

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

WEDNESDAY, NOVEMBER 16, 2022

1. CALL TO ORDER

The City Council Members of the City of South Padre Island, Texas held a Regular Meeting on Wednesday, November 16, 2022, 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, Joe Ricco, Kerry Schwartz, Ken Medders, and Eva Jean Dalton.

City staff members present were City Manager Randy Smith, Director of Operations Wendi Delgado, Fire Chief Jim Pigg, Police Chief Claudine O'Carroll, CVB Director Blake Henry, Shoreline Director Kristina Boburka, Transit Director Jesse Arriaga, Parks and Recreation Manager Debbie Huffman, Administration Coordinator Hilda Delgado, Transit Manager Bart Perez 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 Medders made a motion, seconded by Council Member Dalton to approve Consent Agenda Items 4.1 through 4.6. Motion carried unanimously.

4.1. APPROVAL OF RESOLUTION NO. 2022-25 FOR THE HAZARD MITIGATION ACTION PLAN UPDATE. (PIGG)

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2022-25 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 INVOICES FOR PAYMENT. (GIMENEZ)

Invoices approved for payment by General Fund check numbers 153318 through 153392 and EFT payments totaling \$593,444.25.

4.3. APPROVE A BUDGET AMENDMENT FROM THE GENERAL FUND EXCESS RESERVES IN THE AMOUNT OF \$33,526.00 FOR A SELEX-ES/ELSAG ALPR SYSTEM/LICENSE PLATE READER. (O'CARROLL)

4.4. QUARTERLY BUILDING PERMIT ACTIVITY FOR THE MONTHS OF AUGUST, SEPTEMBER, AND OCTOBER 2022. (MEDDERS)

4.5. APPROVAL OF THE MINUTES FROM THE OCTOBER 19, 2022 AND NOVEMBER 2, 2022 REGULAR CITY COUNCIL MEETINGS. (SOTO)

4.6. APPROVAL OF THE TWO CITY COUNCIL WORKSHOP MINUTES HELD ON OCTOBER 27, 2022. (SOTO)

5. REGULAR AGENDA

5.1. DISCUSSION AND POSSIBLE ACTION TO APPROVE BUDGET AMENDMENT FROM THE GENERAL FUND EXCESS RESERVES IN THE AMOUNT UP TO \$36,260 TO PROVIDE ALL CODE ENFORCEMENT OFFICERS WITH ELECTRONIC TICKET WRITERS. (DELGADO)

Council Member Dalton made a motion, seconded by Council Member Schwartz to approve a budget amendment from the General Fund Excess Reserves in the amount up to \$36,260 to provide all code enforcement officers with electronic ticket writers. Motion carried unanimously.

5.2. DISCUSSION AND ACTION TO ALLOW THE CITY MANAGER TO ENTER INTO CONTRACT NEGOTIATIONS WITH THE HIGHEST QUALIFIED FIRM TO FULFILL THE CITY'S NEEDS FOR THE COASTAL MANAGEMENT PROGRAM (CMP)'S CYCLE 27 FUNDED PROJECT AND TO ALLOW THE CITY MANAGER TO SIGN A CONTRACT WHEN ACCEPTABLE TERMS HAVE BEEN MET. (BOBURKA)

Council Member Ricco made a motion, seconded by Council Member Schwartz to authorize the City Manager to enter into contract negotiations with the highest qualified firm to fulfill the City's needs for the Coastal Management Program (CMP) Cycle 27 funded project and to allow the City Manager to sign a contract when acceptable terms have been met. Motion carried unanimously.

5.3. PRESENTATION AND DISCUSSION ON THE BRANDING REFRESH PROJECT BY THE ATKINS GROUP. (HENRY)

This item was pulled and will be placed on the December 7, 2022 Regular City Council Meeting.

5.4. DISCUSSION AND ACTION TO APPROVE ACCEPTANCE OF THE PORT ISABEL ECONOMIC DEVELOPMENT COUNCIL 2022-2023 FUNDING OF \$75,000 TO CONTINUE THE CURRENT LEVEL OF TRANSIT SERVICES AND AUTHORIZE THE CITY MANAGER OR CFO TO ENTER A CONTRACT AGREEMENT. (ARRIAGA)

Council Member Dalton made a motion, seconded by Council Member Schwartz to approve the acceptance of the Port Isabel Economic Development Council 2022-2023 funding of \$75,000 to continue the current level of transit services and authorize the City Manager or CFO to enter a contract agreement. Motion carried unanimously.

5.5. DISCUSSION AND POSSIBLE ACTION TO APPROVE BUDGET AMENDMENT TO INCREASE THE FISCAL YEAR 2023 TRANSIT BUDGET WITH THE REMAINING RPT2103(29) 045_20 FUNDS IN THE AMOUNT OF \$244,811.00. (ARRIAGA)

Council Member Dalton made a motion, seconded by Council Member Schwartz to approve budget amendment to increase the Fiscal Year 2023 Transit budget with the remaining RPT2103(29) 045_20 funds in the amount of \$244,811.00.

After further discussion, Council Member Dalton amended her motion, to approve the budget amendment subject to an itemized budget presented at the December 7, 2022, Council Meeting. Motion passed on a 4 to 1 vote with Council Member Medders casting a nay vote.

5.6. DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE CITY MANAGER OR CHIEF FINANCIAL OFFICER TO AWARD CONTRACT TO THE LOWEST BIDDER- FOR THE ISLAND METRO TRANSIT BUS SHELTER REPLACEMENT PROJECT NOT EXCEEDING \$150,408.00. (ARRIAGA)

Council Member Ricco made a motion, seconded by Mayor McNulty to table this item until the December 7, 2022 Regular City Council Meeting. Motion passed unanimously.

5.7. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE MARKET BY THE BAY SPECIAL EVENT PERMIT FOR 1 YEAR. (HUFFMAN)

Council Member Dalton made a motion, seconded by Council Member Schwartz to approve the Market By The Bay Special Event Permit for 1 year. Motion passed on a 3 to 0 vote with Mayor McNulty and Council Member Ricco abstaining.

5.8. DISCUSSION AND POSSIBLE ACTION TO RESCHEDULE OR CANCEL THE DECEMBER 21, 2022 REGULAR CITY COUNCIL MEETING TO DECEMBER 14, 2022. (SOTO)

Council Member Dalton made a motion, seconded by Council Member Ricco to cancel the December 21, 2022 Regular City Council Meeting. Motion carried unanimously.

5.9. DISCUSSION AND POSSIBLE ACTION TO ALLOW THE CITY MANAGER TO ISSUE AN RFQ FOR LOBBYING PROFESSIONAL SERVICES. (R. SMITH)

Council Member Ricco made a motion, seconded by Council Member Schwartz to authorize the City Manager to issue an RFQ for Lobbying Professional Services. Motion passed on a 4 to 1 vote with Council Member Dalton casting a nay vote.

5.10. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SECOND AND FINAL READING OF ORDINANCE NO 22-09 AMENDING CHAPTER 12 REPEALING SECTION 12-2 OF THE CODE OF ORDINANCES AND ENACTING A NEW SECTION 12-2 REGULATING NOISE WITHIN THE CITY. (MCNULTY)

*** ORDINANCE NO. 22-09**

AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, REPEALING IN ITS ENTIRETY SECTION 12-2 OF THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND, NOISE ORDINANCE, BY ENACTING AND PROVIDING FOR A NEW SECTION 12-2 REGULATING NOISE WITHIN THE CITY; MAKING VARIOUS FINDINGS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY OF FIVE HUNDRED DOLLARS FOR ANY VIOLATION; PROVIDING FOR SEVERABILITY; AND AUTHORIZING THE PUBLICATION IN CAPTION FORM.

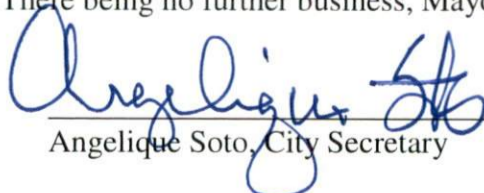
Council Member Ricco made a motion, seconded by Council Member Medders to approve the second and final reading of Ordinance No. 22-08 amending Chapter 12 repealing section 12-2 of the Code of Ordinances and enacting a new section 12-2 regulating noise within the City. Motion carried unanimously.

5.11. DISCUSSION AND POSSIBLE ACTION TO POST SIGNS PROHIBITING GOLF CARTS ON HWY 100 BEYOND WHERE SPEED LIMIT INCREASES ABOVE 35 MILES PER HOUR AS PRESCRIBED BY STATE LAW AND CITY ORDINANCE. (SCHWARTZ)

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve the posting signs, north of the Convention Centre driveway, prohibiting golf carts on HWY 100 beyond where speed limit increases above 35 miles per hour as prescribed by State law and City Ordinance. Motion passed unanimously.

6.ADJOURN.

There being no further business, Mayor McNulty adjourned the meeting at 6:14 p.m.


Angelique Soto, City Secretary

APPROVED


Patrick McNulty, Mayor

