

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

**WEDNESDAY, FEBRUARY 21, 2024**

**1. CALL TO ORDER**

The City Council Members of the City of South Padre Island, Texas held a Regular City Council Meeting on Wednesday, February 21, 2024 at the Municipal Complex Building, 2 Floor, 4601 Padre Boulevard, South Padre Island, Texas. Mayor McNulty called the meeting to order at 5:32 p.m. A quorum was present: Mayor Patrick McNulty, Council Members Joe Ricco, Ken Medders, Kerry Schwartz,

City staff members present were City Manager Randy Smith, Public Works Director Alex Sanchez, Assistant Public Works Director Jon Wilson, Shoreline Director Kristina Boburka, Public Information Coordinator Karin Spinks, Administration Coordinator Hilda Delgado, and City Secretary Angelique Soto.

**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 5 - LISA GRAVES**

Cameron County Justice of the Peace Benito "Bo" Ochoa IV administered the Oath of Office to newly elected Council Member Lisa Grave. Council Member Graves then took her seat on the dais.

**4. PUBLIC COMMENTS AND ANNOUNCEMENTS:**

Public comments were given at this time.

**5. APPROVE CONSENT AGENDA:**

Council Member Rees made a motion, seconded by Council Member Ricco to approve Consent Agenda Items 5.1 through 5.5. Motion passed on a 5 to 0 vote with Council Member Graves abstaining from the vote.

**5.1. APPROVE QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDING DECEMBER 31, 2023 AS PREPARED BY VALLEY VIEW CONSULTING L.L.C. (GIMENEZ)**

**5.2. UPDATE REGARDING THE COMPARISON OF JANUARY 2023 TO JANUARY 2024 BUILDING PERMIT ACTIVITY. (MEDDERS)**

**5.3. APPROVE INVOICES FOR PAYMENT. (GIMENEZ)**

**5.4. APPROVAL OF THE FEBRUARY 7, 2024 REGULAR CITY COUNCIL MEETING MINUTES AND THE FEBRUARY 14, 2024 SPECIAL CITY COUNCIL MEETING MINUTES. (SOTO)**

**5.5. APPROVAL OF AN EXCUSED ABSENCE FROM COUNCIL MEMBERS KERRY SCHWARTZ AND REES LANGSTON FROM THE FEBRUARY 14, 2024 SPECIAL CITY COUNCIL MEETING. (SCHWARTZ, LANGSTON)**

**6.REGULAR AGENDA****6.1. UPDATE AND DISCUSSION REGARDING CITY EMERGENCY ALERT NOTIFICATIONS. (MCNULTY)**

City Secretary Angelique Soto provided a brief update regarding the Emergency Alert Notifications. The City utilizes Rave Alert during emergencies that are an immediate threat to life, health, and/or property. The platform does not consider weather watches and road closures emergencies.

The City is looking into implementing operational messaging to allow the City to push notifications similar to the bridge closure, due to a malfunction of the gate, and was pending TXDOT inspection.

Operational messaging categories will be reviewed with key leadership emergency response staff before implementation.

**6.2. DISCUSSION AND POSSIBLE ACTION TO APPOINT A MAYOR PRO-TEM FOR THE TERM TO BEGIN FEBRUARY 21, 2024 AND WILL CONTINUE FOR ONE YEAR OR UNTIL SUPERSEDED BY NEW CITY COUNCIL APPOINTMENT AND APPROVE RESOLUTION NO. 2024-06. (MCNULTY)**

Council Member Schwartz made a motion, seconded by Council Member Langston to appoint Council Member Joe Ricco as Mayor Pro-Tem for the term to begin February 21, 2024 and continue for one year or until superseded by new City Council appointment and approve Resolution No. 2024-06. Motion passed unanimously.

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2024-06, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

**6.3. DISCUSSION AND ACTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE BEST QUALIFIED BIDDER FOR THE FANTASY CIRCLE BEACH ACCESS IMPROVEMENTS AND A BUDGET AMENDMENT IN AN AMOUNT UP TO \$831, 414 FROM BEACH MAINTENANCE EXCESS RESERVES. (BOBURKA)**

Council Member Schwartz made a motion, seconded by Council Member Langston to authorize the City Manager to enter into a contract with Bryant Industrial Services as the best qualified bidder for the Fantasy Circle Beach Access Improvements and a budget amendment in an amount up to \$831,414 from Beach Maintenance Excess Reserves. Motion passed unanimously.

**6.4. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SECOND AND FINAL READING OF ORDINANCE 24-01 TO INCLUDE ARTICLE 1 SECTIONS 18-9 (A1 THROUGH A7), 18-9 (B), CLARIFICATION OF MAXIMUM SPEED LIMITS AND 18-19.2-1 IN CHAPTER 18 OF THE CITY OF SOUTH PADRE ISLAND CODE OF ORDINANCES REGARDING OVERNIGHT PARKING PROHIBITED IN PUBLIC PARKING AREAS. (MCNULTY)**

Council Member Schwartz made a motion, seconded by Council Member Ricco to approve the second and final reading of Ordinance 24-01 to include Article 1 Sections 18-9 (A1 through A7), 18-9 (B), clarification of maximum speed limits and 18-19.2-1 in Chapter 18 of the City of South Padre Island Code of Ordinances regarding overnight parking prohibited in public parking areas. Motion passed unanimously.

A true and correct copy of said Ordinance was placed in the City's Ordinance Book and entitled Resolution No. 24-01, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

**6.5. DISCUSSION AND POSSIBLE ACTION TO REVIEW AND SUGGEST POSSIBLE CHANGES TO UPDATE THE CITY HOME RULE CHARTER AND APPOINT AN ADHOC COMMITTEE. (MCNULTY)**

Council Member Ricco made a motion, seconded by Council Member Langston to form the Home Rule Chart Adhoc Committee. Motion passed unanimously.

Mayor McNulty discussed the need for the adhoc committee to be appointed to review, clarify, and make recommendations to the Home Rule Charter. The Home Rule Charter was approved by the voters in 2009.

Council may announce the members at the next City Council meeting.

**6.6. PRESENTATION, UPDATE, AND DISCUSSION REGARDING THE STATUS OF THE ADHOC COMMITTEE RELATED TO REVISIONS RECOMMENDED TO THE CITY CODE OF ORDINANCE. (MCNULTY)**

Director of Operations Wendi Delgado provided an update regarding the City's Adhoc Committee on the City Ordinances.

Draft chapters 1,2,3,5,36,7,8, and 14 have been reviewed and approved by City Council. Ordinances that have been approved are Chapters 15 – Signs, 16 – Streets, and 18 – Traffic (2<sup>nd</sup> reading on today's agenda).

Draft Chapters in review by staff, legal, or GLO are Chapters 4 – Buildings and Construction, Chapter 10 – Health and Sanitation, Chapter 11 – Occupational Licenses, Alcoholic Beverages, Miscellaneous Permits, Chapter 22 – Dune Protection, Beach Re-nourishment, and Access Plan Implementing Provisions, Chapter 20 – Zoning (Planning & Zoning approved with recommended changes on 2/15/2024), and Chapter 23 – Subdivision Regulations.

As the project moves forward, staff and legal will formally review the following draft chapters. Chapter 9 – Garbage, Trash, Weeds, and Other Waste Material, Chapter 13 – Peddlers, Solicitors, Itinerant Vendors, Displays of Merchandise Outdoors and on Beach, Special Events Permits, Chapter 17 – Taxation, Chapter 19 – Utilities, Chapter 21 – Penalty Provisions, Chapter 24 – Sexually Oriented Businesses, Chapter 25 – Parks, Recreation, and Beautification. Also the Form-Based Code and Specifications are part of this review process.

**6.7. DISCUSSION AND ACTION REGARDING TO APPROVE THE DRAFT OF CHAPTER 12 OF THE CITY OF SOUTH PADRE ISLAND CODE OF ORDINANCES AS RECOMMENDED BY THE ADHOC COMMITTEE. (CITY COUNCIL)**

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve the draft of Chapter 12 of the City of South Padre Island Code of Ordinances as recommended by the Adhoc Committee. Motion passed unanimously.

**6.8. DISCUSSION AND POSSIBLE ACTION TO PROHIBIT OVERNIGHT PARKING IN THE MEDIAN HWY 100 AREA AND AUTHORIZE STAFF TO POST APPROPRIATE SIGNAGE. (RICCO)**

Council Member Ricco made a motion, seconded by Council Member Schwartz to prohibit overnight parking in the median HWY 100 area and authorize staff to post appropriate signage. Motion passed unanimously.

**6.9. DISCUSSION AND POSSIBLE ACTION TO PLACE A MORATORIUM ON ISSUING NEW PERMITS FOR PROJECTS USING AN OFF-SITE PARKING COMPONENT OR ANY SQUARE FOOTAGE/SQUARE FOOTAGE AREA PROJECT WITH MORE THAN 4 BEDROOMS, THAT DO NOT HAVE AT LEAST 4 ONSITE PARKING SPACES. (SCHWARTZ)**

Council Member Schwartz made a motion, seconded to Ricco made a motion to place a moratorium on issuing new permits for projects using an off-site parking component or any square footage/square footage area project with more than 4 bedrooms, that do not have at least 4 onsite parking spaces and that the Planning and Zoning and the Design Standards Review Task Force review. Motion passed unanimously.

**6.10. DISCUSSION AND POSSIBLE ACTION TO RESCHEDULE THE MARCH 20, 2024 REGULAR CITY COUNCIL MEETING TO MARCH 27, 2024. (SOTO)**

No action was taken at this time.

**7.ADJOURN.**

There being no further business, Mayor McNulty adjourned the meeting at 6:33 p.m.

  
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Angelique Soto, City Secretary

APPROVED

  
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Patrick McNulty, Mayor

