

MINUTES OF CITY COUNCIL REGULAR MEETING CITY OF SOUTH PADRE ISLAND

WEDNESDAY, MARCH 1, 2023

1. CALL TO ORDER

The City Council Members of the City of South Padre Island, Texas held a Regular Meeting on Wednesday, March 1, 2023 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, Ken Medders, Jr., Kerry Schwartz, and Eva-Jean Dalton.

City staff members present were City Manager Randy Smith, Chief Financial Officer Rodrigo Gimenez, Police Chief Claudine O'Carroll, Public Works Director Alex Sanchez, Assistant Public Works Director Jon Wilson, 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. PUBLIC COMMENTS AND ANNOUNCEMENTS:

Public comments and announcements were given at this time.

4. PRESENTATIONS AND PROCLAMATIONS:

- 4.1. PRESENTATION FROM REPUBLIC SERVICES REGARDING ANNUAL PRICE INCREASE. (REYMUNDO CARRILLO)**

5. APPROVE CONSENT AGENDA:

Council Member Schwartz made a motion, seconded by Council Medders to approve Consent Agenda 5.1 through 5.8. Motion carried unanimously.

- 5.1. APPROVAL OF RESOLUTION NO. 2023-02 AND THE DEPARTMENT OF TRANSPORTATION AGREEMENT FOR THE TEMPORARY CLOSURE OF HWY 100 AND A PORTION OF THE QUEEN ISABEL CAUSEWAY MEMORIAL BRIDGE FOR THE 39TH ANNUAL CAUSEWAY RUN AND FITNESS WALK, APRIL 15, 2023. (HUFFMAN)**

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2023-02 and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

- 5.2. APPROVE A BUDGET AMENDMENT TO ALLOCATE FUNDS FOR A RADIO IN THE AMOUNT OF \$5,466.00.**
- 5.3. APPROVE A BUDGET AMENDMENT FROM THE GENERAL FUND TO REALLOCATE FUNDS FOR THE TOMPKINS PARK BOCCE BALL COURT RELOCATION PROJECT. (WILSON)**
- 5.4. APPROVE BUDGET AMENDMENT IN THE AMOUNT OF \$3,730.00 TO ALLOCATE FUNDS FOR TRAINING. (MARTINEZ)**

5.5. APPROVAL OF THE SECOND AND FINAL READING OF ORDINANCE NO. 23-03 TO REDUCE THE SPEED LIMIT ALONG PR 100 BETWEEN SOUTH PADRE ISLAND NORTH CITY LIMITS AND 28' S. OF KINGS COURT. (SMITH)

A true and correct copy of said Ordinance was placed in the City's Ordinance Book and entitled Ordinance No. 23-03 and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

5.6. APPROVE INVOICES FOR PAYMENT. (GIMENEZ)

5.7. APPROVE AMENDMENTS TO THE PURCHASING POLICY TO INCORPORATE PCARD POLICY.

5.8. DISCUSSION AND ACTION TO APPROVE THE LEASE AGREEMENT WITH SPI SURF SHUTTLE FOR SPACE AT THE ISLAND METRO MULTIMODAL FACILITY AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE LEASE AGREEMENT (ARRIAGA).

6. REGULAR AGENDA

6.1. UPDATE AND PRESENTATION BY THE ATKINS GROUP REGARDING THE BRANDING REFRESH PROJECT. (HENRY)

Steve Atkins from The Atkins Group presented the updated Branding Refresh Project.

6.2. PRESENTATION AND ACKNOWLEDGMENT OF RECEIPT OF THE 2022 RACIAL PROFILING REPORT (O'CARROLL)

Police Chief Claudine O'Carroll presented the 2022 Racial Profiling Report to the City Council.

Council Member Schwartz made a motion, seconded by Council Member Dalton approve the acknowledgment of the 2022 Racial Profiling Report. Motion passed unanimously.

6.3. DISCUSSION AND ACTION TO APPROVE THE DRAFT OF CHAPTER 3 OF THE CITY OF SOUTH PADRE ISLAND CODE OF ORDINANCES AS RECOMMENDED BY THE ADHOC COMMITTEE. (DELGADO)

Council Member Schwartz made a motion, seconded by Council Member Ricco to approve the draft of Chapter 3 of the City of South Padre Island Code of Ordinances as recommended by the ADHOC Committee. Motion passed unanimously.

6.4. PUBLIC HEARING TO DISCUSS THE REQUEST TO REZONE LOT 2 BLOCK 168, PADRE BEACH SUBDIVISION, SECTION XI FROM "NT" NEIGHBORHOOD TRANSITION CHARACTER ZONE TO "PBN" PADRE BOULEVARD NORTH CHARACTER ZONE. (CAROLYN SPI HOSPITALITY, LLC, OWNER)

At 6:20 p.m., Mayor McNulty opened the Public Hearing.

Proponents: None

Opponents: None

The owner announced that they are withdrawing their application requesting the rezoning of Lot 2, Block 168.

6.5. DISCUSSION AND ACTION REGARDING THE REQUEST TO REZONE LOT 2 BLOCK 168, PADRE BEACH SUBDIVISION, SECTION XI FROM "NT" NEIGHBORHOOD TRANSITION CHARACTER ZONE TO "PBN" PADRE BOULEVARD NORTH CHARACTER ZONE. (CAROLYN SPI HOSPITALITY, LLC, OWNER)

Since the owner withdrew the application requesting, Council Member Schwartz made a motion, seconded by Council Member Medders to DENY the request to rezone Lot 2, Block 168, Padre Beach Subdivision, Section XI from "NT" Neighborhood Transition Character Zone to "PBN" Padre Boulevard North Character Zone. Motion carried unanimously.

6.6. PUBLIC HEARING TO DISCUSS THE REQUEST TO REZONE LOT 11 BLOCK 79, PADRE BEACH SUBDIVISION, SECTION VI FROM DISTRICT "C"- BUSINESS DISTRICT-FIRE ZONE TO "PBC" PADRE BOULEVARD CENTRAL CHARACTER ZONE. (MICHAEL ANGEL ACOSTA, OWNER)

At 6:32 p.m., Mayor McNulty opened the Public Hearing.

Proposed: Owner, Michael Acosta, Joe Vasquez Surveyor representing the owner.
Opposed: Kathy Cunningham 213 W. Campeche, Christina Jasso 213 W. Campeche, Paul Fedigan 211 W. Campeche, Lorna Putman 204 W. Campeche, Mary Jane Loder 204 W. Campeche, Dennis Barrett 200 W. Campeche, Penni McCormick 208 B W. Campeche, Kevin Seydler 108 W. Campeche, and Jim Pigg 203 W. Campeche submitted a letter signed by all residents in opposition via email received on February 28, 2023.

At 6:40 p.m., Mayor McNulty closed the Public Hearing.

6.7. DISCUSSION AND ACTION REGARDING THE REQUEST TO REZONE LOT 11 BLOCK 79, PADRE BEACH SUBDIVISION, SECTION VI FROM DISTRICT "C" - BUSINESS DISTRICT-FIRE ZONE TO "PBC PADRE BOULEVARD CENTRAL CHARACTER ZONE. (MICHAEL ANGEL ACOSTA, LLC, OWNER)

Council Member Ricco made a motion, seconded by Council Member Medders to DENY the owner's request to rezone Lot 11, Block 79, Padre Beach Subdivision, Section VI from District "C" – Business District – Fire Zone to "PBC" Padre Boulevard Central Character Zone. Motion carried unanimously.

6.8. CONSIDERATION AND POSSIBLE ACTION REGARDING THE APPEAL OF APPLICANT MENASHE AMOYAL OF THE DENIAL BY THE DESIGN STANDARD REVIEW TASK FORCE OF APPLICANT'S REQUEST FOR A VARIANCE TO INSTALL AN ADDITIONAL MONUMENT SIGN ON THE PROPERTY LOCATED AT 1601 PADRE BLVD (LOT 1 BLOCK 7 SUNNY ISLE SUBDIVISION).

Council Member Ricco made a motion, seconded by Council Member Dalton to table this item until more information is available for review. Motion passed unanimously.

6.9. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PICKLEBALL DESIGN CONCEPT PHASE II. (RICCO, SCHWARTZ)

- * TOURNAMENT COURT
- * BATHROOMS
- * PARKING

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve the Pickleball Design Concept Phase II. Motion approved unanimously.

- * Tournament Court – 2 Additional Courts and 1 New Tournament Court
- * Bathrooms – 2 ADA Bathrooms
- * Parking

6.10. DISCUSSION AND POSSIBLE ACTION TO APPROVE A BUDGET AMENDMENT FROM GENERAL FUND EXCESS RESERVES IN THE AMOUNT UP TO \$150,000 FOR THE PICKLEBALL PHASE II DEVELOPMENT. (RICCO, SCHWARTZ)

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve a budget amendment from General Fund Excess Reserves in the amount up to \$150,000 for the Pickleball Phase II development. Motion carried unanimously.

6.11. UPDATE, DISCUSSION, AND ACTION REGARDING THE RESULT OF THE SPEED COUNTERS PLACED ON GULF BLVD DURING FEBRUARY 7-13, 2023. (SANCHEZ)

The results from the speed counters placed on Gulf Boulevard during February 7-13, 2023 showed that the average speed is 25 miles per hour.

No action was taken.

6.12. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SHADE OVER THE BASKETBALL COURT AND THE SOLAR LIGHTING DESIGN CONCEPT FOR THE JOHN L. TOMPKINS PARK PHASE III GRANT TO BE SENT TO TEXAS PARKS AND WILDLIFE FOR REVIEW. (HUFFMAN)

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve the shade over the basketball court and the solar lighting design concept for the John L. Tompkins Park Phase III Grant to be sent to Texas Parks and Wildlife for review. Motion carried unanimously.

6.13. DISCUSSION AND ACTION REGARDING THE BEACH/DUNE PERMIT APPLICATION FOR 8242 BREAKERS BOULEVARD. (BOBURKA)

Council Member Dalton made a motion, seconded by Council Member Schwartz to approve the Beach/Dune Permit application for 8242 Breakers Boulevard. Motion carried unanimously.

6.14. DISCUSSION AND ACTION ON THE BIDS THAT WERE RECEIVED FOR THE SEA ISLAND CIRCLE AMENITY IMPROVEMENTS PROJECT, PARTIALLY FUNDED BY THE COASTAL MANAGEMENT PROGRAM (CMP)'S CYCLE 26. (BOBURKA, HUGHSTON)

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve Byrant Industrial Services for the Sea Island Circle Amenity Improvements Project, partially funded by the Coastal Management Program (CMP) Cycle 26. Motion carried unanimously.

6.15. DISCUSSION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER#4 FOR LAGUNA BOULEVARD STREET AND DRAINAGE IMPROVEMENTS. (SANCHEZ)

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve Change Order #4, without the 60 day extension, for the Laguna Boulevard Street

and Drainage Improvements. Motion passed on a 4 to 1 vote with Council Member Medders casting a nay vote.

6.16. PRESENTATION, DISCUSSION, AND POSSIBLE ACTION TO ACCEPT JOHNSON CONSULTING GROUP FEASIBILITY STUDY OF THE CONVENTION CENTER EXPANSION. (MCNULTY, RICCO, HENRY)

Council Member Ricco made a motion, seconded by Council Member Schwartz to accept Johnson Consulting Group Feasibility Study of the Convention Center Expansion. Motion carried unanimously.

6.17. DISCUSSION AND POSSIBLE ACTION TO DISCUSS THE CONVENTION CENTER EXPANSION, INCLUDING AUTHORIZING AN RFQ FOR DESIGN SERVICES. (MCNULTY, RICCO)

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve Convention Center expansion, including authorizing an RFQ for design services. Motion carried unanimously.

7.EXECUTIVE SESSION:

7.1. CLOSED EXECUTIVE SESSION: PURSUANT TO SECTIONS 551.071, CONSULTATION WITH ATTORNEY; 551.072, DELIBERATIONS ABOUT REAL PROPERTY; A CLOSED SESSION WILL BE HELD TO DISCUSS THE POSSIBLE PURCHASE OF REAL PROPERTY. (MCNULTY)

At 7:24 p.m., Council Member Schwartz made a motion seconded by Council Member Ricco made a motion to enter into Executive Session. Motion passed unanimously.

At 7:35 p.m., the City Council reconvened into open session.

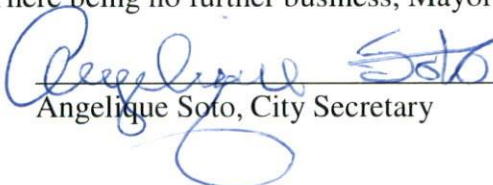
8.OPEN SESSION:

8.1. DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE CONTRACT FOR PURCHASE OF REAL PROPERTY. (MCNULTY)

Council Member Ricco made a motion, seconded by Council Member Dalton to authorize the City Manager to negotiate a contract for the purchase of real property, 2 vacant lots on the corner of Gulf Boulevard and Harbor Street. Motion passed unanimously.

9.ADJOURN.

There being no further business, Mayor McNulty adjourned the meeting at 7:35 p.m.


Angelique Soto, City Secretary

APPROVED


Patrick McNulty, Mayor

