

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

**WEDNESDAY, NOVEMBER 1, 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, November 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, Kerry Schwartz, Eva Jean Dalton, and Rees Langston.

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, CVB Director Blake Henry, Shoreline Director Kristina Boburka, Human Resource Manager Wendy Saldana, EMS Lieutenant Emilio Hinojosa, Environmental Health Director Victor Baldovinos 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:**

*Mayor McNulty moved Consent Agenda Item 4.1 to Regular Agenda.*

Council Member Ricco made a motion, seconded by Council Member Langston to approve Consent Agenda Items 4.2 through 4.8. Motion passed unanimously.

**4.1. ADOPT ORDINANCE NO. 23-12 AMENDING THE CITY'S FISCAL YEAR 2022-23 OPERATING BUDGET TO INCORPORATE PRIOR BUDGET AMENDMENTS FROM THE MONTHS OF OCTOBER 2022 THROUGH SEPTEMBER 2023. (GIMENEZ)**

Council Member Schwartz made a motion, seconded by Council Member Ricco to approve Ordinance No. 23-12 amending the City's Fiscal Year 2022-23 Operating Budget to incorporate prior budget amendments from the months of October 2022 through September 2023. Motion passed unanimously.

A true and correct copy of said Ordinance was placed in the City's Ordinance Book and entitled Ordinance No. 23-12 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 A BUDGET AMENDMENT TO ROLLOVER FUNDING IN FY 2023-24 FOR OUTSTANDING BALANCES OF CURRENT PROJECTS AND CONTRACTS WITH AN ORIGINAL ALLOCATION APPROVED DURING LAST FISCAL YEAR. (GIMENEZ)**

**4.3. APPROVAL OF AN EXCUSED ABSENCE FOR COUNCIL MEMBER KERRY SCHWARTZ FROM THE SEPTEMBER 6, 2023 REGULAR CITY COUNCIL MEETING. (SCHWARTZ)**



- 4.4. **APPROVE AMENDMENTS TO THE CITY OF SOUTH PADRE ISLAND DRUG AND ALCOHOL POLICY FOR TRANSPORTATION EMPLOYEES AS PER DOT RULE 49 CFR, PART 40. (SALDANA)**
- 4.5. **APPROVE INVOICES FOR PAYMENT. (GIMENEZ)**
- 4.6. **APPROVE AN EXCUSED ABSENCE FOR COUNCIL MEMBER EVA JEAN DALTON FROM THE SPECIAL CITY COUNCIL MEETING ON OCTOBER 2, 2023 AND REGULAR CITY COUNCIL MEETING ON OCTOBER 18, 2023. (DALTON)**
- 4.7. **APPROVAL OF THE OCTOBER 18, 2023 REGULAR CITY COUNCIL MEETING MINUTES. (SOTO)**
- 4.8. **APPROVE BUDGET AMENDMENT IN THE AMOUNT OF \$4,854 FOR ADDITIONAL COST RELATED TO CAMERON COUNTY APPRAISAL DISTRICT FEES. (GIMENEZ)**

## 5.REGULAR AGENDA

- 5.1. **DISCUSSION AND POSSIBLE ACTION ON THE APPEAL BY YEHUDA AZOULAY OF THE DECISION BY THE DEVELOPMENT STANDARDS REVIEW TASK FORCE DENYING A REQUEST FOR A VARIANCE FROM CHAPTER 15 SIGNS, SECTION 15-2, DEFINITIONS, AND 15-2.1 RULES AND PROCEDURES GOVERNING ART IN PUBLIC SPACES FOR AN OVERSIZED ART AT THE PROPERTY LOCATED AT 6000 PADRE BLVD. (LOT 1A BLOCK 202, FIESTA ISLES SUBDIVISION (PADRE BEACH, SECTION XII)) (SANCHEZ)**

Council Member Schwartz made a motion, seconded by Council Member Dalton to approve the appeal by Yehuda Azoulay of the decision by the Development Standards Review Task Force denying a request for a variance from Chapter 15 signs, section 15-2, definition, and 15-2.1 Rules and Procedures governing art in public spaces for an oversized art at the property located at 6000 Padre Blvd. (Lot 1A Block 202, Fiesta Isles Subdivision (Padre Beach, Section XII)), and must follow the landscape requirement ordinance. Motion passed unanimously.

- 5.2. **DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-24 CONSENTING TO THE ADDITION OF 87.29 ACRES IN THE CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, BY THE LAGUNA MADRE WATER DISTRICT TO THE DISTRICT'S BOUNDARIES, SAID 87.29 ACRES BEING AS DESCRIBED IN AN APPLICATION FOR ANNEXATION FROM THE SHORES ISLANDS DEVELOPMENT. (LAGUNA MADRE WATER DISTRICT)**

Council Member Schwartz made a motion, seconded by Council Member Langston to approve Resolution No. 2023-24 consenting to the addition of 87.29 acres in the City of South Padre Island, Cameron County, Texas, by the Laguna Madre Water District to the District's Boundaries, said 87.29 acres being as described in an application for annexation from The Shores Islands Development. Motion passed on a 5 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 Schwartz: Aye  
 Council Member Langston: Aye



A true and correct copy of said Reslution was placed in the City's Resolution Book and entitled Resolution No. 2023-24 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 POSSIBLE ACTION TO APPROVE AND ACCEPT THE CDM LIFESTYLES, LLC AS A TENANT IN THE ROBERT N. PINKERTON, JR. BUILDING, ALSO KNOWN AS ISLAND METRO MULTIMODAL FACILITY, AND AUTHORIZE THE CITY MANAGER TO APPROVE THE LEASE AGREEMENT. (ARRIAGA)**

Council Member Dalton made a motion, seconded by Council Member Langston to approve and accept the CDM LIFESTYLES, LLC as a tenant in the Robert N. Pinkerton, Jr, Building also known as Island Metro Multimodal Facility, and authorized the City Manager to approve the lease agreement. Motion passed unanimously.

**5.4. DISCUSSION AND ACTION TO APPROVE A BUDGET AMENDMENT IN THE AMOUNT OF \$256,469 FOR THE LIGHTED BOLLARDS SELECTED BY THE CITY COUNCIL AT THE OCTOBER 18TH CITY COUNCIL MEETING. (SANCHEZ)**

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve a budget amendment in the amount of \$256,469 for the lighted bollards selected by the City Council at the October 18<sup>th</sup> City Council Meeting. Motion passed on a 4 to 1 vote with Council Member Dalton casting a nay vote.

**5.5. DISCUSSION AND ACTION TO SELECT THE STYLE OF REMOVABLE BOLLARDS ON LAGUNA BLVD. (SANCHEZ)**

Council Member Ricco made a motion, seconded by Council Member Langston to select Option 1 with the 23 Lumen. Motion passed on a 4 to 1 vote with Council Member Langston casting a nay vote.

**5.6. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE MARKETING PLAN FOR MEDIA PLACEMENT AND CREATIVE CONTENT FOR THE FISCAL YEAR 23/24. (HENRY)**

Council Member Ricco made a motion, seconded by Council Member Schwartz to approve the marketing plan for media placement and creative content for the fiscal year 23/24. Motion passed unanimously.

**5.7. DISCUSSION AND POSSIBLE ACTION TO DIRECT THE PLANNING & ZONING COMMISSION AND THE DEVELOPMENT STANDARDS REVIEW TASK FORCE TO POSSIBLY DESIGNATE THE AN AREA ARTS AND ENTERTAINMENT DISTRICT, BEING BLOCKS 36, 39, 43 LOTS 1-6 31-32, BLK 42, LOTS 1 & 3, BLOCK 40, LOTS 1&2, BLOCK 35 PADRE BEACH SECTION IV, AND BLOCKS 28 & 31, LOTS 1&2, BLOCK 32, AND LOT 1, 4&5, BLOCK 27 PADRE BEACH SECTION III. (RICCO/LANGSTON)**

Council Member Ricco made a motion, seconded by Council Member Langston to direct the Planning & Zoning Commission And The Development Standards Review Task Force to possibly designate an area Arts And Entertainment District, being Blocks 36, 39, 43 Lots 1-6 31-32, Blk 42, Lots 1 & 3, Block 40, Lots 1&2, Block 35 Padre Beach Section IV, And Blocks 28 & 31, Lots 1&2, Block 32, And Lot 1, 4&5, Block 27 Padre Beach Section III. Motion passed unanimously.

**5.8. DISCUSSION AND POSSIBLE ACTION TO APPROVE A CONTRACT TO PURCHASE REAL PROPERTY LOCATED AT NORTH HALF OF TRACT 21, ABST 260, KIRKSEY-GRADY INCLUDING LOTS 1-8 BLK 1 , LOTS 1-11 BLK 3, LOTS 1-15 BLK 5 AND LOTS 1-14BLK 7, SOUTH PADRE ISLAND, TX, 78597, WITH CONTINGENCIES. (CITY COUNCIL)**

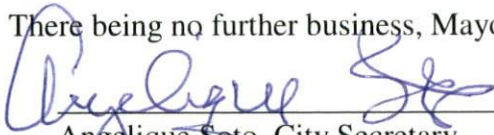
Council Member Ricco made a motion, seconded by Council Member Langston to approve a contract to purchase real property located at North Half of Tract 21, ABST 260, Kirksey-Grady including lots 1-8 Blk. 1, Lots 1-11 Blk. 3, Lots 1-15 Blk. 5 and Lots 1-14 Blk. 7, South Padre Island, Texas 78597. Motion passed unanimously.

**5.9. DISCUSSION AND POSSIBLE ACTION TO CANCEL THE JANUARY 3, 2024 REGULAR CITY COUNCIL MEETING. (SOTO)**

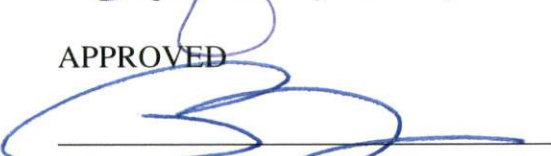
Council Member Dalton made a motion, seconded by Council Member Schwartz to cancel the January 3, 2024 Regular City Council Meeting and scheduling Special City Council Meetings on January 10, 2024 and January 24, 2024. Motion passed on a 4 to 1 vote with Council Member Ricco casting a nay vote.

**6.ADJOURN.**

There being no further business, Mayor McNulty adjourned the meeting at 6:03 p.m.

  
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Angelique Soto, City Secretary

APPROVED

  
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Patrick McNulty, Mayor

