

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

**WEDNESDAY, JANUARY 6, 2021**

**1. CALL TO ORDER**

The City Council Members of the City of South Padre Island, Texas held a Regular Meeting on Wednesday, January 6, 2021 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, and Eva-Jean Dalton.

**2. PLEDGE OF ALLEGIANCE AND TEXAS PLEDGE**

Mayor McNulty led the Pledge of Allegiance and the Texas Pledge.

**3. INSTALLATION AND ADMINISTRATION OF OATH TO NEWLY ELECTED OFFICIAL:**

**3.1. NEWLY ELECTED COUNCIL MEMBER, PLACE 4 - LYDIA CABALLERO**

Senator Eddie Lucio, Jr., administered the oath of office to the newly elected Council Member Lydia Caballero. Council Member Caballero then took his seat on the dias.

**4. RECOGNITION OF OUT-GOING COUNCIL MEMBER PLACE 4, ALITA BAGLEY**

Mayor McNulty gave recognition to outgoing Council Member Bagley and thanked her for her service. Mayor McNulty presented an appreciation plaque.

**5. PUBLIC COMMENTS AND ANNOUNCEMENTS**

Public comments and announcements were given at this time.

**6. PRESENTATIONS AND PROCLAMATIONS:**

None

**7. APPROVE CONSENT AGENDA:**

*Mayor McNulty announced that Consent Agenda 7.7 was pulled.*

Council Member Schwartz made a motion, seconded by Council Member Ricco to approve Consent Agenda items 7.1 through 7.6. Motion carried unanimously.

- 7.1. APPROVE BUDGET AMENDMENT TO ALLOCATE FUNDS IN THE AMOUNT OF \$2,500 ASSOCIATED WITH KEEP TEXAS BEAUTIFUL AND TEXAS CLEAN & HEALTHY. (BALDOVINOS)**
- 7.2. APPROVE A BUDGET AMENDMENT TO ALLOCATE FUNDS FOR MEDICAL SUPPLIES IN THE AMOUNT OF \$5,620.60. (PIGG)**
- 7.3. APPROVE A BUDGET AMENDMENT OF FEDERAL FORFEITURE FUNDS IN THE AMOUNT OF \$5,336 FOR THE PURCHASE OF A DRONE AND BODY CAMERAS. (O'CARROLL)**
  - 1. \$2,606 FOR ONE MAVIC 2 PRO DRONE**
  - 2. \$2,730 FOR 3 WATCH GUARD BODY CAMERAS**
- 7.4. APPROVE MINUTES FROM THE MINUTES FROM THE DECEMBER 16, 2020 REGULAR CITY COUNCIL MEETING AND THE DECEMBER 29, 2020 SPECIAL CITY COUNCIL MEETING. (SOTO)**

- 7.5. **APPROVE EXCUSED ABSENCE FOR COUNCIL MEMBER ALITA BAGLEY FROM THE DECEMBER 29, 2020 SPECIAL CITY COUNCIL MEETING. (SOTO)**
- 7.6. **APPROVE EXCUSED ABSENCE FOR COUNCIL MEMBER JOE RICCO FROM THE DECEMBER 29, 2020 SPECIAL CITY COUNCIL MEETING. (SOTO)**
- 7.7. **DISCUSSION AND POSSIBLE ACTION TO APPROVE NOMINATION SUBMISSION FOR HIDALGO COUNT JUDGE RICHARD CORTEZ TO SERVE ON THE TEXAS COALITION OF AFFORDABLE POWER BOARD. (MCNULTY)**

## 8.REGULAR AGENDA

- 8.1. **DISCUSSION AND ACTION TO APPROVE THE FIRST READING OF ORDINANCE NO. 21-01 AMENDING THE CITY'S PADRE BOULEVARD AND ENTERTAINMENT DISTRICT FORM BASE CODE AND DESIGN GUIDELINES TO ELIMINATE THE REQUIREMENT OF A PUBLIC ART COMPONENT FOR RESIDENTIAL PROJECTS. (SCHWARTZ)**

Council Member Medders made a motion, seconded by Council Member Ricco to approve the first reading of Ordinance No. 21-01. Motion carried unanimously.

- 8.2. **DISCUSSION AND ACTION FOR APPROVAL OF RESOLUTION 2021-01 SUPPORTING THE COASTAL TEXAS PROTECTION AND RESTORATION FEASIBILITY STUDY (TEXAS COASTAL STUDY). (MCNULTY, BOBURKA)**

- 8.3. **DISCUSSION AND ACTION TO ALLOW THE CITY MANAGER TO EXECUTE THE GRANT CONTRACT WITH THE NATIONAL FISH AND WILDLIFE FOUNDATION (NFWF) THROUGH THEIR NATIONAL COASTAL RESILIENCY FUND (NCRF). (BOBURKA)**

Council Member Medders made a motion, seconded by Council Member Schwartz approving Resolution 2021-01. Motion carried unanimously.

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2021-01, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

- 8.4. **DISCUSSION AND POSSIBLE ACTION TO APPROVE THE 2020-2021 CONTRACTS WITH CAMERON COUNTY EMERGENCY SERVICES DISTRICT NO. 1 FOR FIRE AND EMS SERVICES IN THE UNINCORPORATED AREA DESIGNATED AS ZONE 6 ON SOUTH PADRE ISLAND. (PIGG)**

Council Member Ricco made a motion, seconded by Council Member Medders approving The 2020-2021 Contracts with Cameron County Emergency Services District No. 1 for Fire and EMS services in the unincorporated area designated as zone 6 on South Padre Island. Motion carried unanimously.

- 8.5. **DISCUSSION AND POSSIBLE ACTION TO APPROVE PR 100 MEDIAN, BOARDWALK AND SIDEWALK IMPROVEMENTS CHANGE ORDER PROPOSAL #21R FROM E-CON FOR SHORES GRADING. (SANCHEZ)**

This item was pulled.

- 8.6. **DISCUSSION AND POSSIBLE ACTION TO APPROVE ADDITIONAL LANDSCAPING AND MONARCH TRAIL ALONG THE NORTH END OF PR 100 (PADRE BOULEVARD). (WILSON)**

This item was pulled.

- 8.7. **UPDATE, DISCUSSION AND POSSIBLE ACTION REGARDING THE LAGUNA BOULEVARD RECONSTRUCTION PROJECT AND SCHEDULING AN OPEN HOUSE. (MCNULTY, SANCHEZ)**

Council Member Ricco made a motion, seconded by Council Member Schwartz to schedule the Laguna Boulevard Reconstruction Project Open House on Tuesday, February 16, 2021 from 4 p.m. to 7 p.m. Motion carried unanimously.

**8.8. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2021-02 AUTHORIZING THE CITY OF SOUTH PADRE ISLAND TO SUBMIT THE GRANT APPLICATION FOR THE DEPARTMENT OF HOMELAND SECURITY - FY 2020 BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES (FY 2020 BRIC) GRANT PROGRAM TO INCLUDE A COMMITMENT OF 25 PERCENT MATCH (SANCHEZ)**

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve Resolution 2021-02. Motion carried unanimously.

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2021-02, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

**8.9. DISCUSSION AND POSSIBLE ACTION TO APPOINT MEMBERS TO VACANCIES CREATED BY RESIGNATIONS TO THE FOLLOWING: (MCNULTY)**

- A. BOARD OF ADJUSTMENTS AND APPEALS**
- B. BOARD OF ETHICS**
- C. CONVENTION AND VISITORS ADVISORY BOARD**
- D. DEVELOPMENT STANDARDS REVIEW TASK FORCE**
- E. ECONOMIC DEVELOPMENT CORPORATION**
- F. PARKS AND KEEP SPI BEAUTIFUL COMMITTEE**
- G. PLANNING AND ZONING COMMISSION**
- H. SHORELINE TASK FORCE**
- I. SPECIAL EVENTS COMMITTEE**

Council Member Ricco made a motion to approve the following to fill expired terms to the City's boards, committees, task force, commissions and that applicants that ended in a tied-vote would be announced at the next regular meeting. Motion was seconded by Council Member Schwartz, which carried on a unanimous vote:

**Board of Adjustments and Appeals:** Chris Huffman, Gordon Garlock, Joe Praster, Alternate Carol Bolstad, Alternate Jerry Pace.

**Board of Ethics:** All applicants tied and will return at the next regular meeting.

**Convention and Visitors Advisory Board:** Bryan Pinkerton, Chad Hart, Bob Friedman, Sean Till.

**Development Standards Review Task Force:** Gary Johnson, Gabby Vanounou, Brian Kohl, Cindi Love.

**Economic Development Corporation Board of Directors:** Glenda George, Gayle Hood, Lynne Tate, and 1 position that tied to return at the next regular meeting.

**Parks and Keep SPI Beautiful Committee:** Javier Gonzalez, Evelyn Alpert, Travis Kayser, Julie Berman.

**Planning and Zoning Commission:** Gordon Garlock, Dina Rich, Gary Olle, Norris Fletcher, Joe Praster to fill the unexpired term due to a resignation.

**Shoreline Task Force:** Rob Nixon, Stormy Wall, Michael Sularz, Abbie Mahan, and 1 position that tied to return at the next regular meeting.

**Special Events Committee:** Sean Slovisky, Doyle Wells, Christian Hasbun, and 1 position, due to a resignation to return at the next regular meeting.

**8.10. DISCUSSION AND POSSIBLE ACTION TO REMOVE THE SOUTH PADRE ISLAND MONUMENT FOR A PERIOD OF FIVE DAYS FOR REPAIR AND MAINTENANCE. (SANCHEZ)**

Council Member Schwartz made a motion, seconded by Council Member Ricco to remove the South Padre Island Monument for a period of five days for repair and maintenance. Motion carried unanimously.

**8.11. DISCUSSION AND POSSIBLE ACTION TO APPROVE A LEASE AGREEMENT EXTENSION WITH THE SOUTH PADRE ISLAND HISTORICAL FOUNDATION TO LEASE PROPERTY LOCATED AT 610 PADRE BOULEVARD TO BE USED AS A MUSEUM DEDICATED TO PRESERVING THE LEGACY OF SOUTH PADRE ISLAND, AND AUTHORIZE THE CITY MANAGER TO ENTER INTO LEASE AGREEMENT. (RICCO/SMITH)**

Council Member Ricco made a motion, seconded by Council Member Dalton to approve the lease extension with the South Padre Island Historical Foundation for leased property located at 610 Padre Boulevard to be used as a museum dedicated to preserving the legacy of South Padre Island and authorize the City Manager to enter into lease agreement. Motion carried unanimously.

**8.12. 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 Ricco to extend the emergency order regarding beach operations to Thursday, February 18, 2021. Motion passed on a 5 to 1 vote, with Council Member Dalton casting a nay vote.

**9. EXECUTIVE SESSION:**

**9.1. A.) CONSULTATION WITH ATTORNEY TO DISCUSS SURFVIVE V. SPI LAWSUIT.**

At 6:36 p.m., Council Member Schwartz made a motion, seconded by Council Member Ricco to go into Executive Session. Motion carried unanimously.

At 7:20 p.m., the City Council reconvened into open session.

**10.OPEN SESSION: REGULAR AGENDA**

**10.1. DISCUSSION AND POSSIBLE ACTION REGARDING SURFVIVE VS. CITY OF SOUTH PADRE ISLAND LAWSUIT.**

No action was taken. Mayor McNulty would be releasing a statement regarding the lawsuit in the coming days.

**11.ADJOURN.**

There being no further business, Mayor McNulty adjourned the meeting at 7:21 p.m.

  
Angelique Soto, City Secretary

APPROVED

  
Patrick McNulty, Mayor

