

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

WEDNESDAY, JUNE 1, 2022

1. CALL TO ORDER

The City Council Members of the City of South Padre Island, Texas held a Regular Meeting on Friday, May 20, 2022 at the Municipal Complex Building, 2. Floor, 4601 Padre Boulevard, South Padre Island, Texas. Mayor McNulty called the meeting to order at 11:00 a.m. A quorum was present: Mayor Patrick McNulty, Council Members, Ken Medders, Joe Ricco, Kerry Schwartz, and Lydia Caballero.

City staff members present were City Manager Randy Smith, Director of Operations Wendi Delgado, Police Chief Claudine O'Carroll, Public Works Director Alex Sanchez, Assistant Public Works Director Jon Wilson, Shoreline Director Kristina Boburka, Environmental Health Director Victor Baldovinos, Public Information Coordinator Selena Trevino, Fire Operations Captain Oziel Garcia, Shoreline Coastal Coordinator Erika Hughston, Police Lieutenant Gilbert Silva, Interim CVB Director Lori Moore, CVB Senior Marketing & Communications Manager Teresa Rodriguez, and City Secretary Angelique Soto.

2. PLEDGE OF ALLEGIANCE AND TEXAS PLEDGE

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 Caballero made a motion, seconded by Council Member Medders to approve Consent Agenda items 4.1 through 4.5. Motion carried unanimously.

- 4.1. APPROVE BUDGET ENHANCEMENT FOR \$676.87 FROM 01-48045 INSURANCE PROCEEDS FOR PW-15 REPAIRS. (SANCHEZ)**
- 4.2. APPROVE A BUDGET AMENDMENT FROM THE GENERAL FUND EXCESS RESERVES THE AMOUNT OF \$11,717.19 FOR MOTOR VEHICLES. (SANCHEZ)**
- 4.3. APPROVE SUBMISSION OF THE NATIONAL FISH AND WILDLIFE FOUNDATION (NFWF)'S NATIONAL COASTAL RESILIENCY FUND PROPOSAL TO CONTINUE THE LIVING SHORELINE PROJECT AND TO ALLOW THE MAYOR TO SIGN A LETTER OF SUPPORT. (BOBURKA)**
- 4.4. APPROVE THE MINUTES OF THE MAY 20, 2022 SPECIAL CITY COUNCIL MEETING. (SOTO)**
- 4.5. APPROVE INVOICES FOR PAYMENT. (GIMENEZ)**

Invoices approved for payment by General Fund check numbers 152084 through 152246 and EFT totaling \$349,818.47.

5. REGULAR AGENDA

- 5.1. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FIRST READING OF ORDINANCE NO. 22-02 REPEALING SECTION 3-23 OF ARTICLE 3 IN CHAPTER 3 OF THE CODE OF ORDINANCES REGARDING CATS AT LARGE. (SMITH)**

Council Member Ricco made a motion, seconded by Council Member Medders to approve the first reading of Ordinance No. 22-02 Repealing Section 3-23 of Article 3 in Chapter 3 of the Code of Ordinances regarding Cats at Large. Motion carried unanimously.

5.2. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FIRST READING OF ORDINANCE 22-03 AMENDING SECTION 12-20, ARTICLE 1 OF CHAPTER 12 REGARDING POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES IN THE CENTRAL DISTRICT. (SMITH)

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve the first reading of Ordinance 22-03 amending Section 12-20, Article 1 of Chapter 12 regarding possession or consumption of alcoholic beverages in the Central District. Motion carried unanimously.

5.3. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FIRST READING OF ORDINANCE 22-04 AMENDING SECTION 15-5 AND 15-9 OF CHAPTER 15 ALLOWING SIDEWALK SANDWICH SIGNS. (SMITH)

This item was pulled.

5.4. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY AND THE CITY OF SOUTH PADRE ISLAND TO CONTINUE TO PROVIDE LAW ENFORCEMENT ASSISTANCE FOR THE OPERATION STONEGARDEN. (MCNULTY)

Council Member Ricco made a motion, seconded by Council Member Medders to approve the Memorandum of Understanding between Cameron County and the City of South Padre Island to continue to provide Law Enforcement assistance for the Operation StoneGarden. Motion carried unanimously.

5.5. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE AMENDED MCALLEN PARADE SPONSORSHIP AGREEMENT. (MOORE)

Council Member Ricco made a motion, seconded by Council Member Medders to table this item until the first meeting in July as the newly hired CVB Director is soon to begin working with the City. Motion carried unanimously.

5.6. DISCUSSION AND POSSIBLE ACTION ON THE APPEAL BY ZEEV TAFEL OF THE DECISION BY THE DEVELOPMENT STANDARDS REVIEW TASK FORCE DENYING A REQUEST FOR A VARIANCE FROM CHAPTER 15 SIGNS, SECTIONS 15-2, 15-2.1, AND 15-7 FOR AN OVERSIZED MURAL AT THE PROPERTY LOCATED AT 2216 PADRE BOULEVARD. (SANCHEZ)

On December 14, 2021, the Development Standard Reviews Task Force denied the Variance request by Zeev Tafel.

On May 19, 2022, the Planning & Zoning Committee reviewed the appeal to the variance with a new design of the mural. The Committee denied the request for the variance.

Council Member Schwartz made a motion, seconded by Council Member Medders for the final design to return to the Development Standards Review Task Force Committee for review and waive the application fees.

5.7. DISCUSSION AND ACTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH HANSON PROFESSIONAL SERVICES INC. FOR ADDITIONAL SERVICES RELATED TO THE WIND AND WATER SPORTS VENUE BIOLOGICAL ASSESSMENT AND UNITED STATES ARMY CORPS OF ENGINEER PERMITTING. (BOBURKA)

Council Member Ricco made a motion, seconded by Council Member Schwartz to authorize the City Manager to execute an agreement with Hanson Professional Services

Inc. for additional services related to the Wind and Water Sports Venue Biological Assessment and United States Army Corps of Engineer permitting; and retaining 80% of the fee until the United States Army Corps of Engineer permits are issued. Motion carried unanimously.

5.8. DISCUSSION AND ACTION TO APPROVE A BUDGET AMENDMENT FROM THE VENUE TAX FUND IN THE AMOUNT OF \$99,800 TO COVER THE ADDITIONAL SERVICES FOR THE WIND AND WATER SPORTS VENUE. (BOBURKA)

Council Member Ricco made a motion, seconded by Council Member Medders to approve a budget amendment from the Venue Tax Fund in the amount of \$99,800 to cover the additional services for the Wind and Water Sports Venue. Motion carried unanimously.

5.9. DISCUSSION AND POSSIBLE ACTION TO EXTEND THE CITY'S DECLARATION OF A LOCAL STATE OF DISASTER DUE TO THE COVID-19 VIRUS EPIDEMIC TO 11:59 P.M. ON FRIDAY, JULY 8, 2022. (MCNULTY)

Council Member Caballero made a motion, seconded by Council Member Ricco to extend the City's Declaration of a Local State of Disaster due to the COVID-19 Virus Epidemic to 11:59 p.m. on Friday, July 8, 2022. Motion carried unanimously.

6. EXECUTIVE SESSION: PURSUANT TO SECTIONS 551.071, CONSULTATION WITH ATTORNEY; 551.072, PERSONNEL MATTERS; TO DISCUSS:

At 6:15 p.m., Council Member Caballero made a motion, seconded by Council Member Schwartz to go into Executive Session. Motion carried unanimously.

At 6:48 p.m., the City Council reconvened into open session.

6.1. PERFORMANCE EVALUATION AND REVIEW OF THE CITY MANAGER.

7. OPEN SESSION:

7.1. DISCUSSION AND POSSIBLE ACTION REGARDING THE PERFORMANCE EVALUATION AND REVIEW OF THE CITY MANAGER. (MCNULTY)


Council Member Ricco made a motion, seconded by Council Member Medders to include a 4% salary increase and extend the City Manager's contract for 18 months. Motion carried unanimously.

8. ADJOURN.

There being no further business, Mayor McNulty adjourned the meeting at 6:50 p.m.


Angelique Soto, City Secretary

APPROVED


Patrick McNulty, Mayor

