

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

WEDNESDAY, AUGUST 16, 2023

1. CALL TO ORDER

The City Council Members of the City of South Padre Island, Texas held a Regular City Council Meeting on Wednesday, August 16, 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, Kerry Schwartz, Rees Langston, and Eva Jean Dalton.

City staff members present were City Manager Randy Smith, CFO Rodrigo Gimenez, Fire Chief Jim Pigg, Police Chief Claudine O'Carroll, Public Works Director Alex Sanchez, Assistant Public Works Director Jon Wilson, CVB Director Blake Henry, Transit Director Jesse Arriaga, 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. APPROVE CONSENT AGENDA:

Council Member Medders made a motion, seconded by Council Member Dalton to approve Consent Agenda Item 4.1 through 4.5. Motion passed unanimously.

- 4.1. APPROVE QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDING JUNE 30, 2023 AS PREPARED BY VALLEY VIEW CONSULTING L.L.C. (GIMENEZ)**
- 4.2. APPROVAL OF THE AUGUST 2, 2023 REGULAR CITY COUNCIL MEETING MINUTES. (SOTO)**
- 4.3. APPROVE INVOICES FOR PAYMENT. (GIMENEZ)**
- 4.4. APPROVAL OF A PAYMENT PLAN REQUEST FOR HOTEL OCCUPANCY TAX IN THE AMOUNT OF \$10,175.51 DUE FROM SEABREEZE I CONDOMINIUMS. (GIMENEZ)**
- 4.5. UPDATE OF JULY 2022 AND JULY 2023 BUILDING PERMIT ACTIVITY. (MEDDERS)**

5. REGULAR AGENDA

- 5.1. CONSIDERATION AND ACTION ON APPROVAL OF RESOLUTION NO. 2023-16 ADOPTING THE 5-YEAR CAPITAL IMPROVEMENT PLAN AS REQUIRED BY SECTION 5.09 OF THE HOME RULE CHARTER. (DELGADO)**

Council Member Dalton made a motion, seconded by Council Member Langston to approve Resolution No. 2023-16 adopting the 5-Year Capital Improvement Plan as required by Section 5.09 of the Home Rule Charter. Motion passed unanimously.

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2023-16 and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

5.2. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-17 A COMPACT OF THE ALLIANCE OF THE RIO GRANDE VALLEY REGION OF TEXAS. (MCNULTY)

Council Member Dalton made a motion, seconded by Council Member Schwartz to approve Resolution No. 2023-17 a compact of the Alliance of the Rio Grande Valley Region of Texas. Motion passed unanimously.

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2023-17 and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

5.3. DISCUSSION AND ACTION TO ACCEPT THE TEXAS DEPARTMENT OF TRANSPORTATION PROJECT GRANT AGREEMENT (PGA) 5311-2023-SPI*-00012 FOR \$754,390 AND AUTHORIZE THE CITY MANAGER OR CFO TO ENTER THE GRANT AGREEMENT. (ARRIAGA)

Council Member Ricco made a motion, seconded by Council Member Medders to accept the Texas Department Of Transportation Project Grant Agreement (PGA) 5311-2023-SPI*-00012 For \$754,390 and authorize the City Manager or CFO to enter the Grant Agreement. Motion passed unanimously.

5.4. DISCUSSION AND ACTION TO ACCEPT THE TEXAS DEPARTMENT OF TRANSPORTATION PROJECT GRANT AGREEMENT (PGA) STATE-R-2023-SPI*-00021 FOR \$633,552 AND AUTHORIZE THE CITY MANAGER OR CHIEF FINANCIAL OFFICER TO ENTER THE GRANT AGREEMENT. (ARRIAGA)

Council Member Ricco made a motion, seconded by Council Member Medders to accept the Texas Department of Transportation Project Grant Agreement (PGA) State-R-2023-SPI*-00021 For \$633,552 and authorize the City Manager or Chief Financial Officer to enter the Grant Agreement. Motion passed unanimously.

5.5. DISCUSSION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER #6 FOR LAGUNA BOULEVARD STREET AND DRAINAGE IMPROVEMENTS BRINGING THE CHANGE ORDER PERCENTAGE TO 22.55%. (SANCHEZ)

Council Member Ricco made a motion, seconded by Council Member Langston to approve Change Order #6, without the 60-day extension for Laguna Boulevard Street and Drainage Improvements bringing the change order percentage to 22.55%. Motion passed unanimously.

5.6. DISCUSSION AND ACTION TO APPROVE A BUDGET AMENDMENT OF \$752,043.00 TO ALLOCATE FUNDS FROM THE TAX NOTES SERIES FOR THE LAGUNA BOULEVARD STREET AND DRAINAGE IMPROVEMENT PROJECT. (SANCHEZ)

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve a budget amendment of \$752,043.00 to allocate funds from the Tax Notes Series for the Laguna Boulevard Street and Drainage Improvement Project. Motion passed unanimously.

5.7. DISCUSSION AND ACTION TO SELECT THE STYLE AND SPACING OF BOLLARDS ON LAGUNA BLVD. (SANCHEZ)

After much discussion, no action was taken.

Assistant Public Works Director Jon Wilson provided an update with possible style designs and spacing of bollards as a safety component of the Laguna Boulevard Street and Drainage Improvement Project in the entertainment area.

The types of bollards will assist in separating the traffic lane from the bike/pedestrian lane. Estimated costs would depend on the spacing and style of the bollards. Materials would need to be ordered by November 1, 2023 at the latest, and installation is anticipated from late December 2023 to mid-January 2024.

Council held much discussion over the suggestion of 8-foot spacing with the C3, concrete bollard with LED light, and alternating with the C1, concrete/no light. The concrete would be ideal in comparison to the maintenance of wood posts splintering, the aluminum posts the paint flaking due to the weather, and any damage caused by vehicles.

The lighting with the wooden bollards and Assistant Public Works Director Jon Wilson clarified that lighting was not included and that the wooden bollard option would incorporate the lamp pole, similar to the Padre Median decorate pole.

The spacing of the bollards allows for future construction vehicles and access to solid waste bins.

While other areas along Laguna Boulevard incorporate armadillos, the bollards would create a protective barrier and prevent vehicles from entering pedestrian areas near busy areas in the entertainment area and the south end of Laguna Boulevard.

Staff will bring back a diagram with examples of the following:

- 10 to 12 and/or 16-foot spacing, every other bollard to include lighting, and the non-light bollards to be removable
- Possible armadillos incorporated
- Wooden bollards with media lights and cost estimate

5.8. DISCUSSION AND ACTION TO APPROVE THE DRAFT OF CHAPTER 8 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 8 of the City of South Padre Island Code of Ordinances as recommended by the AdHoc Committee. Motion passed unanimously.

5.9. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SECOND AND FINAL READING OF ORDINANCE NO. 23-07 AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND BY PROVIDING FOR THE CHANGE OR ESTABLISHMENT OF ALL FEES IMPOSED FOR SERVICES BY THE CITY. (GIMENEZ)

Council Member Schwartz made a motion, seconded by Council Member Langston to approve the second and final reading of Ordinance No. 23-07 amending Chapter 2 of the Code Of Ordinances of the City of South Padre Island by providing for the Change or Establishment of all Fees Imposed for services by the City.

A true and correct copy of said Ordinance was placed in the City's Minutes Book and entitled Resolution No. 23-07 and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

5.10. PUBLIC HEARING TO DISCUSS THE PROPOSED 2023-24 FISCAL YEAR BUDGET FOR THE CITY OF SOUTH PADRE ISLAND. (GIMENEZ)

At 6:04 p.m., Mayor McNulty opened the Public Hearing.

Proponents: None

Opponents: None

Mayor McNulty closed the Public Hearing at 6:04 p.m.

5.11. DISCUSSION AND ACTION TO APPROVE AND ADOPT RESOLUTION NO. 2023-18 RATIFYING THE PROPERTY TAX INCREASE FOR FISCAL YEAR 2023-24. (GIMENEZ)

Council Member Ricco made a motion, seconded by Council Member Schwartz to adopt Resolution No. 2023-18 Ratifying the Property Tax Increase for Fiscal Year 2023-24. Motion passed unanimously.

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2023-18 and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

5.12. DISCUSSION AND ACTION APPROVING THE FIRST READING TO ADOPT ORDINANCE 23-08 MAKING APPROPRIATIONS FOR EACH DEPARTMENT, PROJECT, PROGRAM AND ACCOUNTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024. (GIMENEZ)

Council Member Medders made a motion, seconded by Council Member Langston to approving the first reading to adopt Ordinance 23-08 making appropriations for each Department, Project, Program and Accounts for the Fiscal Year beginning October 1, 2023 and ending September 30, 2024. Motion passed on a 6 to 0 vote with a record vote taken as a roll call vote as followed:

Mayor McNulty: Aye
 Council Member Ricco: Aye
 Council Member Dalton: Aye
 Council Member Medders: Aye
 Council Member Schwartz: Aye
 Council Member Langston: Aye

A true and correct copy of said Ordinance was placed in the City's Minutes Book and entitled Resolution No. 23-08 and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

5.13. PUBLIC HEARING TO DISCUSS THE PROPOSED 2023 PROPERTY TAX RATE FOR THE CITY OF SOUTH PADRE ISLAND. (GIMENEZ)

At 6:08 p.m., Mayor McNulty opened the Public Hearing.

Proponents: None

Opponents: None

Mayor McNulty closed the Public Hearing at 6:08 p.m.

5.14. DISCUSSION AND ACTION APPROVING THE FIRST READING TO ADOPT ORDINANCE 23-09 ESTABLISHING THE AD VALOREM AND PERSONAL PROPERTY TAX RATE OF \$.232159 FOR TAX YEAR 2023, AND SETTING THE ASSESSED VALUATION AT ONE HUNDRED PERCENT (100%) OF THE FAIR MARKET VALUE AND PROVIDING FOR DISCOUNTS IN THE EVENT OF EARLY PAYMENT, AND PROVIDING FOR PENALTY AND INTEREST IN ACCORDANCE WITH STATE LAW. (GIMENEZ)

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve the first reading to adopt Ordinance 23-09 establishing the AD Valorem and Personal Property Tax Rate of \$.232159 for Tax Year 2023, and setting the assessed valuation at One Hundred Percent (100%) of the fair market value and providing for discounts in the event of early payment, and providing for penalty and interest in accordance with state law. Motion passed on a 6 to 0 vote with a record vote taken as a roll call vote as followed:

Mayor McNulty: Aye
 Council Member Ricco: Aye
 Council Member Dalton: Aye
 Council Member Medders: Aye
 Council Member Schwartz: Aye
 Council Member Langston: Aye

A true and correct copy of said Ordinance was placed in the City's Minutes Book and entitled Resolution No. 23-09 and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

6.ADJOURN.

There being no further business, Mayor McNulty adjourned the meeting at 6:11 p.m.


 Angelique Soto, City Secretary

APPROVED


 Patrick McNulty, Mayor

