

MINUTES CITY OF SOUTH PADRE ISLAND CITY COUNCIL REGULAR MEETING
--

WEDNESDAY, SEPTEMBER 18, 2019

I. CALL TO ORDER

The City Council Members of the City of South Padre Island, Texas held a Regular Meeting on Wednesday, September 18, 2019 at the Municipal Complex Building, 2nd 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, Director of Operations Wendi Delgado, Chief Financial Officer Rodrigo Gimenez, Public Works Director Alex Sanchez, Chief of Police Claudine O'Carroll, Fire Chief Doug Fowler, Shoreline Management Director Kristina Boburka, Planning Director Aaron Hanley, Assistant Public Works Director Jon Wilson, Public Information Officer Angelique Soto 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. **PRESENTATION: SEPTEMBER BIRD OF THE MONTH**
- b. **PROCLAMATION: 2019 UNITED WAY CAMPAIGN**

V. APPROVE CONSENT AGENDA:

Council Member Medders made a motion, seconded by Council Member Bagley to approve the Consent Agenda. Motion carried on a unanimous vote.

- a. **APPROVE MINUTES OF SEPTEMBER 4, 2019 REGULAR MEETING. (MANNING)**

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

Invoices approved for payment were paid by General Fund checks numbered 145315 through 145405 and EFT payments totaling \$599,886.05.

- c. **APPROVE RESOLUTION NO. 2019-39 TO RECOGNIZE THAT 2020 BE "THE YEAR TO EMBRACE THE GULF". (BOBURKA)**

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2019-39, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

- d. **APPROVE RESOLUTION NO. 2019-40 TO EXECUTE AN AGREEMENT FOR A LOCAL ON-SYSTEM IMPROVEMENT PROJECT (LOSA) FOR THE PR 100 (PADRE BOULEVARD) MEDIAN, BOARDWALK, AND SIDEWALK IMPROVEMENTS AND AUTHORIZE THE CITY MANAGER TO SIGN THE LOSA AGREEMENT, AS REQUIRED BY THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT). (SANCHEZ)**

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2019-40, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

- e. **APPROVE AMENDMENTS TO THE PURCHASING POLICY TO REMAIN CURRENT WITH LEGAL REQUIREMENTS AND BEST PRACTICES. (GIMENEZ)**
- f. **APPROVE BUDGET AMENDMENT IN THE AMOUNT OF \$10,000 TO PROVIDE FUNDING FOR THE LAGUNA MADRE YOUTH CENTER. (COUNCIL)**
- g. **APPROVE A BUDGET AMENDMENT TO ALLOCATE GRANT FUNDS FOR TRAINING IN THE AMOUNT OF \$3290. (FOWLER)**

- VI. **DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE CITY MANAGER TO CONTINUE USE OF ON-DEMAND LEGAL SERVICES FROM THE LAW FIRM OF DENTON, NAVARRO, ROCHA, BERNAL & ZECH, P.C. ON AN AS NEEDED BASIS AND PURSUANT TO THE TERMS OF THE RATE SCHEDULE EFFECTIVE OCTOBER 1, 2019. (SMITH)**

Council Member Bagley made a motion to approve continued use of on-demand legal services from Denton, Navarro, Rocha, Bernal & Zech on an as needed basis and rate schedule effective October 1, 2019. Council Member Dalton seconded the motion, which passed unanimously.

- VII. **DISCUSSION AND ACTION TO APPROVE AND ADOPT FIRST READING OF ORDINANCE NO. 19-15 AMENDING THE FEE SCHEDULE FOR FIRE DEPARTMENT, BUILDING DEPARTMENT, PLANNING DEPARTMENT, AND PUBLIC WORKS DEPARTMENT; INCLUDING TEXT AMENDMENTS TO CHAPTER 2, SECTION 2-75, CHAPTER 4, SECTION 4-3, CHAPTER 4, SECTION 4-16, AND CITY WEBSITE (PULLED FROM THE SEPT. 4, 2019 CITY COUNCIL MEETING). (HANLEY)**

After some discussion, Council Member Medders made a motion to table. Motion was seconded by Council Member Bagley. Motion carried unanimously.

- VIII. **DISCUSSION AND ACTION TO APPROVE AND ADOPT RESOLUTION NO. 2019-41 RATIFYING THE PROPERTY TAX INCREASE REFLECTED IN THE ADOPTED BUDGET FOR FISCAL YEAR 2019-20. (GIMENEZ)**

Council Member Bagley made a motion, seconded by Council Member Ricco to approve and adopt Resolution No. 2019-41 ratifying the property tax increase for fiscal year 2019-20. Motion passed unanimously.

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2019-20, 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 SECOND AND FINAL READING TO ADOPT ORDINANCE NO. 19-14 ESTABLISHING THE AD VALOREM AND PERSONAL PROPERTY TAX RATE OF .315640 FOR TAX YEAR 2019, 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)**

Council Member Bagley made a motion to approve second and final reading of Ordinance No. 19-14 and moved that the property tax rate be increased by the adoption of a tax rate of \$.315640, which is effectively a 2.9 percent increase in the tax rate. Council Member Dalton seconded the motion. An individual role call was made with all Council Members casting an aye vote. Motion carried unanimously.

A true and correct copy of said Ordinance was placed in the City's Ordinance Book and entitled Ordinance No. 19-14, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

- X. UPDATE, DISCUSSION AND POSSIBLE ACTION REGARDING SUBSTANDARD STRUCTURES ON SOUTH PADRE ISLAND. (RICCO/SCHWARTZ/TRAVIS)**

Building Official David Travis gave an update regarding the substandard structures on South Padre Island. No action was taken.

- XI. DISCUSSION AND ACTION FOR APPROVAL OF THE CITY'S COASTAL MANAGEMENT PROGRAM (CMP) CYCLE 25 FINAL GRANT APPLICATIONS AND TO AUTHORIZE THE MAYOR AND CITY MANAGER TO SIGN. (BOBURKA)**

- a. WHITECAP CIRCLE BEACH ACCESS DEVELOPMENT.
- b. ASSESSMENT AND INVESTIGATION ON THE BEACH AND DUNE CONDITIONS AT SOUTH PADRE ISLAND.
- c. SOUTH PADRE ISLAND LIVING SHORELINE.
- d. SOUTH PADRE ISLAND WIND AND WATER SPORTS PARK.

Council Member Schwartz made a motion, seconded by Council Member Medders to approve the CMP grant applications with the re-ranking of switching item b (assessment and investigation on the beach and dune conditions) with item d (Wind and Water Sports Park) and authorize the Mayor and City Manager to sign the necessary documents. Motion passed on a unanimous vote.

- 12. PUBLIC HEARING: TO DISCUSS SUBMISSION FOR THE TEXAS PARKS AND WILDLIFE DEPARTMENT'S BOATING ACCESS GRANT APPLICATION TO IMPROVE THE POLARIS STREET BOAT RAMP. (BOBURKA)**

At 6:24 p.m., Mayor McNulty opened the Public Hearing.

Proponents: Virginia Guillot Opponents: None

Mayor McNulty closed the Public Hearing at 6:25 p.m.

- XIII. DISCUSSION AND ACTION TO APPROVE SUBMISSION OF THE TEXAS PARKS AND WILDLIFE DEPARTMENT'S BOATING ACCESS GRANT APPLICATION TO IMPROVE THE POLARIS STREET BOAT RAMP. (BOBURKA)**

Council Member Ricco made a motion to approve the submission of the Texas Parks and Wildlife Department Boating Access Grant application for the purpose to improve the Polaris Street boat ramp. Motion was seconded by Council Member Schwartz, which carried unanimously.

XIV. DISCUSSION AND ACTION REGARDING FIRST READING OF ORDINANCE NO. 2019-16 AMENDING CHAPTER 23 – SUBDIVISION REGULATIONS TO COMPLY WITH AMENDED STATE LEGISLATURE. (HANLEY)

This item was pulled.

XV. DISCUSSION AND ACTION TO AWARD CONTRACT FOR THE REPAIRS OF THE CONVENTION CENTRE BOARDWALK TO SPAWGLASS CONSTRUCTION, INC. IN THE AMOUNT \$386,843.10, APPROVE A BUDGET AMENDMENT FROM EXCESS RESERVES IN THE AMOUNT OF \$400,000 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT. (CAUM)

This item was pulled.

XVI. DISCUSSION AND ACTION TO APPOINT MEMBERS TO VACANCIES IN THE FOLLOWING COMMITTEES:

- a. COMPREHENSIVE PLAN STEERING COMMITTEE**
- b. PARKS & KEEP SPI BEAUTIFUL COMMITTEE**

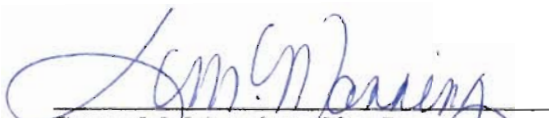
Council Member Schwartz made a motion, seconded by Council Member Ricco to approve the following appointments to the Comprehensive Plan Steering Committee and Parks & Keep SPI Beautiful Committee. Motion passed unanimously. (Those appointed were selected via a tally as outlined in the City's Home Rule Charter, Section 2.11(d))

Comprehensive Plan Steering Committee: Patrick Beyer, Larry Floyd, Christian Hasbun, Maritza Hoffman, Chris Huffman


Parks & Keep SPI Beautiful Committee: Tonya Tallard

XVII. ADJOURN.

There being no further business, Mayor McNulty adjourned the meeting at 6:30 p.m.


Susan M. Manning, City Secretary

APPROVED


Patrick McNulty, Mayor

