

MINUTES CITY OF SOUTH PADRE ISLAND CITY COUNCIL REGULAR MEETING
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WEDNESDAY, MARCH 4, 2020

1. CALL TO ORDER

The City Council Members of the City of South Padre Island, Texas held a Regular Meeting on Wednesday, March 4, 2020 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 Jim Pigg, Shoreline Director Kristina Boburka, Planning Director Aaron Hanley, Assistant Public Works Director Jon Wilson, Information Technology Director Mark Shellard, Public Information Officer Angelique Soto and City Secretary Susan Manning.

2. PLEDGE OF ALLEGIANCE AND TEXAS PLEDGE

Mayor McNulty led the Pledge of Allegiance and Texas Pledge.

3. PUBLIC COMMENTS AND ANNOUNCEMENTS

Public comments and announcements were given at this time.

4. PRESENTATIONS AND PROCLAMATIONS:

4.1. PRESENTATION: COMMEMORATION OF COLONEL JOHN A. GOOLSBY, USAF, CAMERON COUNTY JUDGE 1986-1988 BY MARY HAYS.

4.2. PRESENTATION: BADGE PINNING CEREMONY FOR RECENT PROMOTIONS, LIEUTENANT JAMES BARKER AND DRIVER OPERATOR CHRISTOPHER DE LEON.

4.3. PRESENTATION: PROPOSED PILOT PROGRAM FROM GLIDE FOR SHARED USE ELECTRIC SCOOTERS.

5. APPROVE CONSENT AGENDA:

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

5.1 APPROVE MINUTES OF FEBRUARY 19, 2020 REGULAR MEETING. (MANNING)

5.2 APPROVE INVOICES FOR PAYMENT. (GIMENEZ)

Invoices approved for payment were paid by General Fund checks numbered 146572 through 146665 and EFT payments totaling \$629,075.11.

5.3 APPROVE RESOLUTION 2020-04 AUTHORIZING CERTAIN PERSONS TO SIGN CHECKS AND OTHER NECESSARY TRANSACTIONS FOR SAME. (GIMENEZ)

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2020-04, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

- 5.4 UPDATE ON MONTHLY PERMIT ACTIVITY FOR THE MONTH OF JANUARY 2020. (HANLEY)**
- 5.5 APPROVE A BUDGET AMENDMENT TO RELEASE ARSON DOG CONTRIBUTION FUNDS IN THE AMOUNT OF \$4,250 TO COUNTY OF KAUFMAN FIRE MARSHAL CANINE ACCOUNT. (PIGG)**
- 5.6 APPROVE A BUDGET AMENDMENT OF FEDERAL FORFEITURE FUNDS IN THE AMOUNT OF \$3,598.50 FOR THREE (3) WATCH GUARD BODY CAMERAS AND TWO (2) RIFLE OPTICS FOR NONLETHAL WEAPONS. (O'CARROLL)**
- 5.7 APPROVE SECOND AND FINAL READING TO ENACT ORDINANCE NO. 20-03 REPEALING ORDINANCE NO. 18-05 REGARDING REQUIREMENTS OF SIDEWALK INSTALLATIONS AND ALTERNATIVE PAYMENT METHOD IN-LIEU OF SIDEWALK INSTALLATION. (SCHWARTZ)**

A true and correct copy of said Ordinance was placed in the City's Ordinance Book and entitled Ordinance No. 20-03, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

6. REGULAR AGENDA

- 6.1 PRESENTATION, DISCUSSION AND ACTION TO APPROVE THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR FISCAL YEAR 2018-19 PRESENTED BY QUENTIN ANDERSON WITH CARR, RIGGS & INGRAM. (GIMENEZ)**

After a presentation by Quentin Anderson with Carr, Riggs & Ingram regarding the Comprehensive Annual Financial Report, Council Member Schwartz made a motion to approve the report as presented. Motion was seconded by Council Member Medders, which carried on a unanimous vote.

- 6.2 DISCUSSION AND POSSIBLE ACTION FOR PALM TREES ALONG THE PR 100 (PADRE BOULEVARD) MEDIAN, BOARDWALK AND SIDEWALK IMPROVEMENT PROJECT (SANCHEZ)**

Council Member Ricco made a motion, seconded by Council Member Medders to approve Change Order Option 3 that would replace the 10-foot Sabal Palms with 6-foot Sabal Palms for the PR100 (Padre Boulevard) Median, Boardwalk and Sidewalk Improvement Project. Motion passed on a unanimous vote.

- 6.3 DISCUSSION AND ACTION TO ADOPT THE SHORELINE MASTER PLAN. (BOBURKA)**

Council Member Bagley made a motion to adopt the Shoreline Master Plan as presented. Council Member Medders seconded the motion, which carried unanimously.

- 6.4 UPDATE AND POSSIBLE DISCUSSION REGARDING SPRING BREAK 2020 OCCUPANCY. (CAUM)**

Lori Moore, CVB Office Manager/Accountant gave an update on the 2020 Spring Break Occupancy statistics.

- 6.5 DISCUSSION AND POSSIBLE ACTION TO ACCEPT AEP TEXAS EASEMENT OFFER IN THE AMOUNT OF \$1,000 TO SECURE SUPPLEMENTAL EASEMENT IN FRONT OF CITY HALL FOR THE REPLACEMENT OF EXISTING TRANSMISSION LINES AND TO**

ENSURE THE SAFE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE LINE. (SMITH)

Council Member Ricco made a motion to table this item. Motion was seconded by Council Member Medders. Motion passed on a unanimous vote.

6.6 PRESENTATION AND ACKNOWLEDGEMENT OF RECEIPT FOR THE 2019 RACIAL PROFILE REPORT. (O'CARROLL)

Police Chief O'Carroll presented the 2019 Racial Profile Report. Council Member Medders made a motion, seconded by Council Member Schwartz to acknowledge receipt of the 2019 Racial Profile Report. Motion carried unanimously.

7. CLOSED EXECUTIVE SESSION:

7.1 CLOSED EXECUTIVE SESSION: ATTORNEY CONSULTATION PURSUANT TO SECTION 551.071(2), TEXAS GOV'T CODE, TO RECEIVE LEGAL ADVICE REGARDING THE RELATION BETWEEN SEC. 3000 OF THE TEXAS GOV'T CODE AND CERTAIN PROVISIONS OF CITY ORDINANCES AS THEY RELATE TO BUILDING PRODUCTS, MATERIALS, AND DESIGN AND RELATED MATTERS.

At 6:23 p.m., Council Member Bagley made a motion, seconded by Council Member Schwartz to go into Executive Session. Motion carried unanimously.

Mayor McNulty and Council Member Ricco excused themselves from the Closed Executive Session due to a possible Conflict of Interest.

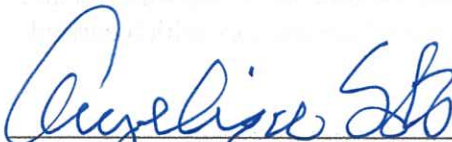
At 6:35 p.m., the City Council reconvened into open session.

7.2 OPEN SESSION: DISCUSSION AND POSSIBLE ACTION REGARDING SEC. 3000 OF THE TEXAS GOV'T CODE AND CERTAIN PROVISIONS OF CITY ORDINANCES AS THEY RELATE TO BUILDING PRODUCTS, MATERIALS, AND DESIGN AND RELATED MATTERS.

Council Member Schwartz made a motion to immediately cease enforcement of the prohibition of any building products and material currently prohibited within the Form-Based Code as necessary in consideration of the requirements of Tex. Government Code and instruct staff to prepare the proper ordinance amending the Form-Based Code so it does not conflict with State Law. Motion was seconded by Council Member Dalton. Motion passed on a 4 to 0 vote with Mayor McNulty and Council Member Ricco abstaining from the vote.

8. ADJOURN.

There being no further business, Mayor McNulty adjourned the meeting at 6:37 p.m.


Susan M. Manning, City Secretary

for Susan Manning

APPROVED


Patriek McNulty, Mayor

