

**CITY OF INGLESIDE
REGULAR CITY COUNCIL MEETING
MINUTES
DECEMBER 12, 2023
6:30 P.M.**

Opening Agenda

1. Call Meeting to order.

The Regular Council Meeting of the City of Ingleside was called to order by Mayor Pro-Tem Long at 6:30 p.m. on December 12, 2023, at City Hall 2671 San Angelo 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, Mayor Pro-Tem Tracy Long, and Julio Salinas.

Council Members Absent: Mayor Pedro Oscar Adame.

3. Invocation.

Mayor Pro-Tem Long led the invocation.

4. Pledge of Allegiance.

Mayor Pro-Tem Long led the Pledge of Allegiance to the U.S. flag.

5. Citizen Comments and Reports

Martha Habluetzel, 3508 Avenue A, addressed the Council and stated bluebonnets are good to plant this time of the season. She also stated that Enbridge wants to use an old ordinance to say they already have an objectionable use permit, the former Council did this and hope the Council can find a way to prevent this from happening, the ammonia will pollute the air, affect the citizens, and maybe time to think outside the box.

Patrick Nye, 1018 Bayshore Dr, Ingleside on the Bay, Texas, addressed the Council and stated that Tim Doty will be speaking and that he would like the City Manager to tell us about other facilities in the San Patricio County Area. He stated that he hopes the Council takes this seriously, and how it would affect the children.

Charlie Boone, 468 Sunset, Ingleside on the Bay, Texas, addressed the Council and stated support on the presentation on ammonia, explained the changing over of owners of the plant, the City has power over Economic Development, and that Council needs to use it.

Thomas Wadham, 701 Oak Ridge, Ingleside on the Bay, Texas, addressed the Council and stated he has been here for 10 years, and his concern is about misinformation being spread. He also stated that false information being brought to the City and the citizens, and the plant would have a negative impact on this community.

RJ Pettingill, 129 Woodhaven, Ingleside on the Bay, Texas, addressed the Council on the carbon capture facility and the information about his experience with a facility in the 1980's, unknown risks, and the accidents that have happened with loss of life.

Lou Valdes, 809 Bayshore Dr, Ingleside on the Bay, Texas, spoke about the risks that would come with this plant, property values, and taxation.

Shane Chaddix, 96 Bayshore Dr, Ingleside on the Bay, Texas, spoke about inspections and how it is allowed to come into the community. He also stated that the ammonia will kill you.

Debby Ferrell, 132 Sunset, Ingleside on the Bay, Texas, addressed the Council and stated there is nothing good about an ammonia plant, Enbridge has already destroyed sea grass, and that not one person that owns the plant lives in our area.

6. Staff Comments and Reports

Discussion was held between City Council and City Manager Lewis for an update on the objectional use permits, and that we must get all the information out. City Manager Lewis stated that the City did receive an application, and that there will be a Public Hearing on January 16, 2024, and that it will be in the newspaper on December 20, 2023 and January 3, 2024. Council Member Diehl wants all the information out and have the public part of the process. City Manager Lewis was asked if all information could be put on the City's website.

A. City of Ingleside expenditures paid over \$3,000.00 for the period of October 16, 2023 through November 30, 2023.

No discussion was held on this item.

B. City of Ingleside monthly financials as of October 31, 2023.

No discussion was held on this item.

C. Regulation of Non-Conventional Structures.

Discussion was held between Council Members and Interim Building Official Delauro about language to be added for regulation of temporary structures, would have to come up with standards, when does a structure become not temporary, when would the structure become a hazard to people, and need to make Ordinances clear.

D. Report of various event flags as previously requested by the Council.

Discussion was held between Council Members and City Manager Lewis about the Mayor's request for flags to identify each department at events, assurance that these would be used at all events and presentations, and that it would be showing pride for our community.

E. Animal Shelter Project Update

Discussion was held between Council Members and City Manager Lewis about the groundbreaking, start of construction, foundation ready to be poured, putting pictures on the website for citizens.

F. A report to City council on the use of Brownfield Lands.

Discussion was held between Council Members and City Manager Lewis about EPA, Brownfield redevelopment, the need to use it for something that would not contaminate citizens, being careful of the expense and liability, grant money available, and not effecting the community.

7. Council Comments and Reports

No Council Comments and Reports presented for this meeting.

Presentations

8. Proclamation to recognize Alberto Lopez's Retirement.

Mayor Pro-Tem Long presented a Proclamation to Alberto Lopez and proclaimed December 12, 2023 as Alberto Lopez Day. Assistant Director of Public Works McConnel presented Alberto Lopez with a plaque.

9. Presentation by James Doty on Potential Air Impacts of Future Industrial Expansion in the Ingleside, Texas Area.

James Doty, a former program manager for TCEQ, gave a presentation about industrial expansion, the ammonia facility and how it isn't clean, if it was clean then it would not require an air permit. Mr. Doty explained to Council Members that there is documentation and investigations, and that Enbridge has a compliance history report with nine (9) pages of infractions, 175 incidents ranging from moderate to major. He explained that ammonia is dangerous; when the plant is built, they will have to do a disaster review in the worst-case scenario. He also explained that it is dangerous for wildlife and affects all the neighboring facilities that currently exist here. Historically speaking, doesn't do ammonia monitoring because it's too dangerous for their employees. TCEQ does not have stationary monitors in this area, and the state has no ammonia monitoring.

Discussion was held between Council Members, James Doty, and Mayor Ehmann of Ingleside on the Bay about the validity of the information presented, TCEQ issuing permits but not monitoring ammonia issued permits, needing the language to be easy to understand especially concerning the standards for industries, and monitoring compliance. Giving the support of the industry if it goes beyond safety, but it does not look like it is safe, and there has been no commitments so far. Carbon capture would impact our community, and all information needs to be clear and understandable for all citizens.

10. Presentation for an Update on the Port of Corpus Christi by Kent Britton, Chief Executive Officer.

Kent Britton gave a presentation on an update for the Port of Corpus Christi. He gave a report on the Energy Port of the Americas; what the Port of Corpus Christi does for leasing out land to facilities; collection of a portion of tax, tariff on property owned and not owned; the role the Port of Corpus Christi has with building and maintain infrastructure, reinvesting in surrounding communities, building of new docks, business approach; the Port being a crude oil gateway, LNG exports, \$65B in private investments. Mr. Britton also presented that the majority of the exports goes to the Netherlands; the Port will not be doing carbon capture but their customers might and will need to go through the permitting process, and deepening the channel to save money for customers. He stated that the Port of Corpus Christi has applied to be a hydrogen hub, that Texas already produces through wind or solar, and it will need to be converted to ammonia at some point; CCUS with the Port of Corpus Christi vetted property to do direct air and carbon capture; the Port of Corpus Christi Security Center and the community engagement, HALO flight pad at some point will be evaluated, partner with the Coast Guard, STEM and early education is an investment for the Port of Corpus Christi.

Discussion was held between Council Members and Chief Executive Officer Britton about the Port of Corpus Christi research, conflict between the industry and the community, the ammonia plants are coming if not through the City, research requested for Council, economic value, and Port Commission seats for the growth in the last few years in the San Patricio County area.

Commissioner Wes came over tonight to stand by presenter Mr. Britton and stated that transparency is key. He also stated that what is needed must be compatible with the community. He also mentioned that Ingleside is in an interesting position where the city is located at, and how it will impact the ability for the growth of citizens in the community.

Consent Agenda

Consent Agenda read with proposed Ordinance numbers in sequence. Council Member Diehl asked for Item 13 to be removed from the Consent Agenda and discussed before taking action on the rest of the Consent Agenda.

- 13. Deliberate and take appropriate action on the second and final reading of an Ordinance amending Chapter 78 – Zoning, Article I – In General, Article II – Administration, Article III – Nonconforming Uses and Buildings, Article IV – District Regulations, Article V – Supplementary District Regulations, and Article VI – Miscellaneous, Ingleside Code of Ordinances and further providing for effective date, reading, severance, and publication.**

Discussion was held on an amendment for an administrative change in Section 2, Effective Date, to include: all applications for Objectionable Uses received after the effective date of this ordinance shall comply fully with the requirements enumerated herein.

Proposed Ordinance 2023-29.

Approved as Ordinance 2023-27.

Motion: Council Member Diehl made a motion to approve, Ordinance 2023-27, with the amendment, an Ordinance amending Chapter 78 – Zoning, Article I – In General, Article II – Administration, Article III – Nonconforming Uses and Buildings, Article IV – District Regulations, Article V – Supplementary District Regulations, and Article VI – Miscellaneous, Ingleside Code of Ordinances and further providing for effective date, reading, severance, and publication. Mayor Pro-Tem Long seconded the motion. Motion carried with all present voting in favor.

Consent Agenda (Resumed)

11. **Deliberate and take appropriate action on the second and final reading of an Ordinance amending Chapter 18 – Buildings and Building Regulations, Article I – In General, Article II – Construction Standards, Article III – Plumbing Standards, Article IV – Gas Standards, Article V – Mechanical Standards, Article VI – Electrical, Article VII – International Property Maintenance Code, Article VIII – Unsafe Buildings, Article IX – Swimming Pools, Article X – Floodplain Management, Article XI – Fences, Article XII – Building Numbering, Article XIII – Industrial Housing and Buildings and Article XIV – Wind Energy Conversion Systems, Ingleside Code of Ordinances and further providing for effective date, reading, severance, and publication.**

Proposed Ordinance 2023-27.

Approved as Ordinance 2023-28.

12. **Deliberate and take appropriate action on the second and final reading of an Ordinance amending Chapter 34 – Fire Prevention and Protection, Ingleside Code of Ordinances and further providing for effective date, reading, severance, and publication.**

Proposed Ordinance 2023-28.

Approved as Ordinance 2023-29.

14. **Deliberate and take appropriate action on the second and final reading of an Ordinance amending Chapter 54 – Subdivisions, Article I – In General, Article II – Administration, Article III – Plats, Article IV – Design Standards, Article V – Improvements, and Article VI – Model Subdivision Rules, Ingleside Code of Ordinances and further providing for effective date, reading, severance, and publication.**

Proposed Ordinance 2023-30.

Approved as Ordinance 2023-30.

15. **Deliberate and take appropriate action to accept a donation in the amount of \$7,500 from the Enbridge Corporate Citizenship Grant and \$1,000 from an Ingleside Citizen for community safety or community beautification and supplies for animals for Animal Control.**
16. **Deliberate and take appropriate action to accept a donation in the amount of \$8,500 from Flint Hills Resources for the Ingleside Volunteer Fire Department for RIT packs.**
17. **Deliberate and take appropriate action to accept a donation in the amount of \$17,435 from OxyChem for the Ingleside Volunteer Fire Department for 3 MSA Multi-Gas Meters, 1 MSA RIT packs, and 5 MSA 4500 PSI Quick Connect Bottles.**
18. **Deliberate and take appropriate action to accept a donation in the amount of \$7,500 from Enbridge Ingleside Oil Pipeline, LLC, for the Ingleside Volunteer Fire Department for 7 SCBA bottles.**

19. Deliberate and take appropriate action to accept a donation in the amount of \$2,500 for Light Up Live Oak supplies and \$500 for Veteran's Day flags from OxyChem and \$1,200 from various Ingleside businesses and citizens for Blue Santa gifts.
20. Deliberate and take appropriate action on first and only reading of an Ordinance amending the Fiscal Year 2023-2024 Budget for the City of Ingleside, Texas, for the General Fund for appropriation of the donation funds received from various businesses for the purchase of Veteran's Day flags, Light Up Live Oak Event supplies, Blue Santa gifts, Animal Control supplies for animals and community beautification or community safety, and Volunteer Fire supplies and equipment.

Proposed Ordinance 2023-31. Approved as Ordinance 2023-31.

21. Deliberate and take appropriate action on the Regular Meeting Minutes of November 14, 2023 and Special Council Meeting Minutes of November 27, 2023.

Council Member Diehl pulled Item 13 from Consent Agenda for separate discussion before Consent Agenda.

Motion: Council Member Diehl made a motion to approve the Consent Agenda, excluding Item 13 which was removed from the Consent Agenda for separate discussion. Council Member Wilson seconded the motion. Motion carried with all present voting in favor.

Executive Session

22. 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 – Update on ongoing industry and retail negotiations.**

At 9:18 p.m. Mayor Pro-Tem Long 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 – Update on ongoing industry and retail negotiations.

23. Open Session

City Council will reconvene in Open 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 – Update on ongoing industry and retail negotiations.**

At 9:50 p.m. Mayor Pro-Tem Long 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.

Public Hearing

No Public Hearings scheduled for this meeting.

Regular Agenda

Council Member Julio Salinas left the dais.

24. Deliberate and take appropriate action on a Resolution of the City Council of the City of Ingleside, San Patricio County, Texas, confirming the appointment of Officers to the Ingleside Volunteer Fire Department.

Fire Chief Miller presented the recommended appointment of Officers to the Ingleside Volunteer Fire Department for a term of January 1, 2024 to December 31, 2024, as follows:

- Scott Marion to serve as Assistant Fire Chief; and
- John Witt to serve as Captain 1; and
- Gerald Crain to serve as Captain 2; and
- Adrian Rodriguez to serve as Lieutenant 1; and
- Preston Matheaus to serve as Lieutenant 2; and
- Ken Lay to serve as Support Lieutenant; and
- Rhonda Payne to serve as Training Lieutenant; and
- Ruben Adame to serve as Chief Engineer; and
- Robert Vana to serve as Assistant Chief Engineer; and
- Scott Marion to serve as Certifying Coordinator; and
- Adrian Rodriguez to serve as Communications Officer; and
- Brittany Elkins to serve as Public Information Officer; and
- Ann Puig to serve as Quarter Master; and
- Health and Safety Officer for the IVFD will remain vacant at this time.

Motion: Council Member Diehl made a motion to adopt Resolution 2023-41 as presented, a Resolution of the City Council of the City of Ingleside, San Patricio County, Texas, confirming the appointment of Officers to the Ingleside Volunteer Fire Department. Council Member Wilson seconded the motion. Motion carried with all present voting in favor.

- For Motion: Council member Diehl, Council Member Wilson, Council Member Pruitt, Council Member John Salinas, and Mayor Pro-Tem Long
- Against Motion: None
- Absent: Council Member Julio Salinas (stepped away from dais)

Council Member Julio Salinas returned to the dais.

25. Deliberate and take appropriate action on a Resolution changing the sewer base and volume rates for Ingleside on the Bay as contained in Appendix “A” fee schedule of the Ingleside Code of Ordinances.

City Manager Lewis requested for the agenda item be withdrawn to bring back at the next meeting for substantial changes to Resolution.

Mayor Pro-Tem Long requested to withdraw Item 25 from the agenda. There were no objections by Council, and Mayor Pro-Tem Long stated that the item was withdrawn.

26. Deliberate and take appropriate action on a Resolution of the City Council of the City of Ingleside, Texas requesting the addressing of illumination of areas of State Highway 361 and creating an alternate mode of transportation for areas of State Highway 361.

Discussion held between Council Members and City Manager Lewis about the different funding sources, the State of Texas being responsible for the maintenance of State Highway 361 and the safety of all vehicular and pedestrian traffic, and the action of the Council for the safety of the community.

Motion: Council Member Diehl motion to adopt Resolution 2023-42 as presented, a Resolution of the City Council of the City of Ingleside, Texas requesting the addressing of illumination of areas of State Highway 361 and creating an alternate mode of transportation for areas of State Highway 361. Council Member Julio Salinas seconded the motion. Motion carried with all present voting in favor.

27. Deliberate and take appropriate action on a Resolution of the City Council of the City of Ingleside, Texas declaring an emergency for needed repairs on the Fire Department facility, ratifying actions to repair the Fire Department facility, and providing an effective date.

Discussion held between Council Members and City Manager Lewis about the roof of the facility, the repair needing to meet windstorm regulations, and not being a normal procedure for a budgeted item, funding being in the Fund 30 General fund Capital Improvement Projects that was approved for the Fiscal year 2023-2024,

Motion: Council Member Diehl made a motion to adopt Resolution 2023-43 as presented, a Resolution of the City Council of the City of Ingleside, Texas declaring an emergency for needed repairs on the Fire Department facility, ratifying actions to repair the Fire Department facility, and providing an effective date. Council Member John Salinas seconded the motion. Motion carried with all present voting in favor.

28. Deliberate and take appropriate action on a Resolution of the City Council of the City of Ingleside, Texas declaring an emergency for needed repairs on the City Hall Annex, ratifying actions to repair the City Hall Annex, and providing an effective date.

Discussion was held between Council Members and City Manager Lewis about the damage to the roof, and never being addressed properly in the past.

Motion: Council Member John Salinas made a motion to adopt Resolution 2023-44 as presented, a Resolution of the City Council of the City of Ingleside, Texas declaring an emergency for needed repairs on the City Hall Annex, ratifying actions to repair the City Hall Annex, and providing an effective date. Council Member Diehl seconded the motion. Motion carried with all present voting in favor.

29. Deliberate and take appropriate action on a Resolution of the City Council of the City of Ingleside, Texas declaring an emergency for needed repairs on the City Hall Complex, ratifying actions to repair the City Hall Complex, and providing an effective date.

Discussion was held between the Council Members and City Manager Lewis about the development of leaks that are causing damage in various areas of the City Hall Complex building.

Motion: Council Member Pruitt made a motion to adopt Resolution 2023-45 as presented, a Resolution of the City Council of the City of Ingleside, Texas declaring an emergency for needed repairs on the City Hall Complex, ratifying actions to repair the City Hall Complex, and providing an effective date. Council Member John Salinas seconded the motion. Motion carried with all present voting in favor.

30. Deliberate and take appropriate action to award the bid for the construction of the Kenny Lane A to Z Project.

Discussion was held between Council Members and City Manager Lewis about Gerke Excavating, Inc. having the lowest bid, over the cost in bonds, completion of 240 days from the time of Notice to Proceed, total miles from FM 1069 to Avenue A, upgrades included, and built in contingencies.

Motion: Council Member Pruitt made a motion to award the bid to Gerke Excavating, Inc. in the amount of \$2,486,150.49 for the Kenny Lane A to Z Project. Council Member Diehl seconded the motion. Motion carried with all present voting in favor.

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

- A. Ingleside Library's Christmas tree Lighting, December 13, 2023
- B. Breakfast with Santa, December 16, 2023

32. Items to consider for placement on future agendas.

Mayor Pro-Tem Long asked about a Community Center on the property.

Council Member Diehl requested updates on the Animal Control facility, the tools that Animal Control needs, documentation of upgrades, and the definition of viscous animals.

Council Member Wilson asked about the sewer plant and the smell coming from it.

Council Member Julio Salinas would like to see an update on the upgrades to the water meters.

33. Adjourn.

Mayor Pro-Tem Long adjourned the regular meeting of the City of Ingleside at 10:19 p.m.

APPROVED:


Pedro Oscar Adame, Mayor

ATTEST:


Ruby Beaven, City Secretary