

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

WEDNESDAY, AUGUST 7, 2024

1. CALL TO ORDER

The City Council Members of the City of South Padre Island, Texas held a Special City Council Meeting on Wednesday, August 8, 2024 at the Municipal Complex Building, 2 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, Rees Langston, Lisa Graves, and Kerry Schwartz.

City staff members present were City Manager Randy Smith, Director of Operations Wendi Delgado, CFO Rodrigo Gimenez, Public Works Director Alex Sanchez, Assistant Public Works Director Jon Wilson, Shoreline Director Kristina Boburka, Director of Sales Harmony Heard, Fire EMS Lieutenant Emilio Hinojosa, Administration Coordinator Hilda Delgado, Public Information Coordinator Karin Spinks, and City Secretary Angelique Soto.

2. PLEDGE OF ALLEGIANCE

Mayor McNulty led the Pledge of Allegiance and the Texas Pledge

3. PUBLIC COMMENTS AND ANNOUNCEMENTS:

Public comments and announcements were given at this time.

4. APPROVE CONSENT AGENDA:

Council Member Langston made a motion, seconded by Council Member Schwartz to approve Consent Agenda Items 4.1 through 4.9. Motion passed unanimously.

4.1. APPROVE RESOLUTION NO. 2024-18 TO DELCARE VARIOUS ASSETS AS SURPLUS PROPERTY AND AUTHORIZE THE CITY MANAGER TO DISPOSE OF SUCH PROPERTY IN A MANNER THAT IS BENEFICIAL TO THE CITY AND IN ACCORDANCE WITH THE FIXED ASSETS POLICY. (LEMONS)

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2024-18, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

4.2. APPROVE RESOLUTION 2024-19 ADOPTING THE INVESTMENT POLICY AND DESIGNATING THE CITY MANAGER AND THE CHIEF FINANCIAL OFFICER RESPONSIBLE FOR THE INVESTMENT OF THE CITY OF SOUTH PADRE ISLAND FUNDS. (GIMENEZ)

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2024-19, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

4.3. APPROVE QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDING JUNE 30, 2024 AS PREPARED BY VALLEY VIEW CONSULTING L.L.C. (GIMENEZ)

4.4. APPROVE A BUDGET AMENDMENT OF \$11,096.00 FROM THE FEDERAL

FORFEITURE FUNDS TO PURCHASE FIVE MOTOROLA V700 BODY CAMERAS. (O'CARROLL)

4.5. APPROVE INVOICES FOR PAYMENT. (GIMENEZ)

4.6. APPROVAL OF RESOLUTION NO. 2024-20 AND THE DEPARTMENT OF TRANSPORTATION AGREEMENT FOR THE TEMPORARY CLOSURE OF HWY 100 AND A PORTION OF THE QUEEN ISABELLA CAUSEWAY MEMORIAL BRIDGE FOR THE 2024 RIDE FOR ROTARY ON SUNDAY, OCTOBER 6, 2024. (HUFFMAN)

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2024-20, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book

4.7. APPROVAL OF RESOLUTION NO. 2024-21 AND THE DEPARTMENT OF TRANSPORTATION AGREEMENT FOR THE TEMPORARY CLOSURE OF HWY 100 AND A PORTION OF THE QUEEN ISABELLA CAUSEWAY MEMORIAL BRIDGE FOR THE TEXAS BROTHERHOOD RIDE ON SUNDAY, SEPTEMBER 22, 2024. (HUFFMAN)

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2024-21, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book

4.8. APPROVAL OF RESOLUTION NO. 2024-22 AND THE DEPARTMENT OF TRANSPORTATION AGREEMENT FOR THE TEMPORARY CLOSURE OF HWY 100 AND A PORTION OF THE QUEEN ISABELLA CAUSEWAY MEMORIAL BRIDGE FOR THE 2024 9TH ANNUAL SUMMER CAUSEWAY WALK ON SATURDAY, SEPTEMBER 14, 2024. (HUFFMAN)

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2024-22, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book

4.9. APPROVAL OF THE JULY 17, 2024 REGULAR CITY COUNCIL MEETING MINUTES AND THE JULY 29, 2024 SPECIAL CITY COUNCIL MEETING MINUTES. (SOTO)

5. REGULAR AGENDA

5.1. DISCUSSION AND POSSIBLE ACTION TO APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE FOLLOWING DOCUMENTS REGARDING THE SOUTH PADRE ISLAND HISTORICAL MUSEUM GRANT PROJECT (2024) ITB NO: 08-79-05624: (CITY COUNCIL)

A. THE CONSTRUCTION CONTRACT WITH KELLER CONSTRUCTION LLC, AND THE SOUTH PADRE ISLAND HISTORICAL FOUNDATION FOR THE CONSTRUCTION AND RENOVATION OF THE BUILDING TO BE USED AS THE MUSEUM, WHICH IS LOCATED AT 610 PADRE BLVD, SOUTH PADRE ISLAND, TEXAS, WITH THE CONDITION THAT THE SOUTH PADRE ISLAND HISTORICAL FOUNDATION PAY TO THE CITY THE SUM OF \$237,000 AND THAT THE CONTRACT ADDENDUM A TO BE APPROVED WHICH LIMITS THE CITY OF SOUTH PADRE ISLAND'S MAXIMUM CONTRIBUTION TO THE MUSEUM IN THE AMOUNT OF \$375,000 AND ADDS CLAUSES

REGARDING RETAINAGE, CHANGE ORDERS, AND THE NEED FOR THE CITY'S APPROVAL OF THE PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION AND ANY CHANGES THERETO.

B. THE PLANS AND SPECIFICATIONS FOR CONSTRUCTION/RENOVATION OF THE BUILDING TO BE USED AS THE MUSEUM LOCATED AT 610 PADRE BLVD, SOUTH PADRE ISLAND, TEXAS AND THAT ALL PAGES BE INITIALED BY ALL PARTIES AND THAT A COPY OF THE APPROVED PLANS AND SPECIFICATIONS BE KEPT BY EACH PARTY, WITH THE ORIGINAL AT THE CITY MANAGER'S OFFICE, AND THAT NO CHANGES OF ANY KIND BE MADE WITHOUT THE WRITTEN CONSENT OF THE CITY.

C. THE GRANT ADMINISTRATION AGREEMENT WITH THE REYNA NETWORK, LLC.

Mayor McNulty made a motion, seconded by Council Member Schwartz to authorize the City Manager to execute items A, B, and C with the notation that the South Padre Island Historical Foundation will be remitting the remaining \$127,000 by September 30, 2024. Motion passed unanimously.

5.2. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FIRST READING OF ORDINANCE 24-06 AMENDING CHAPTER 2, SECTION 2-4 DESIGNATING THE OFFICIAL PAPER FOR PUBLICATION OF LEGAL NOTICES REQUIRED TO BE PUBLISHED UNDER THE LAWS OF THE STATE. (MCNULTY)

Council Member Schwartz made a motion, seconded by Council Member Langston to designate the largest circulating newspaper in Cameron County as the official newspaper for the purpose of publishing all ordinances, notices and other matters required by law, ordinance and/or the City Charter. Motion passed unanimously.

5.3. PUBLIC HEARING REGARDING THE 2024/2025 - 2027/2028 CAPITAL IMPROVEMENT PLAN (CIP). (DELGADO)

At 5:45 p.m., Mayor McNulty opened the Public Hearing.

Proponents: None

Opponents: None

Mayor McNulty closed the Public Hearing at 5:45 p.m.

5.4. DISCUSSION AND POSSIBLE ACTION REGARDING A BEACH AND DUNE PERMIT FOR 8100 PADRE BOULEVARD. (BOBURKA)

Council Member Schwartz made a motion, seconded by Council Member Langston, to approve the beach and dune permit application for 8100 Gulf Boulevard. Motion passed unanimously.

5.5. DISCUSSION AND POSSIBLE ACTION APPROVING THE FIRST READING OF ORDINANCE 24-05 REPEALING AND REPLACING CHAPTER 20 OF THE CITY OF SOUTH PADRE ISLAND CODE OF ORDINANCES AS RECOMMENDED BY THE AD HOC COMMITTEE AND PLANNING & ZONING COMMISSION. (CITY COUNCIL)

This item was pulled.

5.6. UPDATE REGARDING THE CURRENT DUNE PROJECT IN THE CENTER MEDIAN TO INCLUDE ENHANCING THE SPACE WITH BUTTERFLY AND

BIRD HABITAT. (GRAVES)

Council Member Graves provided an update regarding the current dune project in the center median. Council Member Graves proposed renovating the area to have a third of the space dedicated to native plants, a third of the space dedicated to plants best suited for birds and butterflies, and a third dedicated to tropical plants.

5.7. PRESENTATION AND DISCUSSION REGARDING ELECTION COST COMPARISON. (SOTO)

City Secretary Angelique Soto presented an election cost comparison from the November 2020 General Election through the February 2024 Special Election.

5.8. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE ORDER OF GENERAL ELECTION FOR MUNICIPALITIES FOR THE NOVEMBER 5, 2024 GENERAL ELECTION FOR THE PURPOSE OF ELECTING TWO CITY COUNCIL MEMBERS (PLACE 3 AND PLACE 5) (SOTO)

Council Member Langston made a motion, seconded by Council Member Schwartz, to approve the order of General Election for municipalities for the November 5, 2024 General Election for the purpose of electing two City Council Members (Place 3 and Place 5). Motion passed unanimously.

6.EXECUTIVE SESSION:**6.1. CLOSED EXECUTIVE SESSION: PURSUANT TO TEXAS GOV'T CODE, 551.071, CONSULTATION WITH ATTORNEY; A CLOSED EXECUTIVE SESSION WILL BE HELD REGARDING THE CURRENT STATUS WITH THE CLORE CONSTRUCTION CONTRACT. (CITY COUNCIL)**

At 5:59 p.m., Council Member Schwartz made a motion seconded by Council Member Graves to enter into Executive Session. Motion passed unanimously.

At 6:11 p.m., the City Council reconvened into open session.

7.OPEN SESSION:**7.1. CONSIDER AND ACTION TO REVIEW THE DECISION OF THE MEDIATOR AND TO POSSIBLY SETTLE THE CLORE CONSTRUCTION DISPUTE. (CITY COUNCIL)**

Council Member Schwartz made a motion, seconded by Council Member Langston, to authorize the City Manager to execute a settlement agreement with Clore in the amount of \$160,000 from the retainage fund of \$230,000. Motion passed unanimously.

8.ADJOURN.

There being no further business, Mayor McNulty adjourned the meeting at 6:12 p.m.


Angelique Soto, City Secretary

APPROVED


Patrick McNulty, Mayor

