

CITY OF INGLESIDE
REGULAR CITY COUNCIL MEETING
MINUTES
DECEMBER 13, 2022
6:00 P.M.

Opening Agenda

1. Call Meeting to order.

The Regular Meeting of the City of Ingleside was called to order by Mayor Adame at 6:00 p.m. on December 13, 2022, at City Hall 2671 San Angelo Avenue, Ingleside, TX and live video streaming.

2. Roll Call.

With Council Members present a quorum was established.

Council Members Present: Steve Diehl, Stewart Wilson, David Pruitt, John Salinas, Tracy Long, Julio Salinas (joined at 7:10 p.m.) and Mayor Pedro Oscar Adame

3. Invocation.

Council Member Pruitt led the invocation.

4. Pledge of Allegiance.

Mayor Adame led the Pledge of Allegiance to the U.S. flag

5. Citizen Comments and Reports

At this time, written comments received by 4:00 p.m. on the day of the meeting, on any subject matter that is not on the agenda, will be read and summarized in the minutes of the meeting. Persons wishing to address the Council and who have registered using the Citizen Participation Form will have up to three minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited; disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

Cynthia Wilson, 2635 San Angelo Avenue, addressed the Council to express a concern for work performed in her driveway 20 years ago. Wilson explained her house was built in 1939 and had a concrete apron from driveway to road. Wilson explained the driveway was torn out when City had ditches replaced. During this time, the concrete apron was not replaced with concrete but with black tar and the conditions of this is now poor. Wilson stated she wanted it fixed and fixed soon.

6. Staff Comments and Reports

The Council may discuss any subject which is specifically listed under this item.

a. Introduction of new Director of Infrastructure Services Gary Paredez.

Gray Paradez, Director of Infrastructure Services, addressed the Council and introduced himself and spoke about his education and work history.

b. City of Ingleside expenditures paid over \$3,000.00 for the period of November 01, 2022 through December 04, 2022.

Discussion held among the Council and City Manager Lewis in reference to vendors paid and the process for paying.

c. City of Ingleside monthly financials.

No discussion held on this agenda item.

d. Report on obtaining assistance to sort out the amount of funds available and spent on capital improvement projects and equipment from various funding sources.

City Manager Lewis addressed the Council stating we have acquired some services of an individual and estimate will not exceed \$5,000. The funding will come from the City Manager’s discretionary funds.

Council Member Diehl expressed a strong objection to this agenda item. Diehl explained that staff was not to take what he was going to say personal and that the current staff has inherited issues.

Council Member Diehl inquired with the City Manager for the name of the person hired and if there was a contract. City Manager Lewis informed Council that Jo Ann Ehmann was hired with no contract.

Council Member Diehl expressed his highest respect for Joann Ehmann. However, he continued with his concern for this decision because the City has financial dealings with Ingleside on the Bay and Joann Ehmann is the Mayor and this is a conflict of interest.

Council Member Diehl stated that Council would provide the necessary funding for an independent agency. Diehl expressed his concern that the use of Joann Ehmann needed to quit immediately and the City hire an independent agency for the audit.

Furth discussion held among the Council, City Manager and Ernest Garza regarding the audit, bonds, and the fastest way to move forward.

Council Member Wilson left the Council Chambers at 6:43 p.m.

Motion: Council Member Diehl made a motion to direct the City Manager, with Consultation with the Mayor, to return at a Special Meeting with a formal recommendation to hire an outside agency to conduct a special audit, to designate a funding to the city of Ingleside, and make the report directly to the City Council as a presentation. Council Member Pruitt seconded the motion.

Amended Motion: Council Member Diehl made a motion to amended the original motion to include immediately ceasing all outside activity related to this item. Council Member Pruitt seconded the amended motion. Motion carried 4:1.

- For Motion: Council Member Diehl, Council Member Pruitt, Council Member Long, and Mayor Adame
- Against Motion: Council Member John Salinas
- Absent: Council Member Wilson and Council Member Julio Salinas

Council Member Wilson returned to the council Chambers at 7:00 p.m.

Mayor Adame advised that he was going to change the order of items on the agenda. Mayor Adame recommended moving to Public Hearings then to Presentations and then return to the normal sequence on the agenda.

7. Council Comments and Reports

The Council may discuss any subject which is specifically listed under this item.

a. Report on status of Annual Financial Report for the Year Ended September 30, 2021.

Ernest Garza addressed the Council and explained the current status on the Annual Financial Audit. Garza explained they are working on specific ledger items and now down to the final details besides capital projects funds.

Discussion held among the Council and Ernest Garza regarding anticipated time frame time and the time needed to compile budget letter.

Presentations

8. Presentation from Industry Mutual Aid Group.

Jodi Carr, Economic Development Director, addressed the Council to introduce Mark Reyes the Plant Manager at The Chemours Company, to discuss the Industry Mutual Aid Group.

Mark Reyes addressed the Council to introduce the Industry Mutual Aid Group and how this program supports industry, emergency response activity, and protecting local communities. Reyes introduced John Hale the Second Line Supervisor of Gulf Coast Growth Ventures.

John Hale addressed the Council and gave a presentation on the behind the scenes of the Industry Mutual Aid Group (IMAG) and how this program provides better protection for communities. IMAG topic overview presentation included information on the members, support contacts, purpose, benefits, history, and accomplishments.

Consent Agenda

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of the items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- 9. Deliberate and take appropriate action on second and final reading of an Ordinance of the City of Ingleside, Texas, for the acceptance of an eight hundred (800) square foot utility easement, within Lot 12-C, Block 2, Garden Oaks Subdivision, Unit 2 to be recorded in Volume 4, Page 83, Map Records of San Patricio County, Texas; and providing for effective date, reading, severance, and publication.**

Proposed Ordinance 2022-21

- 10. Deliberate and take appropriate action to authorize the Mayor to execute a letter of participation in the San Patricio County Hazard Mitigation Action Plan (HMAP).**

- 11. Deliberate and take appropriate action on Amended Regular City Council Meeting Minutes of October 25, 2022.**

Motion: Council Member Diehl made a motion to approve the consent agenda as presented. Council Member Long seconded the motion. Motion carried with all present voting in favor.

Public Hearing

The City Council shall call a public hearing on each item below in this section. Any person wishing to address the City Council on these items should please come forward when that public hearing is called.

Mayor Adame opened the Public Hearing at 6:57 p.m.

- 12. Conduct a Public Hearing on the 2023-2024 Texas Community Development Block Grant Program regarding the submission of an application to the Texas Department of Agriculture for one or more Texas Community Development Block Grant Program (TxCDBG) grants for Program Year 2023.**

Speaking For: There was no one speaking for the 2023-2024 Texas Community Development Block Grant Program.

Speaking Against: There was no one speaking against the 2023-2024 Texas Community Development Block Grant Program.

Mayor Adame closed the Public Hearing at 6:59 p.m.

Mayor Adame opened the Public Hearing at 7:00 p.m.

- 13. Conduct a Public Hearing on an application filed by Mrs. Carol Watt to rezone the hereinafter described property from its present classification of R-1 (Single-Family Residential) to R-2 (Two Family Residential): Property ID#46948 LTS 1-3 BLK 15**

RJ Williams Addition as known as 2662 Avenue F, Ingleside, Texas, previously known as 2415 4th Street, Ingleside, Texas.

Speaking For: Carol Watt addressed the council in favor of the rezoning request for the purpose of building a duplex.

Speaking Against: There was no one speaking against the rezoning request.

Mayor Adame closed the Public Hearing at 7:03 p.m.

Mayor Adame opened the Public Hearing at 7:04 p.m.

14. Conduct a Public Hearing regarding an application to replat the following property: Property ID#s 36978 & 36979 – LT 1 BLK 1 Salinas Place Subdivision and PT LT 13 BLK F Burton & Danforth Subdivision also known as 3106 Cardinal Circle, Ingleside, San Patricio County, Texas.

Speaking For: Elizabeth Brundrett, Griffith & Brundrett Surveying, addressed the Council remotely using video conferencing. Brundrett spoke stating this was presented to Planning & Zoning and was approved.

Speaking Against: There was no one speaking against the replat request.

Mayor Adame closed the Public Hearing at 7:06 p.m.

Council Member Julio Salinas joined the meeting at 7:10 p.m.

Regular Agenda

15. TABLED 11/08/2022 Deliberate and take appropriate action on the Hultgreen Improvements Project to enter into a Contract based on Resolution 2021-53 and the Agreement entered into 10th day of May 2022.

City Manager Brenton Lewis addressed the Council and explained this item was Tabled on the November 08, 2022 meeting for recommended amendments to be made to the contract. Lewis explained this was for the Hultgreen Improvement Project being funded by the American Rescue Plan Act (ARPA) Program.

Discussion held among the Council and City Manager Lewis about ARPA and impact fees.

Motion: Council Member John Salinas made a motion to approve as presented. Council Member Long seconded the motion. Motion carried with all present voting in favor.

16. Deliberate and take appropriate action on the application, procedure, and classification of objectional uses.

Gene Delauro, Interim Building Official, addressed the Council and presented a presentation on Objectionable Uses Permit Process. Presentation included an overview of the application requirements, internal procedures, and a full list of uses which require an objectionable use permit as outlined in Ordinance 616.

Discussion held among the Council and Gene Delauro on public hearings, updating list, specialist to provide update, and ordinance to protect citizens.

Motion: Council Member Diehl made a motion to authorize going out for a Request for Qualifications (RFQ) to find a firm or engineer to assist in amending the Objectional Use ordinance. Council Member Wilson seconded the motion. Motion carried with all present voting in favor.

17. Deliberate and take appropriate action on a resolution of the City Council of Ingleside, San Patricio County, Texas, appointing/reappointing of members to the Planning and Zoning Commission.

Motion: Council Member John Salinas made a motion to approve Resolution 2022-29, a resolution of the City Council of Ingleside, San Patricio County, Texas, appointing/reappointing of members to the Planning and Zoning Commission. Council Member Long seconded the motion. Motion carried with all present voting in favor.

- 18. Deliberate and take appropriate action on first reading of an Ordinance changing the zoning for the following property from its present classification of R-1 (Single-Family Residential) to R-2 (Two Family Residential): Property ID#46948 LTS 1-3 BLK 15 RJ Williams Addition as known as 2662 Avenue F, Ingleside, Texas, previously known as 2415 4th Street, Ingleside, Texas.**

Gene Delauro, Interim Building Official, addressed the Council on the zoning request to go from present zoning of R-1 Single Family residential to proposed zoning of R-2 Two Family Residential for the purpose to build a two-story two-family dwelling.

Discussion held among the Council and Gene Delauro about the three lots, replat, variance, Board of Adjustments meeting, Planning and Zoning meeting, and infrastructure to handle a duplex.

Motion: Council Member Diehl made a motion to approve the first reading of an Ordinance changing the zoning for the following property from its present classification of R-1 (Single-Family Residential) to R-2 (Two Family Residential): Property ID#46948 LTS 1-3 BLK 15 RJ Williams Addition as known as 2662 Avenue F, Ingleside, Texas, previously known as 2415 4th Street, Ingleside, Texas. Council Member Wilson seconded the motion. Motion carried with all present voting in favor.

- 19. Deliberate and take appropriate action on a Resolution for a replat affecting the following property: Property ID#s 36978 & 36979 – LT 1 BLK 1 Salinas Place Subdivision and PT LT 13 BLK F Burton & Danforth Subdivision also known as 3106 Cardinal Circle, Ingleside, San Patricio County, Texas.**

Gene Delauro, Interim Building Official, addressed the Council spoke about an application filed by Armando & Monica Salinas to replat 2.139 acres by combining Lot 1, Block 1, Salinas Place (1.003 acres) and a 1.136-acre tract out of Farm Lot 13, Landblock F, Burton & Danforth into two lots; Lot 1-R (76,166 sf / 1.749 acres) and Lot 2 (15,975 sf / .367 acres). An existing single-family home exists on Lot 1-R and a new single-family home is being proposed for Lot 2.

The minimum lot width requirement in a R-1 Single Family district is sixty (60) feet. Section 54-150 of the ICO states consideration by Planning & Zoning Commission and City Council will be given for street frontage lots of curved streets and cul-de-sacs. The proposed lot width, when measured at the 25' building line, exceeds the minimum lot width requirement of 60'.

Water service is provided by a 2" water distribution pipe with 12 existing customers (a maximum of 10 connections are permitted). A fire hydrant exists at the intersection of 12th Street & Cardinal Circle, approximately 640 feet from proposed Lot 2 (hydrant spacing should be no more than 500 feet). A 96-foot diameter cul-de-sac is required for fire department turn around (existing right of way is 70 feet in width). The applicant is currently evaluating all options to comply with the requirements stated above.

Discussion held among the Council, Gene Delauro, and Armando Salinas about the requirements and challenges.

Motion: Council Member Diehl made a motion to approve Resolution 2022-30*, a Resolution for a replat affecting the following property: Property ID#s 36978 & 36979 – LT 1 BLK 1 Salinas Place Subdivision and PT LT 13 BLK F Burton & Danforth Subdivision also known as 3106 Cardinal Circle, Ingleside, San Patricio County, Texas. Council Member Wilson seconded the motion. Motion carries 4:3*.

For Motion: Council Member Diehl, Council Member Wilson, Council Member John Salinas, and Mayor Adame

Against Motion: Council Member Pruitt, Council Member Long, and Council Member Julio Salinas

*The replat required a variance on the lot frontage which requires a majority vote. Upon attorney review, a majority vote of 3/4 or at least a vote of 6 in favor is required to pass. Therefore, the motion failed for lack of majority vote. Resolution 2022-30 is null and void.

Session break began at 9:12 p.m.

Session break reconvened at 9:29 p.m.

20. Deliberate and take appropriate action accepting the HOT Fund Post Event Form from Battlin' BBQ and authorizing payment of \$31,635.48 for the event held October 21-23, 2022.

Jodi Carr, Economic Development Director, addressed the Council to present the Battlin' BBQ post event and introduced Brian Yoder.

Brian Yoder, Battlin' BBQ Host, addressed the Council and gave update on the success of raising \$21,300 for families. Yoder thanked the Council stating they could not have done it without the support.

Motion: Council Member Diehl made a motion to accept the HOT Fund Post Event Form from Battlin' BBQ and authorizing payment of \$31,635.48 for the event held October 21-23, 2022. Council Member Wilson seconded the motion. Motion carried with all present voting in favor.

Mayor Adame advised that he was going to change the order of items on the agenda. Mayor Adame recommended moving to Item 25 and then return to the normal sequence on the agenda.

21. Deliberate and take appropriate action to adopt the Citizens Participation Plan for the City of Ingleside for the GLO CDBG-MIT Grant.

Natalie Gonzales with GrantWorks addressed the Council and explained the Citizens Participation Plan for the GLO CDBG-MIT Grant.

Discussion held among the Council and City Manager Lewis about the 45 percent requirement for the LMI.

Motion: Council Member John Salinas made a motion to approve the Citizens Participation Plan for the City of Ingleside for the GLO CDBG-MIT Grant. Council Member Julio Salinas seconded the motion. Motion carried with all present voting in favor.

22. Deliberate and take appropriate action on first reading of an Ordinance of the City of Ingleside, Texas, suspending the requirement for a maintenance bond required by Section 54-123 (e) – Construction of Improvements; and providing for effective date, reading, severance, and publication.

City Manager Lewis addressed the Council and requested this item be tabled until an April 2023 agenda to give staff additional time to review the existing maintenance bond requirements and the development ordinances.

Motion: Council Member Diehl made a motion to TABLE this item until April 2023. Council Member Wilson seconded the motion. Motion carried with all present voting in favor.

23. Deliberate and take appropriate action on a Resolution authorizing the Mayor to execute the Bank Depository Agreement Extension, which is Attachment A, as well as all other necessary documents.

City Manager Brenton Lewis addressed the Council and requested this item be tabled until January 10, 2023 for agreement changes by the bank.

Motion: Mayor Adame made a motion to TABLE this item until January 10, 2023. Council Member Pruitt seconded the motion. Motion carried with all present voting in favor.

24. Deliberate and take appropriate action on a resolution changing various fees contained in Appendix "A" Fee Schedule of the Ingleside Code of Ordinances and in particular those monthly fees charged to users of water services.

City Manager Brenton Lewis addressed the Council to explain the San Patricio Water District notified the City of Ingleside that the proposed 2023 rate for Municipal customers will be \$3.52 per thousand gallons, up from \$3.26, effective January 01, 2023. The \$0.26 increase for water will pass through to the utility customers.

Motion: Council Member Diehl made a motion to approve Resolution 2022-31, a resolution changing various fees contained in Appendix "A" Fee Schedule of the Ingleside Code of Ordinances and in particular those monthly fees charged to users of water services. Council Member Wilson seconded the motion. Motion carried with all present voting in favor.

25. Deliberate and take appropriate action on an agreement with BFI Waste Services of Texas, LP, d/b/a Republic Services of Corpus Christi.

City Manager Brenton Lewis addressed the Council and explained this is for a 10-year agreement with Republic Services. Lewis explained residential customers will see a 4 percent CPI adjustment during years two through four and year six through nine. Republic will begin brush/bulk collection and notification will be provided to the public on the schedule change.

Discussion held among the Council, City Manager Lewis, and Mike Reeves with Republic Services on the brush pickup schedule, acceptable bulk, and public notice education on changes.

Motion: Council Member Long made a motion to authorize the Mayor to sign the agreement with BFI Waste Services of Texas, LP, d/b/a Republic Services of Corpus Christi. Council Member John Salinas seconded the motion. Motion carried with all present voting in favor.

26. Deliberate and take appropriate action on the 2023 server infrastructure capital improvement project.

City Manager Brenton Lewis addressed the Council and explained the Information Technology Department is asking for funds for the 2023 server infrastructure capital improvement project. This project is required to keep the City in compliance for the next three years. This project is important to keep in compliance with the Federal CJIS audit.

Motion: Council Member Long made a motion to approve the 2023 server infrastructure capital improvement project. Council Member Julio Salinas seconded the motion. Motion carried with all present voting in favor.

27. Deliberate and take appropriate action on resignation of Municipal Court Prosecutor.

Judge Glover addressed the Council and explained current Municipal Court Prosecutor Todd Robinson was elected as the next Judge for the County Court at Law No. 1 in Nueces County.

Discussion held among the Council, Judge Glover and City Manager Lewis about recommendations, the process to fill vacancy, and request for qualifications.

Motion: Mayor Adame made a motion to proceed with solicitation for request for qualifications (RFQ) for Municipal Court Prosecutor. Council Member Pruitt seconded the motion. Motion carried with all present voting in favor.

28. Deliberate and take appropriate action the awarding of a contract for the Faith Park Lift Station Project #19L0026AQ.

Discussion held among the Council, City Manager Brenton Lewis, and Melanie Gavlik of Hanson Professional Services in regard to if the lift station project was part of the original Faith Park Bond Project and if this is comingled. Discussion on the importance of this project having to be in place before the Houghton Project can be built.

Motion: Council member Long made a motion to award the contract to JJ Fox Construction and authorize the City Manager to execute the documents on behalf of the City for the Faith Park Lift Station Project #19L0026AQ. Council Member Pruitt seconded the motion. Motion carried with all present voting in favor.

29. Deliberate and take appropriate action on voting for Board of Directors for the Texas Coalition for Affordable Power.

Motion: Council Member Pruitt made a motion for staff to complete the ballot on behalf of Council. Council Member Wilson seconded the motion. Motion carried with all present voting in favor.

30. Closed Session

City Council will meet in Closed Session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

a. Section 551.087 Deliberation regarding Economic Development Negotiations – Potential LNG Operations

At 10:15 p.m. Mayor Adame convened the Ingleside City Council into a closed session pursuant to provision of Chapter 551 of the Texas Government Code, in accordance with the authority contained in Section 551.087 Deliberation regarding Economic Development Negotiations.

31. Open Session

City Council will reconvene in Open Session at which time action on the matter(s) discussed in Closed Session may be considered.

a. Section 551.087 Deliberation regarding Economic Development Negotiations– Potential LNG Operations

At 10:49 p.m. Mayor Adame reconvened the Ingleside City Council into an open session pursuant to provision of Chapter 551 of the Texas Government Code to take any action necessary related to the executive session noted herein, or regular agenda items, noted above, and/or related items.

Item A: No action taken.

32. Announcements of Community Interest and/or upcoming events.

a. Ingleside Animal Shelter Photos with Blue Santa December 15, 2022

33. Items to consider for placement on future agendas.

Council Member Diehl requested for the following items to be added to future agenda:

1. IDC Contract
2. Presentation on the Building Codes / Fire Codes and the procedure we are using.
3. Update on the Animal Control Facility from engineers.
4. Update on the Animal Control Facility for the foundation issues.

34. Adjourn.

Mayor Adame adjourned the Regular Meeting of the City of Ingleside at 10:53 p.m.

APPROVED:


Pedro Oscar Adame, Mayor

ATTEST:


Ruby Mowles, City Secretary