

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

WEDNESDAY, OCTOBER 7, 2020

I. CALL TO ORDER

The City Council Members of the City of South Padre Island, Texas held a Regular Meeting on Wednesday, October 2, 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, Chief Financial Officer Rodrigo Gimenez, Chief of Police Claudine O'Carroll, Fire Chief Jim Pigg, Public Works Director Alex Sanchez, Shoreline Director Kristina Boburka, CVB Director Ed Caum, Assistant Public Works Director Jon Wilson, Environmental Health Director Victor Baldovinos, and City Secretary Angeliqe Soto.

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: DOMESTIC VIOLENCE AWARENESS MONTH. (O'CARROLL)**
- B. PRESENTATION: SOUTH PADRE ISLAND LIFEGUARD. (PIGG)**
- C. PRESENTATION: LAGUNA MADRE WATER DISTRICT PROPOSITION A. (MCNULTY)**

V. APPROVE CONSENT AGENDA:

Council Member Bagley made a motion, seconded by Council Member Schwartz to approve Consent Agenda Items 5.1 through 5.6. Motion carried unanimously.

- A. APPROVE THE 2020-2023 TRANSIT DEPARTMENT'S TITLE VI PLAN. (ARRIAGA)**
- B. APPROVE ACCEPTANCE OF TEXAS DEPARTMENT OF TRANSPORTATION PROJECT GRANT AGREEMENT RD 2103 (12) 045_20 IN THE AMOUNT OF \$278,000 FOR THE PURCHASE 12 BUS SHELTERS AND 1 EMERGENCY FACILITY GENERATOR, AND AUTHORIZE CITY MANAGER TO ENTER GRANT AGREEMENT. (ARRIAGA)**
- C. APPROVE A BUDGET AMENDMENT IN THE AMOUNT OF \$25,220 TO PURCHASE PD-201 AND TRANSFER TO THE SHORELINE DEPARTMENT. (BOBURKA, O'CARROLL)**
- D. APPROVE ACCEPTANCE OF TEXAS DEPARTMENT OF TRANSPORTATION PROJECT GRANT AGREEMENT ED 1902 (21) 074_19 IN THE AMOUNT OF \$257,499 WHICH INCLUDES \$102,999 OF ROLL-OVER FUNDS FROM FY19-20, AND AUTHORIZE CITY MANAGER TO ENTER GRANT AGREEMENT. (ARRIAGA)**

E. APPROVE INVOICES FOR PAYMENT.

Approve invoices for payment by General Fund checks numbered 147885 through 148033 and EFT payments for \$1,064,070.67

F. APPROVE THE MINUTES OF THE SEPTEMBER 16, 2020 REGULAR CITY COUNCIL MEETING. (SOTO)**VI. REGULAR AGENDA****A. DISCUSSION AND ACTION TO APPROVE A BUDGET TRANSFER TO COVER COVID-19 EXPENDITURES. (GIMENEZ)**

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve a budget transfer of \$220,000 from the General Fund to the COVID-19 Fund. Motion carried unanimously.

B. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2020-20 CAMERON COUNTY EMERGENCY COMMUNICATION DISTRICT EMERGENCY WARNING NOTIFICATION SYSTEM AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT. (O'CARROLL)

Council Member Bagley made a motion, seconded by Council Member Ricco to approve Resolution No. 2020-20 and to authorize the Mayor to execute the agreement. Motion carried unanimously.

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

C. DISCUSSION AND ACTION TO APPROVE THE FIRST READING OF ORDINANCE 20-08 AMENDING THE CITY'S FISCAL YEAR 2019-20 OPERATING BUDGET TO INCORPORATE PRIOR BUDGET AMENDMENTS FROM THE MONTHS OF OCTOBER 2019 THROUGH SEPTEMBER 2020. (GIMENEZ)

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve the first reading to adopt Ordinance 20-08 amending the city's fiscal year 2019-20 operating budget to incorporate prior budget amendments from the months of October 2019 through September 2020. Motion carried unanimously.

D. DISCUSSION AND POSSIBLE ACTION APPROVE THE FIRST READING OF ORDINANCE NO. 20-09 AMENDING CHAPTER 15 OF THE CODE OF ORDINANCES TO PROVIDE FOR DEFINITIONS, RULES AND REGULATIONS REGARDING "ART IN PUBLIC SPACES" AND RELATED SECTIONS. (MCNULTY)

Council Member Bagley made a motion, seconded by Council Member Dalton to approve the first reading of Ordinance No. 20-09 amending chapter 15 of the code of ordinances to provide for definitions, rules and regulations regarding "art in public spaces" and related sections. Motion passed on a 5 to 0 vote with Council Member Ricco abstaining.

E. DISCUSSION AND POSSIBLE ACTION TO APPROVE A BUDGET ENHANCEMENT TO INCREASE BOTH FIRE INSPECTION REVENUES AND PAYROLL COST IN THE AMOUNT OF \$7,500.00. (PIGG)

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve a budget enhancement to increase both Fire Inspection Revenues and Payroll cost in the amount of \$7,500. Motion carried unanimously.

F. UPDATE REGARDING THE PR 100 MEDIAN, SIDEWALK & BOARDWALK IMPROVEMENTS PROJECT. (SANCHEZ)

Public Works Director Alex Sanchez and Kimley-Horn consultant Tom Grant provided an update regarding the PR 100 Median, Sidewalk & Boardwalk Improvements Project.

G. DISCUSSION AND POSSIBLE ACTION TO APPROVE PR 100 MEDIAN, BOARDWALK AND SIDEWALK IMPROVEMENTS CONTRACT CHANGE ORDER NO. 1. (SANCHEZ)

Council Member Ricco made a motion, seconded by Council Member Schwartz approve PR 100 Median, Boardwalk and Sidewalk Improvements contract Change Order No. 1. Motion carried unanimously.

H. DISCUSSION AND POSSIBLE ACTION TO APPROVE TWO HOURLY CONSTRUCTION PHASE AMENDMENTS FOR PR 100 MEDIAN, SIDEWALK AND BOARDWALK IMPROVEMENTS AND RELATED BUDGET AMENDMENTS. (SANCHEZ)

A: AMENDMENT 19: SUPPLEMENTAL CONSTRUCTION PHASE SERVICES FOR THE CURRENT MEDIAN, SIDEWALK AND BOARDWALK PROJECT FOR AN ADDITIONAL 270 HOURS (6 MONTHS, ESTIMATED AT 45 HOURS PER MONTH AND INCLUDES 6 SITE VISITS). BUDGET AMENDMENT TO 57-597-0530 IN THE AMOUNT OF \$75,000.

B. AMENDMENT 20: BIDDING AND CONSTRUCTION PHASE SERVICES FOR THE WIND AND WATER SPORTS SIDEWALK/DRIVEWAY. THIS INCLUDES 75 HOURS OF SUPPORT IN PREPARING THE BID MANUAL AND ASSISTANCE WITH RFI'S. BUDGET AMENDMENT TO 57-597-9075 IN THE AMOUNT OF \$15,000.

Council Member Bagley made a motion, seconded by Council Member Ricco to two hourly construction phase amendments for PR100 Median, Sidewalk and Boardwalk Improvements and related budget amendments. Motion carried unanimously.

VII. APPROVE A BUDGET AMENDMENT IN THE AMOUNT OF \$14,500 FOR ADDITIONAL SERVICES FOR THE WIND AND WATER SPORT VENUE AND ALLOW THE CITY MANAGER TO SIGN THE TASK ORDER. (BOBURKA)

Council Member Ricco made a motion, seconded by Council Member Medders to approve a budget amendment in the amount of \$14,500 for additional services for the wind and water sport venue and allow the city manager to sign the task order. Motion carried unanimously.

III. DISCUSSION AND POSSIBLE ACTION TO REOPEN PARK PLAYGROUND EQUIPMENT AND BASKETBALL COURTS. (MCNULTY)

Council Member Ricco made a motion, seconded by Council Member Medders to reopen park playground equipment and basketball courts. Motion passes on a 5 to 1 vote with Council Member Bagley casting a nay vote.

IX. DISCUSSION AND POSSIBLE ACTION TO MODIFY AND EXTEND THE EMERGENCY ORDER REGARDING BEACH OPERATIONS. (MCNULTY)

Council Member Schwartz made a motion, seconded by Council Member Bagley to extend the Emergency Order Regarding Beach Operations for another 30 days: until 11:59 p.m. on Saturday, November 14, 2020. Motion carried unanimously.

X. EXECUTIVE SESSION:

At 6:22 p.m., Council Member Bagley made a motion to go into Executive Session and was seconded by Council Member Schwartz. Motion carried unanimously.

At 7:12 p.m., the City Council reconvened into open session.

A. CONSULTATION WITH ATTORNEY TO DISCUSS REAL PROPERTY AND DISCUSSION OF LAND ACQUISITION IN REGARDS TO THE RESTORE ACT GRANT.

XI. OPEN SESSION: REGULAR AGENDA

C.) DISCUSSION AND POSSIBLE ACTION REGARDING THE RESTORE ACT FUNDS AND POSSIBLE PURCHASE OF REAL PROPERTY. (BOBURKA)

Council Member Dalton made a motion, seconded by Council Member Ricco to authorize the City Manager to sign a purchase agreement in the amount of \$1,193,125. Motion passes on a 5 to 0 vote with Mayor McNulty abstaining.

XII. ADJOURN.

There being no further business, Mayor McNulty adjourned the meeting at 7:14 p.m.


Angelique Soto, City Secretary

APPROVED


Patrick McNulty, Mayor