

MINUTES CITY OF SOUTH PADRE ISLAND CITY COUNCIL REGULAR MEETING
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WEDNESDAY, NOVEMBER 6, 2019

I. CALL TO ORDER

The City Council Members of the City of South Padre Island, Texas held a Regular Meeting on Wednesday, November 6, 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, Public Works Director Alex Sanchez, Chief of Police Claudine O'Carroll, Fire Chief Doug Fowler, Environmental Health Director Victor Baldovinos, Shoreline Director Kristina Boburka, CVB Director Ed Caum, 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: YOUNG SOUTH EAST ASIAN LEADERSHIP INTERNATIONAL (YSEALI)**
- B. PROCLAMATION: MUNICIPAL COURT WEEK**

V. APPROVE CONSENT AGENDA:

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

- A. APPROVE MINUTES OF OCTOBER 16, 2019 REGULAR MEETING AND OCTOBER 21, 2019 EMERGENCY MEETING. (MANNING)**

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

Invoices approved for payment were paid by General Fund checks numbered 145565 through 145818 and EFT payments totaling \$1,542,965.14.

- C. APPROVE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDING SEPTEMBER 30, 2019 AS PREPARED BY VALLEY VIEW CONSULTING, L.L.C. (GIMENEZ)**

- D. APPROVE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE FRIENDS OF ANIMAL RESCUE TO PROVIDE ANIMAL CARE SERVICES FOR THE CITY OF SOUTH PADRE ISLAND; AND AUTHORIZE THE CITY MANAGER TO EXECUTE. (BALDOVINOS)**

VI. DISCUSSION AND ACTION TO APPROVE RESOLUTION NO. 2019-43 SUPPORTING THE ANNEXATION OF THE LAGUNA MADRE AREA INTO THE RIO GRANDE VALLEY METROPOLITAN PLANNING ORGANIZATION (RGVMPO). (MCNULTY)

Council Member Schwartz made a motion to approve Resolution No. 2019-43 supporting the annexation of the Laguna Madre Area into the Rio Grande Valley Metropolitan Planning Organization (RGV MPO). Motion was seconded by Council Member Medders, which carried on a unanimous vote.

VII. DISCUSSION AND ACTION TO APPROVE A BUDGET AMENDMENT FROM EXCESS RESERVES IN THE AMOUNT OF \$475,500 FOR EDC PROJECTS. (LAPEYRE)

Council Member Bagley made a motion, seconded by Council Member Schwartz to approve a budget amendment in the amount of \$475,500 for EDC projects. Motion passed on a unanimous vote.

VIII. DISCUSSION AND ACTION TO AWARD A CONTRACT FOR THE PR100 MEDIAN, BOARDWALK AND SIDEWALK IMPROVEMENTS TO THE LOW BIDDER, ECON GROUP, L.L.C. (SANCHEZ)

Council Member Ricco made a motion to approve the contract award for the PR100 Median, Boardwalk and Sidewalk Improvement project to the lowest bidder, Econ Group, L.L.C. in the base bid amount of \$7,529,903.45. Motion was seconded by Council Member Bagley, which carried unanimously.

One other bid was received from NM Contracting, LLC in the base bid amount of \$10,886,245.49.

IX. DISCUSSION AND ACTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO NEGOTIATIONS WITH THE HIGHEST RANKED FIRM FOR CONTRACT OF PROFESSIONAL SERVICES FOR THE WHITE SANDS STREET DRIVE-OVER AND STORM SURGE BARRIER PROJECT, AND IF ACCEPTABLE TERMS ARE REACHED, TO SIGN CONTRACT. (BOBURKA)

Council Member Medders made a motion, seconded by Council Member Ricco to authorize the City Manager to enter into contract negotiations, and if acceptable, sign contract with the highest ranked firm for professional services for the White Sands Street Drive-over and Storm Surge Barrier Project. Motion passed on a unanimous vote.

X. PRESENTATION AND UPDATE ON THE ONGOING PARTICLE TRACING STUDY. (BOBURKA)

Shoreline Director Kristina Boburka gave a brief presentation and updated the Council on the ongoing Particle Tracing Study.

XI. DISCUSSION AND ACTION TO APPROVE A BUDGET AMENDMENT IN THE AMOUNT OF \$200,000 FOR EXCESS RESERVES FOR IN-HOUSE MARKETING AND PUBLIC RELATIONS MEDIA AND CONTENT BUYS. (CAUM)

Council Member Ricco made a motion to approve a budget amendment in the amount of \$200,000 for in-house marketing, public relations media and content buys with the stipulation that expenditures be reported to City Council as the expense occurs. Mayor McNulty seconded the motion. Motion carried unanimously.

XII. DISCUSSION AND ACTION TO APPROVE A BUDGET AMENDMENT IN THE AMOUNT OF \$26,000 FROM EXCESS RESERVES TO CO-FUND AN ECONOMIC DEVELOPMENT STUDY FOR THE LAND ADJACENT TO THE CONVENTION CENTRE AND OWNED BY THE BIRDING & NATURE CENTER. (CAUM)

Council Member Ricco made a motion to approve a budget amendment in the amount of \$26,000 to co-fund an economic development study for the land adjacent to the Convention Center and owned by the Birding & Nature Center for a nature attraction. Motion was seconded by Council Member Bagley, which passed on a unanimous vote.

XIII. DISCUSSION AND ACTION TO NEGOTIATE A CONTRACT FOR SURVEYING SERVICES FOR LAGUNA BOULEVARD IN AN AMOUNT NOT TO EXCEED \$50,000 AND APPROVE BUDGET AMENDMENT FOR SAME AMOUNT. (SANCHEZ)

Council Member Medders made a motion, seconded by Council Member Ricco to negotiate a contract for Laguna Boulevard Surveying Services in an amount not to exceed \$50,000 and approve budget amendment for same amount. Motion carried unanimously.

XIV. DISCUSSION AND ACTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A MUNICIPAL LEASE AGREEMENT WITH CNH INDUSTRIAL CAPITAL FOR PUBLIC WORKS BACKHOE. (SANCHEZ)

Council Member Bagley made a motion to authorize the City Manager to enter into lease agreement with CNH Industrial Capital for Public Works backhoe. Council Member Schwartz seconded the motion. Motion passed unanimously.

XV. APPROVE RESOLUTION NO. 2019-44 AND BALLOT VOTING FOR A REPRESENTATIVE TO SERVE ON THE CAMERON APPRAISAL DISTRICT BOARD OF DIRECTORS, POSITION 9. (MCNULTY)

This item was pulled.

XVI. CLOSED EXECUTIVE SESSION:

ATTORNEY CONSULTATION PURSUANT TO SECTION 551.071(2), TEXAS GOV'T CODE, TO RECEIVE LEGAL ADVICE PERTAINING TO THE CITY'S RIGHTS, PRIVILEGES, DUTIES, AND OBLIGATIONS WITH RESPECT TO THE APPOINTMENT OF A CITY ATTORNEY AS PER SECTION 4.03 OF THE CITY'S HOME RULE CHARTER.

CLOSED MEETING PURSUANT TO SECTION 551.074, TEXAS GOV'T CODE TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION DUTIES, OF A PUBLIC OFFICER, I.E. THE CITY ATTORNEY AS PER SECTION 4.03 OF THE CITY'S HOME RULE CHARTER.

CLOSED MEETING PURSUANT TO TEXAS GOV'T CODE SECTION 551.072, DELIBERATIONS ABOUT REAL PROPERTY, TO DISCUSS THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY.

At 6:25 p.m., Council Member Bagley made a motion, seconded by Council Member Schwartz to go into Executive Session. Motion carried unanimously.

At 6:58 p.m., the City Council reconvened into open session.

XVII. DISCUSSION AND ACTION REGARDING THE APPOINTMENT OF CITY ATTORNEY AS PER SECTION 4.03 OF THE CITY'S HOME RULE CHARTER AND AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND ENTER INTO CONTRACT.

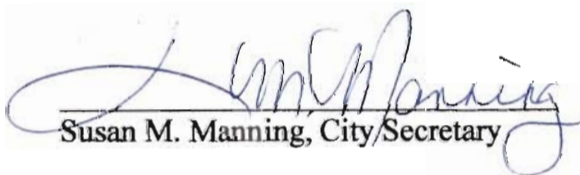
Council Member Ricco made a motion, seconded by Council Member Bagley to authorize the City Manager to negotiate and enter into contract with Edmund Cyganiewicz as the City Attorney. Motion carried on a unanimous vote.

XVIII. DISCUSSION AND POSSIBLE ACTION REGARDING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY.

No action taken.

XIX. ADJOURN.

There being no further business, Mayor McNulty adjourned the meeting at 7:01 p.m.


Susan M. Manning, City Secretary

APPROVED


Patrick McNulty, Mayor

