote. Motion was seconded by Council Member Schwartz. The motion was amended by Council Members Ricco and Schwartz to revise Section 18-30(D)(8)ii to read "Any sound device which emits noise as described above and currently installed on Motorized cart must be removed and/or disconnected."



**XX. DISCUSSION AND ACTION TO APPOINT MEMBERS TO VACANCIES IN THE FOLLOWING: (MANNING)**

- A. PLANNING AND ZONING COMMISSION**
- B. SHORELINE TASK FORCE**
- C. SPECIAL EVENTS COMMITTEE**

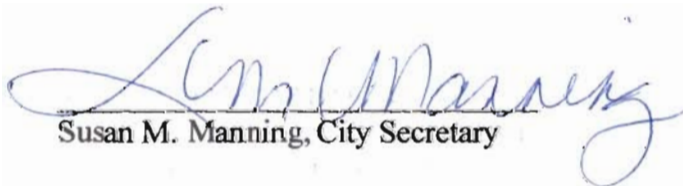
Council Member Schwartz made a motion seconded by Council Member Ricco to appoint Dina Rich to the Planning and Zoning Commission, Michael Sularz to the Shoreline Task Force and Christian Hasbun to the Special Events Committee. Council Member Ricco seconded the motion, which passed unanimously.

**XXI. DISCUSSION AND ACTION TO APPROVE THE RENEWAL OF ARRIVALIST AGREEMENT IN THE AMOUNT OF \$105,800 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT. (CAUM)**

Council Member Bagley made a motion to approve the renewal of the Arrivalist Agreement in the amount of \$105,800 and authorize the City Manager to execute the agreement. Motion was seconded by Council Member Ricco. Motion carried on a unanimous vote.

**XXII. ADJOURN.**

There being no further business, Mayor McNulty adjourned the meeting at 7:04 p.m.

  
Susan M. Manning, City Secretary

APPROVED

  
Patrick McNulty, Mayor

