

**CITY OF INGLESIDE
SPECIAL CITY COUNCIL MEETING
AGENDA
JANUARY 16, 2024
6:30 PM**

Notice is hereby given that the Ingleside City Council will hold a Special City Council Meeting on January 16, 2024, at 6:30 PM. The Meeting will be held in person at a temporary location: **Humble Center, 2821 Main Street, Ingleside, Texas.** Members of the public can view the meeting via live stream at <https://inglesidetx.gov/>.

With respect to any subject matter set forth below, the City Council may take action, unless otherwise expressly indicated with respect to any particular subject matter.

Opening Agenda

1. Call Meeting to Order.
2. Roll Call.
3. Invocation.
4. Pledge of Allegiance.
5. Citizen Comments and Reports.

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.

Presentations

Executive Session

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.

6. Conduct a public hearing concerning an application for Objectionable Uses filed by Ingleside Clean Ammonia Partners, LLC to construct and operate an ammonia production and export facility located in the Enbridge Ingleside Energy Center located at 1450 Lexington Road, Ingleside, Texas.

Regular Agenda

7. Deliberate and take appropriate action on a Resolution affecting the zoning of the following property from its present zoning of I-Industrial to include an allowance of objectionable use:

The area bounded by Coral Sea Road, Ticonderoga Road, and Arleigh Burke Road, together with the adjacent dock, all as more particularly shown on Exhibits A and A-1 attached.

8. Items to consider for placement on future agendas.

9. Adjourn.

Special Accommodations

This facility is wheelchair accessible and there are special parking spaces near the main entrance. Request for accommodations or special services must be made 48 hours prior to this meeting. Please contact City Secretary's Office at (361) 776-2517 or Fax (361) 776-1027 or email citycouncilquestions@inglesidetx.gov for further information.

With respect to any subject matter set forth, the City Council may meet in Closed Executive Session, if and to the extent allowed by Chapter 551 of the Texas Government Code, including, but not limited to, any of the following sections of Chapter 551: Section 551.071 Consultations with Attorney, Section 551.072 Deliberation about Real Property, Section 551.073 Deliberation regarding Prospective Gift, Section 551.074 Personnel Matters, Section 551.087 Deliberation regarding Economic Development Negotiations, and Section 551.089 Deliberation regarding Security Devices Or Security Audits.

Certification

I, Ruby Beaven, certify that the above notice of this Special Meeting of the City Council was posted on the City Hall bulletin board at 2671 San Angelo Street, Ingleside, Texas on January 09, 2024 by 5:00 p.m.



Ruby Beaven, City Secretary

This public notice was removed from the official posting board at the Ingleside City Hall on the following:

Date: _____

Time: _____

By: _____

City Secretary's Office
City of Ingleside, Texas

CITY COUNCIL AGENDA

Special Meeting: January 16, 2024

AGENDA ITEM: 6

Conduct a public hearing concerning an application for Objectionable Uses filed by Ingleside Clean Ammonia Partners, LLC to construct and operate an ammonia production and export facility located in the Enbridge Ingleside Energy Center located at 1450 Lexington Road, Ingleside, Texas.

SUBMITTED BY: Gene Delauro, Interim Building Official

APPROVED FOR AGENDA: Brenton Lewis, City Manager

BACKGROUND:

The applicant is requesting Objectionable Use designation for land depicted in Exhibit “A” and “A-1”. Objectionable Use designation for portions of the site was previously approved by City Council on July 10, 2012 (Ordinance #1061, approximately 380.1 acres) and on November 12, 2013 (Ordinance #1075, approximately 99.72 acres).

Enbridge / Yara propose to develop a joint-venture ammonia production and export facility located in the existing Enbridge Ingleside Energy Center located at 1450 Lexington Road in Ingleside, Texas. The facility will be based on Autothermal Reforming Technology (ATR) and utilize natural gas feed stock delivered by pipeline and aims for 95% process carbon capture. The captured CO₂ stream from the ATR process will be further processed and sent to a CO₂ pipeline for sequestration and or geological injection at a 3rd party facility located outside of San Patricio County. Ammonia tanks will be double containment tank systems to be erected close to the dock. All products will be exported via vessels. An overall site plan for the proposed facility, with demonstrative locations of various facility components is provided as Exhibit “B”.

The application contains a description of hazards, such as fire, explosion, noise, vibration, dust or the emission of smoke, odor or toxic substances, a description of all safeguards proposed to protect the surrounding property and persons from hazards, regulations and industry codes governing minimization of process safety and fire risk, engineering controls and organizational controls.

FISCAL ANALYSIS:

None

RECOMMENDATION:

None

ATTACHMENTS:

1. #650-APPLICATION



PO Drawer 400 • 2665 San Angelo • Ingleside, TX 78362
Phone: 361-776-3815 - building@inglesidetx.gov

SPECIAL USE: SECTION 78-267 OBJECTIONABLE USES

Date Filed: _____

In accordance with the Planning and Zoning Subdivision Ordinance, Chapter 78, Article IV, application for special use Section 78-267 is requested on the property below:

Applicant:

Name: Ingleside Clean Ammonia Partners, LLC

Address: 915 N. Eldridge Parkway, Suite 1100, Houston, TX 77079

Phone #: 1-855-385-6645

Email Address: EIECpermits@enbridge.com

Property Owner (If different):

Name: Enbridge Ingleside Oil Terminal, LLC

Address: 915 N. Eldridge Parkway, Suite 1100, Houston, TX 77079

Phone #: 1-855-385-6645

Email Address: EIECpermits@enbridge.com

Legal Description of Property:

That area bounded by Coral Sea Road, Ticonderoga Road, and Arleigh Burke Road, together with the adjacent dock area, all as more particularly shown on Exhibits A and A-1 attached. The remainder of the adjacent property already has an objectionable use permit for uses that include ammonia facilities under Ordinance No. 1061 approved July 10, 2012, granting zoning for "I (Industrial District) with the inclusion of the cumulative objectionable use area" as depicted on a document, also labeled Exhibit A, made part of that Ordinance. An overall Site Plan for the facility, with demonstrative locations of various facility components, is provided as Exhibit B attached.

Description of proposed uses, approval for which the property is sought:

Enbridge/Yara are developing a joint-venture ammonia production and export facility (Facility) located in the existing Enbridge Ingleside Energy Center (EIEC) in the areas identified in the Site Plan in Exhibit B. The Facility will be based on Autothermal Reforming Technology (ATR) and utilize natural gas feed stock delivered by pipeline. It aims for 95% process carbon capture. The captured CO2 stream from the ATR process will be further processed and sent to a CO2 pipeline for sequestration and/or geological injection at a 3rd party facility located outside of San Patricio County, Texas. Ammonia tanks will be double containment tank systems planned to be erected close to the docks. All product will be exported via vessels.

Description of hazards, such as fire, explosion, noise, vibration, dust, or the emission of smoke, odor, or toxic substances, accompanying the proposed use:

Hazardous Material	Use	Safety Hazard
Methane	Feed stock Fuel for fired heater equipment	 Flammability 4: Will rapidly or completely vaporize at normal atmospheric pressure and temperature, or is readily dispersed in air and will burn readily. Health 2: Intense or continued but not chronic exposure could cause temporary incapacitation or possible residual injury Instability 0: Normally stable Special Hazard: Simple asphyxiant gas
Oxygen	Oxydizing agent for ATR unit	 Flammability 0: Materials that will not burn under typical fire conditions Health 3: Short exposure could cause serious temporary or moderate residual injury Instability 0: Normally stable Special Hazard: Oxidizer, allows chemicals to burn without an air supply
Hydrogen	Product from ATR process; raw material for ammonia synthesis	 Flammability 4: Will rapidly or completely vaporize at normal atmospheric pressure and temperature, or is readily dispersed in air and will burn readily. Health 0: Poses no health hazard. Instability 0: Normally stable. Special Hazard: none.

Nitrogen	Raw material for ammonia synthesis	 Flammability 0: Materials that will not burn under typical fire conditions. Health 0: Poses no health hazard. Instability 0: Normally stable. Special Hazard: Simple asphyxiant gas.
Methyl diethanolamine	Carbon dioxide capture solvent	 Flammability 1: Materials that require considerable preheating, under all ambient temperature conditions, before ignition and combustion can occur. Health 1: Exposure would cause irritation with only minor residual injury. Instability 0: Normally stable. Special Hazard: none.
Carbon Dioxide	By product from ATR process	 Flammability 0: Materials that will not burn under typical fire conditions. Health 2: Intense or continued but not chronic exposure could cause temporary incapacitation or possible residual injury. Instability 0: Normally stable. Special Hazard: Simple asphyxiant gas.
Ammonia	Final product	 Flammability 1: Materials that require considerable preheating, under all ambient temperature conditions, before ignition and combustion can occur. Health 3: Short exposure could cause serious temporary or moderate residual injury. Instability 0: Normally stable. Special Hazard: Corrosive; strong base.

In addition, ammonia production process requires the use of steam, electricity and heavy machinery that will generate the following hazards:

- High temperature
- High pressure
- High voltage
- High noise level

Description of all safeguards proposed to protect the surrounding property and persons from hazards accompanying the proposed use:

Inherent safe design

The Facility will benefit from the use of best industry practices gathered along the 80+ years of experience in ammonia processes. Proven engineering and construction solutions used by Yara in other worldwide locations are embedded into the plant design. As a result, the Facility will comply with or exceed Federal and Industry safety requirements, including but not limited to the following:

Federal

- Occupational Safety and Health Administration (US OSHA)
- Environmental Protection Agency (US EPA)
- Department of Transportation (US DOT)
- United States Coast Guard (USCG)
- United States Army Corps of Engineers (USACE)
- NOAA's Office of Response and Restoration (OR&R)
- Emergency Response Planning Guidelines (ERPGs) – exposure guidelines
- American Association of State Highway and Transportation Officials (AASHTO)

State/County

- Texas Commission Environmental Quality (TCEQ)

Insurance regulations

- Oil Insurance Association (OIA)
- Highly Protected Risk (HPR) as interpreted by Global Risk Consultants (GRC)

Regulations and Industry Codes Governing Minimization of Process Safety and Fire Risk, Including the following:

NFPA 1	Fire Code
NFPA 10	Standard for Portable Fire Extinguishers
NFPA 101	Life Safety Code
NFPA 110	Standard for Emergency and Standby Power Systems
NFPA 111	Standard on Stored Electrical Energy Emergency and Standby Power Systems
NFPA 13	Standard for the Installation of Sprinkler Systems
NFPA 14	Standard for the Installation of Standpipes and Hose Systems
NFPA 15	Standard for Water Spray Fixed Systems for Fire Protection
NFPA 20	Standard for the Installation of Stationary Pumps for Fire Protection

NFPA 214	Water-Cooling Towers Fire Protection
NFPA 220	Standard on Types of Building Construction
NFPA 24	Standard for the Installation of Private Fire Service Mains and Their Appurtenances
NFPA 3	Standard for Commissioning of Fire Protection and Life Safety Systems
NFPA 30	Flammable and Combustible Liquids Code
NFPA 4	Standard for Integrated Fire Protection and Life Safety System Testing
NFPA 496	Standard for Purged and Pressurized Enclosures for Electrical Equipment
NFPA 497	Classification of Flammable Liquids, Gases, or Vapors and of Hazardous (Classified) Locations for Electrical Installation in Chemical Process Areas
NFPA 499	Classification of Combustible Dust and of Hazardous (Classified) Locations for Electrical Installation in Chemical Process Areas
NFPA 54	National fuel gas code
NFPA 68	Standard on Explosion Protection by Deflagration Venting
NFPA 70	National Electrical Code
NFPA 70E	Electrical Safety in the Workplace
NFPA 750	Standard for the Installation of Water Mist Fire Protection Systems.
NFPA 77	Recommended Practice on Static Electricity
NFPA 780	Standard for the Installation of Lightning Protection Systems
NFPA 79	Electrical Standard for Industrial Machinery
NFPA 80A	Recommended Practice for Protection of Buildings from Exterior Fire Exposures
NFPA 85	Boiler and Combustion System Hazard Code
NFPA 8502	Prevention of Furnace Explosions / Implosions
NFPA 92	Standard for Smoke Control Systems
NSF 372	Drinking water system components – Lead content
NSF 61	Drinking water system components – Health effects
OSHA 29 CFR Part 1910	US Department of Labor, Occupational Safety and Health Administration
OSHA 1910 Subparts D, E, & R	Occupational Safety and Health Standards
OSHA 1910.120	Hazardous waste operations and emergency response
OSHA 1910.212	General requirements for all machines
OSHA 1910.23	Ladders
OSHA 1910.303	Occupational Safety and Health Standards - Electrical
OSHA 1910.56	Illumination
OSHA 1926 Subpart M	Safety and Health Regulations for Construction

Below are some examples on inherent safe design solutions that will be in place:

- Double containment storage tanks
- Redundancy for safety critical equipment and function
- Fail safe concepts for key elements
- Emergency backup power included in design for safety critical functions
- Pressure and thermal relief systems utilized to ensure safe protection of equipment and mechanical integrity

All aspects of the Facility will be addressed using rigorously selected best in class contractors and service providers with ample and proven experience in the areas of process engineering, design and construction of ammonia facilities.

Engineering Controls

- Facility will utilize proven operational features to safely control identified hazards, including:
 - Continuous monitoring of process parameters including early alerts for deviations outside of normal operating conditions (pressure, temperature, flow, level, vibration, speed, electrical load, composition)
 - Process Control systems for automatic regulation loop to maintain process parameters at optimal set points
 - Emergency Shut Down system that will be activated by predefined parameters from the continuous process monitoring or by human decision in order to always keep the process in a safe state condition. During emergency shut down, hazardous material will be sent to a smokeless flare system in a safe location.
 - Continuous ammonia gas detection grid throughout the plant that activates an alarm on early detection of low concentrations and can safely shutdown the facility upon higher concentrations.
 - Isolation of high noise sources around rotational equipment
 - Continuous stack emissions monitoring
 - Automatic activation of mitigation devices such as foam or water deluge systems for fire and gas leak control

Organizational Controls

- Facility will be operated locally, including in-person operator process monitoring 24 hours a day, 7 days a week, and organized around the following processes:
 - Standard Operating Procedures (SOP) for operational conditions
 - For work activities not covered by SOP, a work permit process will be utilized which includes risk assessment
 - Mechanical integrity programs, including routine maintenance and inspection plans
 - Emergency Response Plans (ERP) integrating coordination with relevant stakeholders, regulators, and competent authorities
 - Regular and systematic review for assessment and reinforcement operational discipline (safety leadership and active supervision program)
 - Proven Contractor Management Plan to be utilized to minimize contractor process interference risks
 - Management of Change process to cover modifications introduced during complete asset life cycle
 - Operators, technicians, responders, contractors, and managers continuous training
 - Continuous improvement through active learning

Finally, to cover the potential security threats, the Facility will be in a secure area with only authorized access.

A Site Plan, with demonstrative locations of various Facility components, is included as shown on Exhibits A and B.

Signature: Juan del Olaj Date: 11/20/2023

Zone: _____ Reviewed By: _____ Date: _____

EXHIBIT A



EXHIBIT A-1

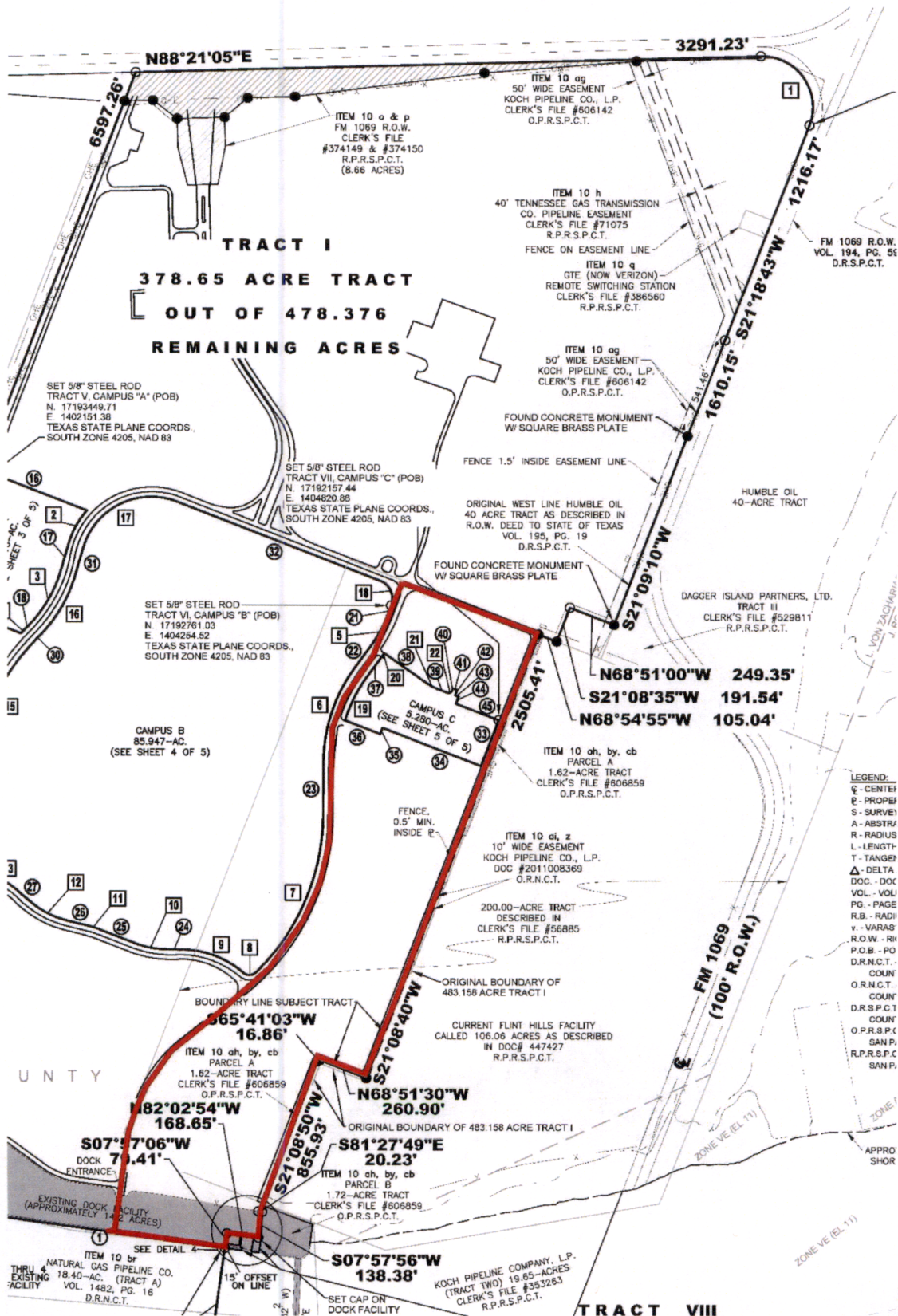
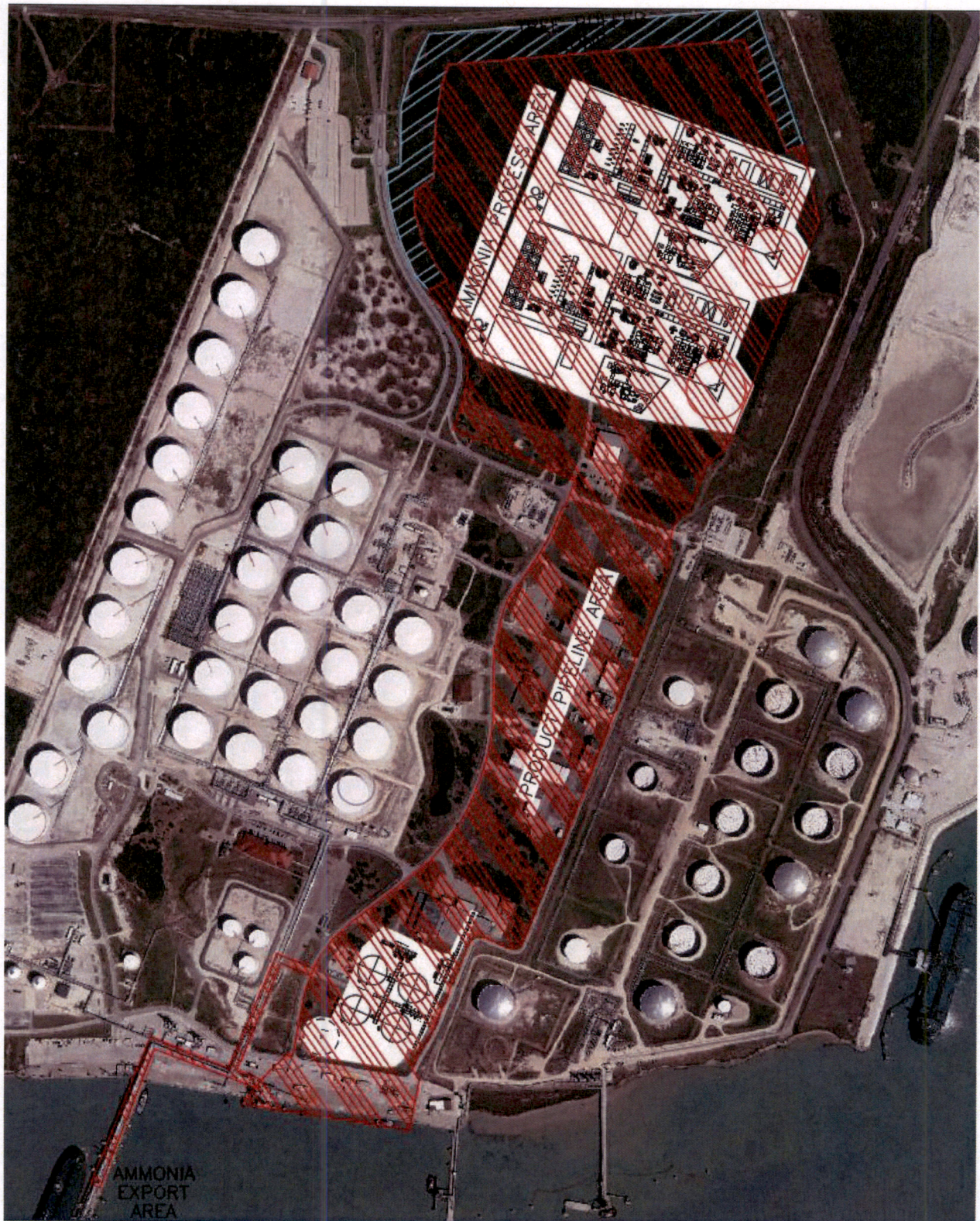


EXHIBIT B



**CITY OF INGLESIDE
MINUTES
CITY COUNCIL MEETING
NOVEMBER 12, 2013**

*City Council Minutes -
Campus Tract Zoning
Nov. 13 2013*

1. Call meeting to order

The meeting was called to order at 6:30 p.m. with Mayor Pete Perkins presiding. Council Members present: Mayor Pete Perkins and Council Members Cynthia Wilson, Ben Tucker, Elaine Kemp, Willie Vaden, and Paul Pierce. Council Members absent: Council Member John F. Schack. Staff present: City Manager, Jim Gray, Assistant City Manager/Finance Director Paul Baen, and City Secretary Kimberly Drysdale. There were approximately 60 guests.

2. Invocation

3. Pledge of Allegiance

4. Presentations from the Audience

Ms. Hailey Zabel, President of GFWC Fireside Juniors Club, presented a letter to the Council asking for the Council to consider their request for financial assistance in the form of a beautification grant to build a "Before I Die Wall" at the Avenue B, Amarillo Street, and FM 1069 intersection. Mayor Perkins requested a future agenda item for Council to consider this request.

Mr. John Lawmeyer stated he heard the City of Ingleside was handing out 638 Agreements to developers and he feels the citizens need to be made aware of these agreements.

5. Consideration and action of the Minutes of the City Council Meeting of October 22, 2013.

Council Member Pierce noted a few typographical errors for correction.

Council Member Pierce made a motion to approve the Minutes of the City Council Meeting of October 22, 2013 with corrections and was seconded by Council Member Vaden. The motion passed with Mayor Perkins and Council Members Tucker, Kemp, Vaden, and Pierce voting aye; and Council Member Wilson abstained because she was not present.

6. Consideration and action of the Change Order # 1 in the amount of \$55,000.00 and to extend the contract by 98 days for the 750,000 Gallon Composite Elevated Water Storage Tank known as Phase 2 of the EDA Grant.

City Manager Jim Gray explained after the review by Naismith Engineers and City Staff, the foundation information provided by Landmark Structures, along with the geotechnical information provided by Rock Engineering; that an auger cast pile foundation would be required in lieu of the originally bid mat foundation. This is an additional expense of \$55,000 and will require an additional 98 calendar days for completion, which will extend the completion date to October 6, 2014.

Council Member Vaden made a motion to authorizing the use of Capital Improvements Funds for Change Order # 1 in the amount of \$55,000.00 and to extend the contract by 98 days for the 750,000 Gallon Composite Elevated Water Storage Tank known as Phase 2 of the EDA Grant and was seconded by Council Member Tucker. The motion was approved unanimously.

7. Presentation and discussion with Naismith Engineering for drainage proposals for the SH-361, Avenue A, and Tiner Lane neighborhood areas.

City Manager Jim Gray stated that as funds are available and development occurs, certain areas of town require additional improvements. For some time, the Staff, Council, and Engineers have been watching the Tiner Lane and Avenue A area regarding streets and drainage concerns. At this time, the Engineers would like to present a proposal to Council to assist with this area of town.

John Michael of Naismith Engineering explained that eight years ago the City received grant funds for the Whitney Lake Project that helped alleviate the drainage concerns in the North Central area of Ingleside. As time has progressed and additional development has occurred, this area of town is again in need of assistance for drainage. The GIS equipment (purchased through the LRA grant funds) has shown us the water runs naturally in a northerly direction towards the Whitney Lake; however, we have been trying to physically move the water in a westerly direction through ponds and drains towards Lovers Lane, down to Tiner Lane, and then to the McCampbell Slough. The Apartments being considered for the Hwy 361 and Avenue A intersection will drain into the box culverts on Hwy 361 and should not add water to this area, but because of the additional development in the area, there will be other traffic and a need to move the water out of the area faster. Therefore, we would like to meet with neighbors of this area of town to find out all of the concerns and hopefully find a solution to help move this water in the more natural northerly direction toward Whitney Lake. Once the drainage problems are addressed, then the improvements to Tiner Lane can be considered.

Mr. Gray stated that the staff would provide a Workshop with the Neighbors, Staff, Engineers, and Drainage District to discuss the project, other concerns, and potential solution. Notices would be provided via hand delivery, mail, and in the Newspaper.

8. Presentation by Assistant Public Works Director, John Meenaghan regarding the completion of the 4th street water tank.

Assistant Public Works Director, John Meenaghan gave an overview of the process to build the 4th Street One-Million Gallon Ground Water Storage Tank and explained the pictures provided to the Council and public.

9. Presentation by Volunteer Fire Captain, John Meenaghan regarding fire suppression systems that are used in the industry today for oil tank fires.

Volunteer Fire Captain, John Meenaghan explained that the way fires in the industry area were fought 20-30 years ago is totally different from how we fight fires with today's technology and resources. The main difference is in how that the new tanks have an Aqueous Film Forming Foam (AFFF) system installed at the top of each tank that is automatically engaged should there be any smoke/fire. This automated system basically suffocates the fire just like putting a lid on a grease fire in your kitchen. Even though the Fire Department is still dispatched, these new systems can put out a fire before the Fire Department reaches the scene. This saves lives, product, nearby structures and the atmosphere. The older tanks that don't have the AFFF system installed are still put out by the firefighters but instead of minutes, it takes 1-2 hours.

Volunteer Fire Chief, RJ Thomas stated that the area industries pay for 4-6 of our volunteers to attend their training courses each year. Our trained individuals come back and train the other volunteers with the latest techniques. Over the course of several years, majority of our volunteers will have attended at least one of the industrial sponsored training courses.

10. Consideration and action of an Ordinance amending Chapter 54 – Subdivision, Article IV – Design Standards, Ingleside Code of Ordinances to add Section 54-154 – Stormwater Drainage, Detention and Impoundment Requirement. (First Reading)

City Manager Jim Gray stated that in the past, the City of Ingleside has utilized the State Statutes to regulate the drainage needs in our City. As we foresee an increase in development, we feel it is time the City consider its own drainage regulations that can be more restrictive than the State Statutes. John Michael of Naismith Engineering was also available to answer any questions. He suggested that we might change some of the residential requirements for small lots.

Council Member Pierce questioned the "modeling" analysis and it was suggested that they use the word "calculation" instead.

Council Member Vaden made a motion to pass to a second reading the Ordinance amending Chapter 54 – Subdivision, Article IV – Design Standards, Ingleside Code of Ordinances to add Section 54-154 – Stormwater Drainage, Detention and Impoundment Requirement with the change of "modeling" analysis to "calculation" analysis and for the Engineers to bring back some additional language regarding the small residential lots; and was seconded by Council Member Pierce. The motion was approved unanimously.

11. A Public Hearing of an application filed by Oxy Ingleside Energy Center for 99.72 acres "Campus" section out of the UPLAND TRACT 1 containing 479.818 acres, and 67.2 acres remaining acres of UPLAND TRACT 1 containing 479.818 acres, formally known as Naval Station Ingleside also known as 859 Main Street (FM 1069). Oxy Ingleside Energy Center is requesting to be allowed to include the objectionable uses.

Mayor Perkins opened the Public Hearing at 7:22 p.m.

Speaking in favor of this application was Jeff Hanig of Oxy Ingleside Energy Center. He explained that they have attempted to consider various options for utilizing the buildings within the center of the former Naval Station Ingleside, aka the "Campus" area; and although the area would be prime for offices and other commercial business, Oxy has no need for the buildings and could better use their property with Oxy products. The area was previously zoned Industrial, and now they are proposing the "Campus" area be considered for Objectionable Use for Petroleum Products. He provided electronic renditions of what the tanks would look like from the roadway with the existing trees layered in front of the tanks. There will be minimal view of these tanks.

Speaking against this application was Ms. Jeannie Atwell. She questioned what Objectionable Use was previously approved and what was being done to educate the public. She is concerned with the proximity of the schools to the industry and questioned if the schools would be moved.

Mayor Perkins closed the Public Hearing at 7:40 p.m.

12. Consideration and action of an Resolution changing the zoning for the following property from its present zoning of I (Industrial District) to include with the inclusion of objectionable uses: 99.72 acres "Campus" section out of the UPLAND TRACT 1 containing 479.818 acres, and 67.2 acres remaining acres of UPLAND TRACT 1 containing 479.818 acres, formally known as Naval Station Ingleside also known as 859 Main Street (FM 1069).

Council Member Vaden made a motion to approve Resolution # 1075 changing the zoning for the following property from its present zoning of I (Industrial District) to include with the inclusion of objectionable uses: 99.72 acres "Campus" section out of the UPLAND TRACT 1 containing 479.818 acres, and 67.2 acres remaining acres of UPLAND TRACT 1 containing 479.818 acres, formally known as Naval Station Ingleside also known as 859 Main Street (FM 1069); and was seconded by Council Member Kemp.

Council Member Pierce requested the Objectionable Use be restricted to Petroleum Products only and Jeff Hanig of Oxy Industrial Energy Center stated he had no problem with that restriction.

Council Member Vaden amended his motion to specify the Objectionable Use is specifically for Petroleum Products and was seconded by Council Member Kemp. The motion was approved unanimously.

13. Consideration and action of an Ordinance granting a Special Permit to place a connex container at the Public Works Yard located at 2525 Eighth Street, said property is located at Lots 12 and 13, Block 90, TP McCampbell Subdivison, 12.793 acres and further providing for effective date, reading, severance, and publication. (Final Reading)

Council Member Vaden made a motion to approve Ordinance # 1088 granting a Special Permit to place a connex container at the Public Works Yard located at 2525 Eighth Street, said property is located at Lots 12 and 13, Block 90, TP McCampbell Subdivison, 12.793 acres and further providing for effective date, reading, severance, and publication; and was seconded by Council Member Pierce. The motion was approved unanimously.

14. Consideration and action of an Ordinance changing the zoning for the following property from its present zoning of L-1 (Light Industrial District) and R-1 (Single Family Residential District) to C-1 (Local Commercial) and I (Industrial District) with the inclusion of objectionable uses and further providing for effective date, reading, severance, and publication: 117.87 acres out of Rosa Teal Survey A-262 known as Southside of Hwy 361. (Final Reading)

Note for Minutes: Since the first reading of this Ordinance it was reduced to 101.35 acres and the boundaries of the Objectionable use was diminished by 200 feet all the way around the exterior.

Oxy
Bar's
Campus
Tank

Council Member Kemp made a motion to approve Ordinance # 1089 changing the zoning for the following property from its present zoning of L-1 (Light Industrial District) and R-1 (Single Family Residential District) to C-1 (Local Commercial) and I (Industrial District) with the inclusion of objectionable uses and further providing for effective date, reading, severance, and publication: 101.35 acres out of Rosa Teal Survey A-262 known as Southside of Hwy 361 and was seconded by Council Member Vaden.

Council Member Wilson questioned if this is the old Exxon property that was previously used as a tank farm. City Manager Jim Gray confirmed it is the same property.

Mrs. Jeanne Atwell inquired if this was purchased properly from the school district. Ingleside Independent School District (IISD) Superintendent Troy Mircovich explained the process of how/when IISD purchased the property and then how/when IISD sold the property. It was all done properly and within all guidelines. In preparation for SH-200, soil samples were done of the proposed property and TCEQ required the land to be cleaned. The school district cannot afford the cleanup of this property and thereby received approval from TCEQ to sell the property with full disclosure.

Council Member Pierce requested the Objectionable Use be restricted to Petroleum Products only and Midstream Express, LLC stated they had no problem with that restriction.

Council Member Kemp amended the motion to specify the Objectionable Use is specifically for Petroleum Products and was seconded by Council Member Vaden. The motion was approved with Mayor Perkins and Council Members Wilson, Tucker, Kemp, and Vaden voting aye; and Council Member Pierce voting no.

15. Consideration and action of an Ordinance changing the zoning for the following property from its present zoning of R-1 (Single Family Residential District) to I (Industrial District) with the inclusion of objectionable uses and further providing for effective date, readings, severance, and publication: 152.62 acres out of the Heirs of Rosa Teal Survey A-262 known as Northside of Hwy 361. (Final Reading)

Note for Minutes: Since the first reading of this Ordinance it was reduced to 108.56 acres and the boundaries of the Objectionable use was diminished by 200 feet all the way around the exterior.

Council Member Vaden made a motion to approve Ordinance # 1090 changing the zoning for the following property from its present zoning of R-1 (Single Family Residential District) to I (Industrial District) with the inclusion of objectionable uses and further providing for effective date, readings, severance, and publication: 108.56 acres out of the Heirs of Rosa Teal Survey A-262 known as Northside of Hwy 361 and was seconded by Council Member Kemp.

Mrs. Francis Sawyer stated she felt that since industry contaminated the soil, they should have to clean the soil. She also feels that since SH-200 is for the industry workers and suppliers, that industry should be the one paying for the clean-up and building of SH-200.

Council Member Pierce requested the Objectionable Use be restricted to Petroleum Products only and Midstream Express, LLC stated they had no problem with that restriction.

Mr. Dale House of Midstream Express showed electronic renditions of what the tanks would look like from the road and the tanks being painted with a blue waves theme painted around them.

Council Member Wilson questioned what all was being placed at the Northside terminal and how it would be transported elsewhere. Mr. House explained the terminal would consist of four (4) tanks and the product would be transported to the Cougar dock via an underground pipeline. Eventually the plan to build a rail spur; however, that is not in the near future.

Council Member Vaden state that this area of town is all low lying and floods easily. There is not a lot a property owner can do with the land. This area (previously in our ETJ) was originally planned for industrial expansion that just hasn't taken place for various reasons.

Council Member Vaden amended the motion to specify the Objectionable Use is specifically for Petroleum Products and was seconded by Council Member Kemp. The motion was approved with Mayor Perkins and Council Members Tucker, Kemp, and Vaden voting aye; and Council Members Wilson and Pierce voting no.

- 16. Consideration and action of an Ordinance changing the zoning for the following property from its present zoning of I (Industrial District) to I (Industrial District) with the inclusion of objectionable uses and further providing for effective date, reading, and publication: 12.88 acres being all or parts of Lots 1-8, Block 1, All of Lots 1 and 2, Block 2 and part of Block 3 Marina Heights Addition, and the most northerly 50' of Tract 10, Block A Caruthers Cove and 10.00 acres, more or less, be a portion of Blocks C, D, and E, Caruthers Cove formally known as 1625 Main St. (Final Reading)**

Council Member Pierce made a motion to approve Ordinance # 1091 changing the zoning for the following property from its present zoning of I (Industrial District) to I (Industrial District) with the inclusion of objectionable uses and further providing for effective date, reading, and publication: 12.88 acres being all or parts of Lots 1-8, Block 1, All of Lots 1 and 2, Block 2 and part of Block 3 Marina Heights Addition, and the most northerly 50' of Tract 10, Block A Caruthers Cove and 10.00 acres, more or less, be a portion of Blocks C, D, and E, Caruthers Cove formally known as 1625 Main Street with the inclusion that the Objectionable Use be limited to Petroleum Products; and was seconded by Council Member Vaden. Midstream Express had no objection to this change.

Mr. Kenneth Berry reminded the Council and Public that TCEQ has been tracking the sale/purchase of various properties due to previous contaminations and thereby enforcing the cleanup of the land. In order for the School District to sell the property on the south side of Hwy 361 with its contamination issues, they had to sell the property on the north side of Hwy 361 in order to make it equitable for the developer. The cost to cleanup this property will be at least \$2,000,000. Midstream Express understands that and is willing to take on that project.

Mayor Perkins called for the vote and it was approved unanimously.

- 17. Consideration and action to appoint/reappoint members to serve on the Library Board of Trustees for the term October 1, 2013 through September 30, 2014.**

Council Member Wilson stated that the newest nominee, Mrs. Linda Harp, is new to the area; she is retired, raising her grandchildren, and a new member to the women's club.

Council Member Pierce made a motion to appoint Linda Harp and reappoint Melinda Ramos, Yvonne Warren, Judy Barker, Krista Rodriguez, and Connie Frakich as members to serve on the Library Board of Trustees from the term October 1, 2013 through September 30, 2014; and was seconded by Mayor Perkins. The motion was approved unanimously.

- 18. Discussion regarding possible nomination for a representative to the Ingleside Development Corporation to replace Dennis Roberts whose term will expire April 30, 2014.**

City Secretary Kimberly Drysdale stated there is only one meeting between now and the time this term expires.

Council Member Pierce nominated Tom Grabowski to begin with the new May 2014 term.

It was decided this would be brought back to a future meeting closer to the time of the new term.

- 19. Discussion regarding possible nomination for a representative to serve on the San Patricio County Appraisal District Board of Directors.**

City Manager Jim Gray stated we have not received any nominations from the area and requested the Council consider this prior to the December 10, 2013 Council Meeting. The Resolution to cast votes is due to the County by December 15, 2013.

Council Member Pierce stated that IISD has cast their votes via a ballot provided by the County. The City of Ingleside has not received the ballot as of the date of this meeting.

The staff will contact the County to request a ballot and a list of the existing Board of Directors.

20. Consideration and action authorizing the appointment of a peace officer to serve as a Reserve/Auxiliary Officer for the City of Ingleside.

Police Chief Stan Bynum stated this officer is retired from Travis County and recently moved to this area to be near family. Staff recommends approval.

Council Member Pierce made a motion to appoint Robert Flores to serve as a Reserve/Auxiliary Officer for the City of Ingleside and was seconded by Council Member Tucker. The motion was approved unanimously.

21. Receive and discuss the City's financial situation, including but not limited to its budget, revenues, expenses, assets and debts.

Assistant City Manager/Finance Director Paul Baen provided an overview of the City's current cash balances. We are experiencing earlier tax collections this year than is normal. There is approximately \$500,000 still uncollected from prior years. The audit of the FY 2012/2013 finances are ahead of schedule this year and we have disclosure letters for the Council Members to sign after the Council Meeting.

22. Consideration and action of a Resolution changing the 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 Jim Gray explained that San Patricio Municipal Water District has notified the City that they are voting on a \$0.25/1,000 gallon increase to begin January 1, 2014. The Resolution being presented is a straight pass through with no additional increase from the City of Ingleside. This is approximately \$1.33/month increase for the typical residential household. There is also a \$0.25/1,000 gallon increase being considered by the City of Corpus Christi within the next one to two years.

Mayor Perkins made a motion to approve Resolution # 1076 changing the 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; and was seconded by Council Member Kemp. The motion was approved unanimously.

23. Consideration and action regarding a retirement funding request by Assistant City Manager/Finance Director Paul Baen. The Council may meet in closed, executive session regarding this matter in accordance with Texas Government Code Section 551.074 (Personnel Matters).

Mayor Perkins closed the regular meeting to go into Executive Session at 8:40 p.m.

Mayor Perkins closed the Executive Session and reconvened the regular meeting at 8:51 p.m.

Council Member Kemp made a motion authorizing \$1,500 from Council Reserve Funds be deposited in a retirement fund for Assistant City Manager/Finance Director Paul Baen; and was seconded by Mayor Perkins. The motion was approved unanimously.

24. Receive the Departmental Reports for the month of October 2013.

Council Member Kemp thanked the staff for including the Parks and Recreation report that provides parks and building usage information.

Council Member Pierce inquired if the joint GIS position was filled yet and City Manager Jim Gray stated it has not been, but he will be included in the interview process.

25. Staff Reports

City Manager Jim Gray reminded everyone that there is only one City Council meeting scheduled in each month of November and December; the Christmas Tree Lighting ceremony is Friday, December 6, 2013; and the City Employee/Volunteer party is scheduled for Saturday, December 7, 2013. It was also noted that effective today, the City of Corpus Christi diminished from Stage II to Stage I Water Conservation for drought conditions. The staff will be putting notices on the City Website and the Water bills.

26. Requests from Council Members

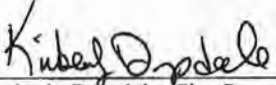
Council Member Pierce inquired if staff were looking into the weeds located at FM 1069 and Fourth Street; and if SPMWD contract was ready to be approved by Council yet. City Manager Jim Gray stated he would ask Code Enforcement about the weeds at FM 1069 and Fourth Street. He also noted that SPMWD contract was still being negotiated due to the City of Ingleside's industrial water users.

Council Member Wilson requested a future agenda item regarding the GFWC Fireside Juniorette Club request for grant funds.

27. Adjourn

There being no further business, the meeting was adjourned at 9:00 p.m.

ATTEST:



Kimberly Drysdale, City Secretary

APPROVED:



Mayor Pete Perkins

7191111
COPY

RESOLUTION NO. 1075

A RESOLUTION CHANGING THE ZONING FOR THE FOLLOWING PROPERTY FROM ITS PRESENT ZONING OF I (INDUSTRIAL DISTRICT) TO INCLUDE WITH THE INCLUSION OF OBJECTIONABLE USES FOR PETROLEUM PRODUCTS:

99.72 ACRES "CAMPUS" SECTION OUT OF THE UPLAND TRACT I CONTAINING 479.818 ACRES, AND 67.2 ACRES REMAINING ACRES OF UPLAND TRACT I CONTAINING 479.818 ACRES, FORMALLY KNOWN AS NAVAL STATION INGLESIDE ALSO KNOWN AS 859 MAIN ST. (FM 1069)

WHEREAS, application was made to rezone the real property hereinafter described; and

WHEREAS, notices have been given and published and public hearing held, all on the question of said rezoning, as required by law; and

WHEREAS, after hearing and considering the application, the present zoning and use of each of the properties in the surrounding area, the comprehensive master plan of the city, the future development of the city as a whole, and other relevant factors, the City Council is of the opinion and finds that it is in the best interest of the public health, safety, and welfare of the city to rezone this property, that the rezoning effected by this ordinance is in compliance with the Comprehensive Master Plan, that changing the zoning of the aforesaid property would not be detrimental to the public health, safety, or general welfare, and will, in fact, promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Ingleside, and as well, the owners and occupants of the property, and the City generally.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INGLESIDE, COUNTY OF SAN PATRICIO, STATE OF TEXAS:

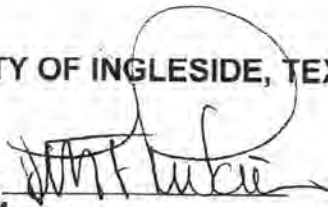
Zoning Change. The zoning of the property hereinafter described is hereby changed to I (Industrial District) to include the inclusion of objectionable uses for petroleum products only to-wit:

99.72 ACRES "CAMPUS" SECTION OUT OF THE UPLAND TRACT I CONTAINING 479.818 ACRES, AND 67.2 ACRES REMAINING ACRES OF UPLAND TRACT I CONTAINING 479.818 ACRES, FORMALLY KNOWN AS NAVAL STATION INGLESIDE ALSO KNOWN AS 859 MAIN ST. (FM 1069).

Zoning Map. It is directed that the official zoning map of the City be changed to reflect the zoning classification change, rezoning, effected by this resolution.

Resolved this 12 day of November, 2013.

CITY OF INGLESIDE, TEXAS

By: 
Mayor

ATTEST:

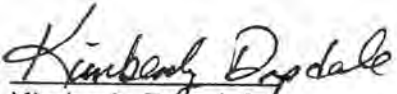

Kimberly Drysdale
City Secretary





Exhibit A Previously Approved Zoning and Objectionable Use Areas



**CITY OF INGLESIDE
MINUTES
CITY COUNCIL MEETING
JUNE 26, 2012**

City Council Minutes
- Zoning Change for Oxy
All Tracts
June 26, 2012

1. Call meeting to order

The meeting was called to order at 6:31 p.m. with Mayor Pete Perkins presiding. Council Members present: Mayor Pete Perkins, and Council Members Cynthia Wilson, Rayman Kinman, Elaine Kemp, John F. Schack, and Willie Vaden. Council Members absent: Council Member Paul Pierce. City of Ingleside Staff present: City Manager Jim Gray, City Attorney Michael Morris, Assistant City Manager/Finance Director Paul Baen, and City Secretary Kimberly Drysdale. There were approximately 55 guests.

2. Invocation

3. Pledge of Allegiance

4. Presentations from the Audience

There were no speakers from the audience.

5. Consideration and action of the Minutes of the City Council Meeting of June 12, 2012.

Council Member Wilson made a motion to accept the Minutes of the City Council Meeting of June 12, 2012 and was seconded by Council Member Vaden. The motion was approved unanimously.

6. The City Council may meet in executive session regarding the following matters with the City Attorney as allowed by Section 551.071 Texas Government Code: (a) the City of Ingleside vs. the City of Corpus Christi boundary lawsuit, (b) the City of Ingleside vs. the City of Aransas Pass Water Supply Agreement lawsuit, and (c) the renewal of a five-year potable water supply contract between the City of Ingleside and the City of Ingleside on the Bay to include, but is not limited to, the contract terms and rates.

Mayor Perkins recessed the regular meeting to go into executive session at 6:35 p.m.

Mayor Perkins closed the executive session and reconvened the regular meeting at 7:34 p.m.

7. Consideration and action of a Resolution establishing water rates for the provision of water to Ingleside on the Bay.

City Attorney Michael Morris stated he recommends a new contract and Resolution specific to rates for Ingleside on the Bay. Within the resolution provided he suggested the following phase in of the water rates:

- 1st Year a rate at 130% of the in-town rate
- 2nd Year a rate at 135% of the in-town rate
- 3rd Year a rate of 140% of the in-town rate
- 4th Year a rate of 145% of the in-town rate
- 5th Year a rate of 150% of the in-town rate

Council Member Kemp made a motion to approve Resolution # 1050 with the amendments recommended by Attorney Morris above and was seconded by Council Member Kinman. The motion was approved unanimously.

8. Consideration and action of a new water supply contract between the City of Ingleside and the City of Ingleside on the Bay.

City Attorney Michael Morris provided a brief overview of the 2007-2012 contract along with the amendments made during that time frame. The proposed new contract will be for another five years beginning October 1, 2012. The most significant change in this agreement is Section 7.03 that stipulates that any default of Ingleside on the Bay (IOB) under either the water or wastewater treatment agreements, at the option of Ingleside, constitutes a default under the other and if either contract expires or terminates, Ingleside may simultaneously terminate the other agreement.

IOB Mayor, Howard Gillispie questioned if the City of IOB moves forward with the extension of a water line directly to them from SPMWD and therefore no longer needs the water from the City of Ingleside, would that constitute a default on the wastewater treatment agreement and Attorney Morris said yes. Mr. Gillispie questioned how we can keep them separate and Attorney Morris stated that at the time they cancel the water contract, they would need to renegotiate the wastewater treatment agreement.

Council Member Kemp made a motion to approve the new water supply contract between the City of Ingleside and the City of Ingleside on the Bay for the five year period to begin October 1, 2012 and was seconded by Council Member Wilson.

Attorney Morris requested that the motion be amended to include the specific Resolution # 1050 approved in the previous agenda item. Council Member Kemp amended the motion and was seconded by Council Member Wilson. The motion was approved unanimously.

9. Discussion to encourage voluntary conservation of water usage during drought conditions.

San Patricio Municipal Water District (SPMWD) representative, Karen Ivy gave a brief presentation explaining where our water sources and reserve sources come from and their current levels. Because the main water source is now lower than 50%, the Drought Management Plan encourages a voluntary water conservation measure be put in place to help reduce the City's usage by a minimum of 1% from prior years usage. Once the water source diminishes to 40%, the Drought Manager Plan will require mandatory measures be taken to reduce usage by a minimum of 5%; with each drop in water levels to 30%, and 20% having additional mandatory measures to reduce usage by the respective 10% and 15%. The voluntary measure in place at this time is to not water your yards between the hours of 10 a.m. to 6 p.m. Additional indoor/outdoor tips were shared and the press was encouraged to report on these methods in their articles.

City Manager Jim Gray stated that the City's Code of Ordinances also requires Water Wells to be permitted through the City and a sign to be placed in the yard. The staff will be working on this process and educating the public as things progress. We will be announcing things through the City's website and on the water bills as they are sent out. The quarterly newsletter also has the tips and mandatory requirements to help educate the public. Council Member Kemp suggested the City should ask the School District if we can put some type of notification on their sign located at the intersection of Main Street (FM 1069) and Avenue B.

10. Consideration and action authorizing the Administration Services Contract for the Economic Development Administration Grant # 0807 for water storage tank infrastructure. (Tabled from 6/12/12)

City Manager Jim Gray explained the only change to the contract is the removal of the statement referring to "Part IV" because that was deleted from the agreement.

Council Member Kemp made a motion authorizing the Administration Services Contract for the Economic Development Administration Grant # 0807 for water storage tank infrastructure and was seconded by Council Member Vaden. The motion was approved unanimously.

Mayor Perkins opened the Public Hearing at 8:25 p.m.

Speaking in favor of the application was Tom Moore of the Port of Corpus Christi Authority, Gene Stewart a former employee of Oxy Chem Ingleside, and Jeff Hanig of Oxy Ingleside Property Holdings, LLC. Mr. Moor and Mr. Stewart spoke positively of the dependability, capability, integrity of the company, safety conscious for the employee and the community, and their investment and support of the community itself. Mr. Hanig noted a letter of support from Raymond Wetagrove who is an investor in the Live Oak Preserve Project directly across FM 1069 from the property in question and provided an overview of the company itself as well as their plans for the property. He showed the maps with overlays to include the proposed development of Pressurized LPG Storage; Refrigerated LPG and LNG; and the Crude, Condensate, and Refined Product Storage.

There were no speakers against this application.

Mayor Perkins closed the Public Hearing at 8:47 p.m.

14. **Consideration and action of and Ordinance changing the zoning for the following property from its present zoning of R-1 (Single Family Residential District) to C-2 (General Commercial District) and I (Industrial District) with the inclusion of objectionable uses and further providing for effective date, reading, severance, and publication: 380.1 acres out of the Upland Tract I containing 479.818 acres and all of the 435.7 out of the Upland Tract II formally known as Naval Station Ingleside also known as 859 Main St. (FM 1069) as shown as Exhibit A. (First Reading)**

Council Member Kinman asked if there were any discussions regarding tax abatement and City Manager Jim Gray stated Oxy Ingleside Property Holdings, LLC has not requested anything at this time.

Mayor Perkins made a motion to pass to a second reading of an Ordinance changing the zoning for the following property from its present zoning of R-1 (Single Family Residential District) to C-2 (General Commercial District) and I (Industrial District) with the inclusion of objectionable uses and further providing for effective date, reading, severance, and publication: 380.1 acres out of the Upland Tract I containing 479.818 acres and all of the 435.7 out of the Upland Tract II formally known as Naval Station Ingleside also known as 859 Main St. (FM 1069) as shown as Exhibit A and was seconded by Council Member Vaden. The motion was approved unanimously.

15. **A Public Hearing regarding an application for a Special Permit at the SW/4 of Lot 3, Block D, Burton and Danforth Subdivision, also known as 1528 Kenney Lane to be allowed to place 12 cabins for short term rental, outdoor adventures, educations, and training.**

Mayor Perkins opened the Public Hearing at 8:50 p.m.

Captain Rod Spivey spoke in favor of this Special Permit.

There were no speakers against this Special Permit.

Mayor Perkins closed the Public Hearing at 8:52 p.m.

16. **Consideration and action of an Ordinance granting a Special Permit to be allowed to place 12 cabins, managers Cabin, and accessory buildings on the property known the SW/4 of Lot 3, Block D, Burton and Danforth Subdivision, also known as 1528 Kenney Lane and further providing for effective date, reading, severance, and publication. (First Reading)**

11. **Consideration and action regarding the selection of a Certified Public Accounting Firm to conduct the annual audit for the years ending September 30, 2012, 2013, and 2014.**

City Manager Jim Gray stated there was only one response to the City's Request For Qualifications (RFQ) and that was from Ernest Garza and Co. The staff are pleased with the audits performed in the previous years by Mr. Garza and his staff and therefore recommends approval of this selection. Ernest Garza stated he has enjoyed working with the Council and Staff and looks forward to continuing to work with everyone.

Council Member Vaden made a motion to approve the selection of a Certified Public Accounting Firm to conduct the annual audit for the years ending September 30, 2012, 2013, and 2014 and was seconded by Council Member Schack. The motion was approved unanimously.

12. **Consideration and action of an Ordinance granting a Special Permit to be allowed to substitute a product known as SS-1 Dilute Material in place of Concrete or Asphalt Paving on the property known as PT ABST 262 TT Williamson, acres 49.74, located at 2269 Avenue B and further providing for effective date, reading, severance, and publication. (Final Reading)**

City Manager Jim Gray explained that he and Building Official Robert Stoddard drove the area covered with the SS-1 Dilute Material. Although this is not the normal use of the product, it is performing as needed. The purpose of the paving is for the visual upkeep of the business, dust control for the neighbors, and to help protect the limestone base. Helix has agreed to the quarterly inspections by the Building Official. The staff's only recommendation to Helix is for the road on both sides of the piping to be paved, not just the parking area. Currently the ordinance reads for the entire property, not just the parking area. Vehicles travel both sides of the pipe therefore both sides should be paved. The buildings on the second side are general office, quality control, etc.

Chris Beam of Helix stated that typically only the heavy crane equipment travels the second side of the pipe area. He suggested that a third short road of about 100-150' be built and kept covered instead of the whole second road alongside the length of the pipe.

Council Member Schack felt the additional paving was unreasonable because areas such as Kiewit are not required to pave the area their cranes are located. Mr. Gray stated that because Kiewit is not in our City Limits we cannot require that of them. Council Member Wilson suggested that we stop using repeated Special Permits and include the option with our Ordinance and questioned why we don't allow the smaller "mom and pop" business this same option. Council Member Vaden explained the only reason this was being considered was due to the daily load limit on the pavement at the Helix location and the cost expense to replace/repair the concrete or asphalt versus the cost to replace/repair the SS-1 Dilute Material.

Mayor Perkins made a motion to approve Ordinance # 1060 granting a Special Permit to be allowed to substitute a product known as SS-1 Dilute Material in place of Concrete or Asphalt Paving on the property known as PT ABST 262 TT Williamson, acres 49.74, located at 2269 Avenue B and further providing for effective date, reading, severance, and publication with the amendment to include (1) the term be for three years, (2) that they cover both sides of the pipe area, and (3) to require quarterly inspections by the Building Official and a 60-day correction window; and was seconded by Council Member Kemp. The motion was approved with Mayor Perkins and Council Members Wilson, Kinman, and Kemp voting aye; Council Member Vaden voting no; and Council Member Schack abstaining from voting.

13. **A Public Hearing regarding an application filed by Oxy Ingleside Property Holdings, LLC to rezone 380.1 acres out of the Upland Tract I containing 479.818 acres and all of the 435.7 out of the Upland Tract II formally known as Naval Station Ingleside also known as 859 Main St. (FM 1069) from its present R-1 (Single Family Residential District) to C-2 (General Commercial District) and I (Industrial District) with the inclusion of objectionable uses.**

City Manager Jim Gray noted there were no letters of objection against this request for a Special Permit.

Council Member Vaden made a motion to pass to a second reading of an Ordinance granting a Special Permit to be allowed to place 12 cabins, managers Cabin, and accessory buildings on the property known the SW/4 of Lot 3, Block D, Burton and Danforth Subdivision, also known as 1528 Kenney Lane and further providing for effective date, reading, severance, and publication and was seconded by Council Member Kemp. The motion was approved unanimously.

- 17. Receive and discuss the City's financial situation, including but not limited to its budget, revenues, expenses, assets and debts.**

Assistant City Manager/Finance Director Paul Baen noted there was a cash decrease of approximately \$219,000 during the month of May and that is typical for this time of year.

- 18. Consideration and action regarding refunding of the 1997 and 2002 Bond Series.**

City Manager Jim Gray explained that the Finance Committee has met and recommends the City Council consider refunding the 1997 and 2002 bonds. Assistant City Manager/Finance Director Paul Baen explained the differences between refunding the bonds vs. calling the bonds and the overview of the savings. It was explained that refunding the bonds allows the City to retain cash for other uses. Over the life of the bonds we could save approximately \$680,000, gross, after the issuance cost using the 2% rate figured for this estimation; however, it is felt that we can get a better rate than the 2% and therefore save even more money.

Council Member Schack made a motion to move forward with the implementation of the debt models presented which refund the 1997 and 2002 Bond Series and was seconded by Council Member Kemp. The motion was approved unanimously.

- 19. Consideration and action to allocate funds from the Council Reserves to Engineering Services, pending litigations, and other legal fees.**

City Manager Jim Gray explained the funds needed are for additional engineering funds to support Economic Development, the attorney funds are for the City Attorney attending more Council Meetings and legal issues, as well as the Litigation efforts with the Cities of Aransas Pass, Corpus Christi, and Ingleside on the Bay.

Council Member Kinman questioned if there was anywhere else these funds could be pulled from instead of Council Reserve. Mr. Gray explained the only other choices are Capital Improvement Program funds or the City's Reserve funds which would require additional special action by the Council for the purpose of Health and Safety. At this time the staff's recommendation is to utilize the Council Reserve funds, which has a current balance of \$128,242.44.

Council Member Kemp made a motion authorizing the allocation of Council Reserve Funds in the amount of \$15,000 for additional Engineering Services, \$50,000 for pending litigation fees, and \$15,000 for other legal fees; and was seconded by Council Member Vaden. The motion was approved unanimously.

- 20. Discussion regarding the Capital Improvement Projects for FYs 2013-2018.**

City Manager Jim Gray stated these are true Capital Improvement Projects, not small items such as a computer here or a desk there. The staff reviews this each year and update their estimates accordingly. The goal for the vehicles within the Police Department are to change out a few each year.

Council Member Kemp stated she felt the cost of publishing the CIP book annually is excessive and time consuming for the staff. She recommended the CIP be put on-line or on a CD for the Council instead of printing such large binders. Mr. Gray stated that can be done for the future. The staff will look at the Charter/Code requirements to see if there is a need for a change in Ordinance.

21. Consideration and action regarding an Amendment to the Little League and Pony League Agreements allowing them to charge fees for tournament games.

Council Member Vaden made a motion authorizing the Amendment to the Little League and Pony League Agreements allowing them to charge fees for tournament games and was seconded by Council Member Kemp. The motion was approved unanimously.

22. Discussion regarding suggestions to the Charter Review Committee.

City Manager Jim Gray explained the Charter Review Committee's first meeting is scheduled for tomorrow evening at 6:00 p.m. at the Library Meeting Room. During this process, the staff will be forwarding them any recommendations. If any Council Member would like to make suggestions, we request that you forward those to our either his or the City Secretary's attention and they will be forwarded to the Committee's next meeting.

23. Staff Reports

Building Official Robert Stoddard explained that the removal of property(ies) from the Non-Conventional Use Map such as the property on Kenny Lane requires a Public Hearing before the Planning and Zoning and the City Council along with an Ordinance. It will be published, but no mail-outs are required. Council Member Schack stated he felt the property owners affected should be notified and Mr. Stoddard stated will go ahead and notify the property owner via mail at the Council's request.

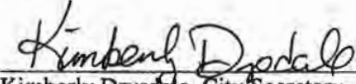
24. Requests from Council Members

Council Member Kinman requested that if a citizen requests a permit only after he/she has been caught building/repairing something that a permit should have been requested for previously, that he feels the fee should be increased. City Manager Jim Gray stated he would put on a future agenda for discussion.

25. Adjourn

There being no further business, the meeting was adjourned at 9:34 p.m.

ATTEST:


Kimberly Drysdale, City Secretary

APPROVED:


Mayor, Pete Perkins

ORDINANCE 1061

AN ORDINANCE CHANGING THE ZONING FOR THE FOLLOWING PROPERTY FROM ITS PRESENT ZONING OF R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C-2 (GENERAL COMMERCIAL DISTRICT) AND I (INDUSTRIAL DISTRICT) WITH THE INCLUSION OF OBJECTIONABLE USES AND FURTHER PROVIDING FOR EFFECTIVE DATE, READING, SEVERANCE AND PUBLICATION

380.1 ACRES OUT OF THE UPLAND TRACT I CONTAINING 479.818 ACRES AND ALL OF THE 435.7 ACRES OUT OF THE UPLAND TRACT II FORMALLY KNOWN AS NAVAL STATION INGLESIDE ALSO KNOWN AS 859 MAIN ST. (FM 1069) AS SHOWN IN EXHIBIT A

WHEREAS, application was made to rezone the real property hereinafter described; and

WHEREAS, notices have been given and published and public hearings held, all on the question of said rezoning, as required by law; and

WHEREAS, after hearing and consideration of the application, the Commission made its recommendation to the Council; and

WHEREAS, after hearing and considering the application, the recommendation of the Planning and Zoning Commission, the present zoning and use of each of the properties in the surrounding area, the Comprehensive Master Plan of the city, the future development of the city as a whole, and other relevant factors, the City Council is of the opinion and finds that it is in the best interest of the public health, safety, and welfare of the city to rezone this property, that the rezoning effected by this ordinance is in compliance with the Comprehensive Master Plan, that changing the zoning of the aforesaid property would not be detrimental to the public health, safety, or general welfare, and will, in fact, promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Ingleside, and as well, the owners and occupants of the property, and the City generally.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INGLESIDE, COUNTY OF SAN PATRICIO, STATE OF TEXAS:

SECTION 1. Zoning Change. The zoning of the tract more particularly hereinafter shown on Exhibit A hereto attached is hereby changed from R-1 (Single Family Residential District) as follows: That portion of said tract which is depicted on Exhibit A by the color blue is changed to

C-2 (General Commercial District). The balance of said tract is changed to I (Industrial District) with the inclusion of the cumulative objectionable use area as depicted on Exhibit A. The rezoning is conditioned on Oxy Ingleside Property Holdings, LLC acquisition of title to the property.

SECTION 2. Zoning Map. It is directed that the official zoning map of the City be changed to reflect the zoning classification change, rezoning, effected by this ordinance.

SECTION 3. Effective Date. As provided by Article III, Section 3.11C of the Charter of the City of Ingleside, this ordinance shall be effective upon adoption and, in addition, if any penalty, fine, or forfeiture is imposed by this ordinance, then this ordinance shall be effective only after publication of this ordinance in its entirety or in summary form once in the official newspaper of the City of Ingleside.

SECTION 4. READING. As provided by Article III, Section 3.11.B of the Charter of the City of Ingleside, this ordinance or the caption of it shall be read at two city council meetings with at least two weeks elapsing between each reading.

SECTION 5. SEVERANCE. If any part of this ordinance is invalid or void or is declared to be so, then said part shall be severed from the balance of this ordinance and said invalidity shall not affect the balance of this ordinance, the balance of the ordinance to be read as if said invalid or void portion thereof were not included.

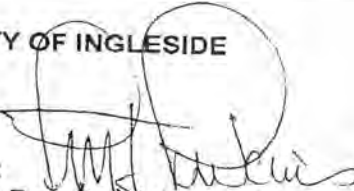
SECTION 6. PUBLICATION. As provided by Article III, Section 3.11.C of the Charter of the City of Ingleside, this ordinance shall be published one time in the official newspaper of the City of Ingleside, San Patricio County, Texas, which publication shall contain the caption of this ordinance stating in substance the purposes of same.

PASSED, ORDAINED, APPROVED AND ADOPTED this 10 day of

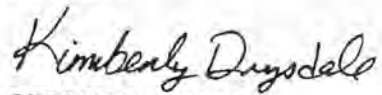
July 2012

CITY OF INGLESIDE

BY:


Pete Perkins, Mayor

ATTEST:

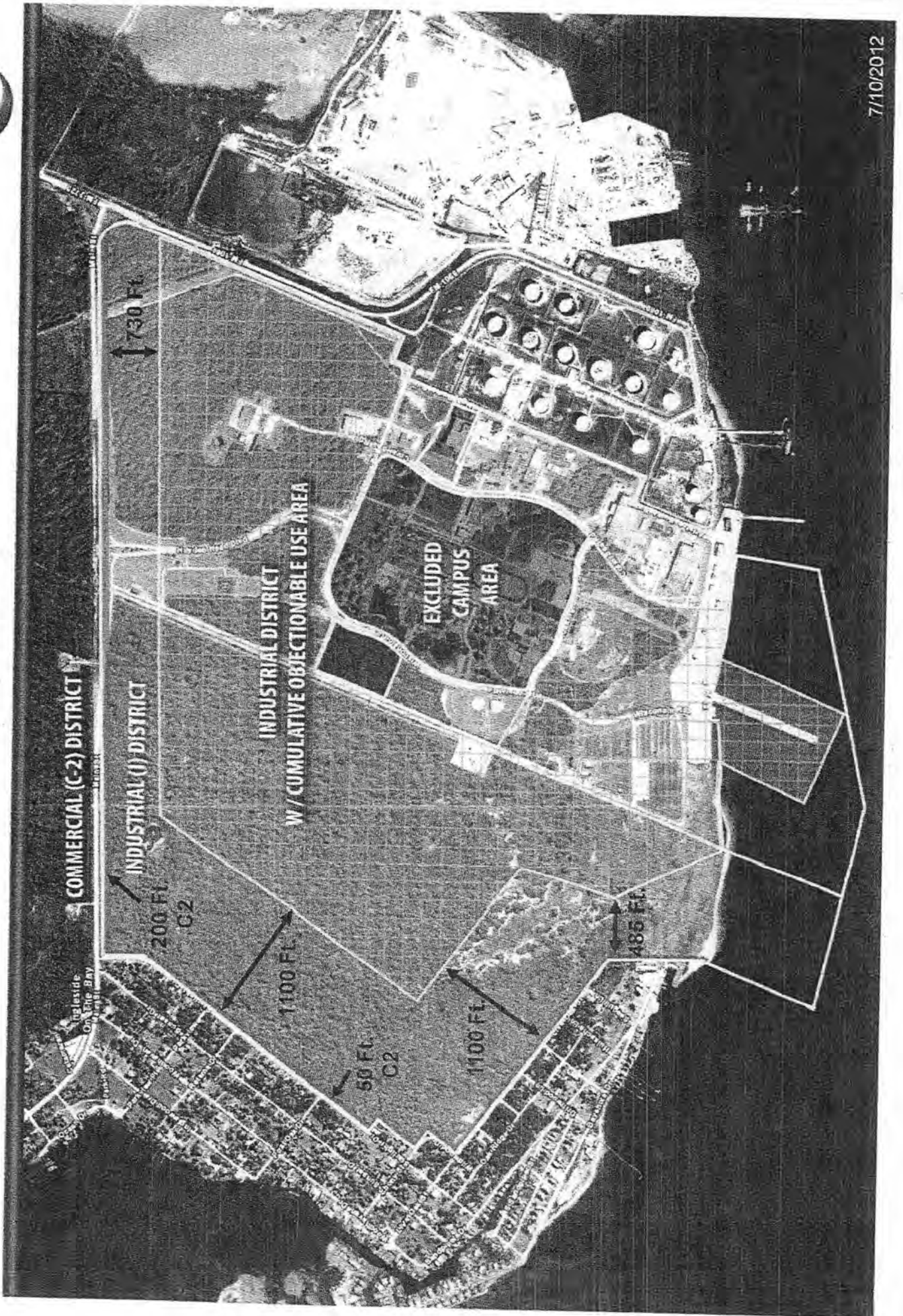

CITY SECRETARY

First Reading: 6-26-12

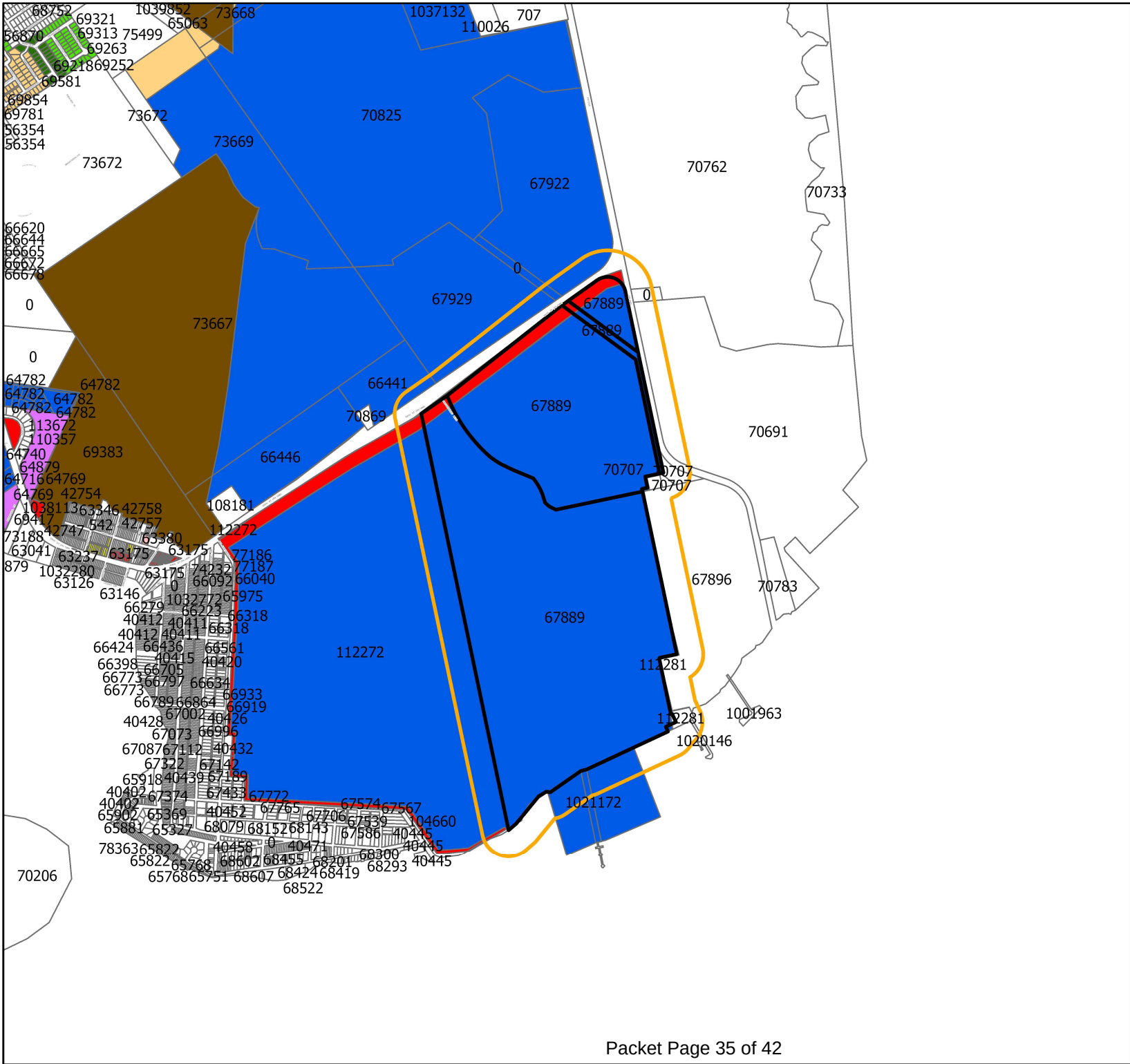
Second Reading: 7-10-12



Exhibit A



7/10/2012



Parcel ID 67889
Replat

File Date: 01/04/2024

P&Z Date: 01/04/2024
Council Date: 01/04/2024

Legend

- General Commercial
- Industrial
- Local Commercial
- Multi-Family Residential
- Professional
- Residential Planned Unit Development
- Single Family Residential
- Three and Four Family Residential
- Travel Trailer / Recreation Park
- Two Family Residential
- Subject Parcel
- 400' Buffer

This product is for informational purposes only and may not have been prepared for or be suitable for use in legal, engineering, or surveying products. It does not represent an on-the-ground survey and only represents the relative location of property boundaries.



0 1,000 2,000
Feet

ENBRIDGE INGLESIDE LPG
TERMINA
PROPERTY TAX DEPARTMENT
5400 WESTHEIMER COURT
HOUSTON, TX 77056

ENBRIDGE INGLESIDE OIL TERMINA
PROPERTY TAX DEPARTMENT
5400 WESTHEIMER COURT
HOUSTON, TX 77056

ERF INGLESIDE INC
555 N CARANCAHUA SUITE 700
CORPUS CHRISTI, TX 78401

FLINT HILLS RES INGLESIDE LLC
PROPERTY TAX DEPARTMENT
PO BOX 2900
WICHITA FALLS, KS 67201

FLINT HILLS RESOURCES
INGLESIDE LLC
PO BOX 2900
WICHITA FALLS, KS 67201

FLINT HILLS RESOURCES CORPUS
CHRISTI LLC
ATTN PROPERTY TAX DEPARTMENT
PO BOX 3755
WICHITA FALLS, KS 67201

CITY COUNCIL AGENDA

Special Meeting: January 16, 2024

AGENDA ITEM: 7

Deliberate and take appropriate action on a Resolution affecting the zoning of the following property from its present zoning of I-Industrial to include an allowance of objectionable use:

The area bounded by Coral Sea Road, Ticonderoga Road, and Arleigh Burke Road, together with the adjacent dock, all as more particularly shown on Exhibits A and A-1 attached.

SUBMITTED BY: Gene Delauro, Interim Building Official

APPROVED FOR AGENDA: Brenton Lewis, City Manager

BACKGROUND:

The applicant is requesting Objectionable Use designation for land depicted in Exhibit “A” and “A-1”. Objectionable Use designation for portions of the site was previously approved by City Council on July 10, 2012 (Ordinance #1061, approximately 380.1 acres) and on November 12, 2013 (Ordinance #1075, approximately 99.72 acres).

Enbridge / Yara propose to develop a joint-venture ammonia production and export facility located in the existing Enbridge Ingleside Energy Center located at 1450 Lexington Road in Ingleside, Texas. The facility will be based on Autothermal Reforming Technology (ATR) and utilize natural gas feed stock delivered by pipeline and aims for 95% process carbon capture. The captured CO₂ stream from the ATR process will be further processed and sent to a CO₂ pipeline for sequestration and or geological injection at a 3rd party facility located outside of San Patricio County. Ammonia tanks will be double containment tank systems to be erected close to the dock. All products will be exported via vessels. An overall site plan for the proposed facility, with demonstrative locations of various facility components is provided as Exhibit “B”.

The application contains a description of hazards, such as fire, explosion, noise, vibration, dust or the emission of smoke, odor or toxic substances, a description of all safeguards proposed to protect the surrounding property and persons from hazards, regulations and industry codes governing minimization of process safety and fire risk, engineering controls and organizational controls.

FISCAL ANALYSIS:

None

RECOMMENDATION:

The Objectionable Uses application and supporting documents submitted by Enbridge / Yara contain the minimum requirements necessary to support a City Council determination stated in Section 78-267 – Objectional Uses of the City of Ingleside’s Code of Ordinances.

ATTACHMENTS:

1. Resolution - Enbridge Objectionable Use (V2)

RESOLUTION NO. 2024-_____

A RESOLUTION AFFECTING THE ZONING OF THE FOLLOWING PROPERTY FROM ITS PRESENT ZONING OF I-INDUSTRIAL TO INCLUDE AN ALLOWANCE OF OBJECTIONABLE USE:

THE AREA BOUNDED BY CORAL SEA ROAD, TICONDEROGA ROAD, AND ARLEIGH BURKE ROAD, TOGETHER WITH THE ADJACENT DOCK, ALL AS MORE PARTICULARLY SHOWN ON EXHIBITS A AND A-1 ATTACHED.

WHEREAS, application was made for the inclusion of objectionable use to the current zoning of I-Industrial for the real property hereinafter described; and

WHEREAS, notices have been given and published and public hearing held, all on the question of said replat, as required by law; and

WHEREAS, after hearing and considering the application, the comprehensive master plan of the city, the future development of the city as a whole, and other relevant factors, the City Council is of the opinion and finds that it is in the best interest of the public health, safety, and welfare of the city to allow an objectionable use on this property;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INGLESIDE, COUNTY OF SAN PATRICIO, STATE OF TEXAS:

Section 1. Objectionable Use. The zoning of the property, subject to City Council final approval, being I-Industrial hereinafter described is hereby changed to include objectionable uses:

Section 2. Zoning Map. It is directed that the official zoning map of the City be changed to reflect the inclusion of objectionable uses for portions of the property described herein.

PASSED AND APPROVED this 16th day of January, 2024 by 00 (ayes) to 00 (nays) with 00 abstentions by a vote of the City Council of the City of Ingleside, Texas.

CITY OF INGLESIDE, TEXAS

Pedro Oscar Adame, Mayor

ATTEST:

Ruby Beaven, City Secretary

EXHIBIT A

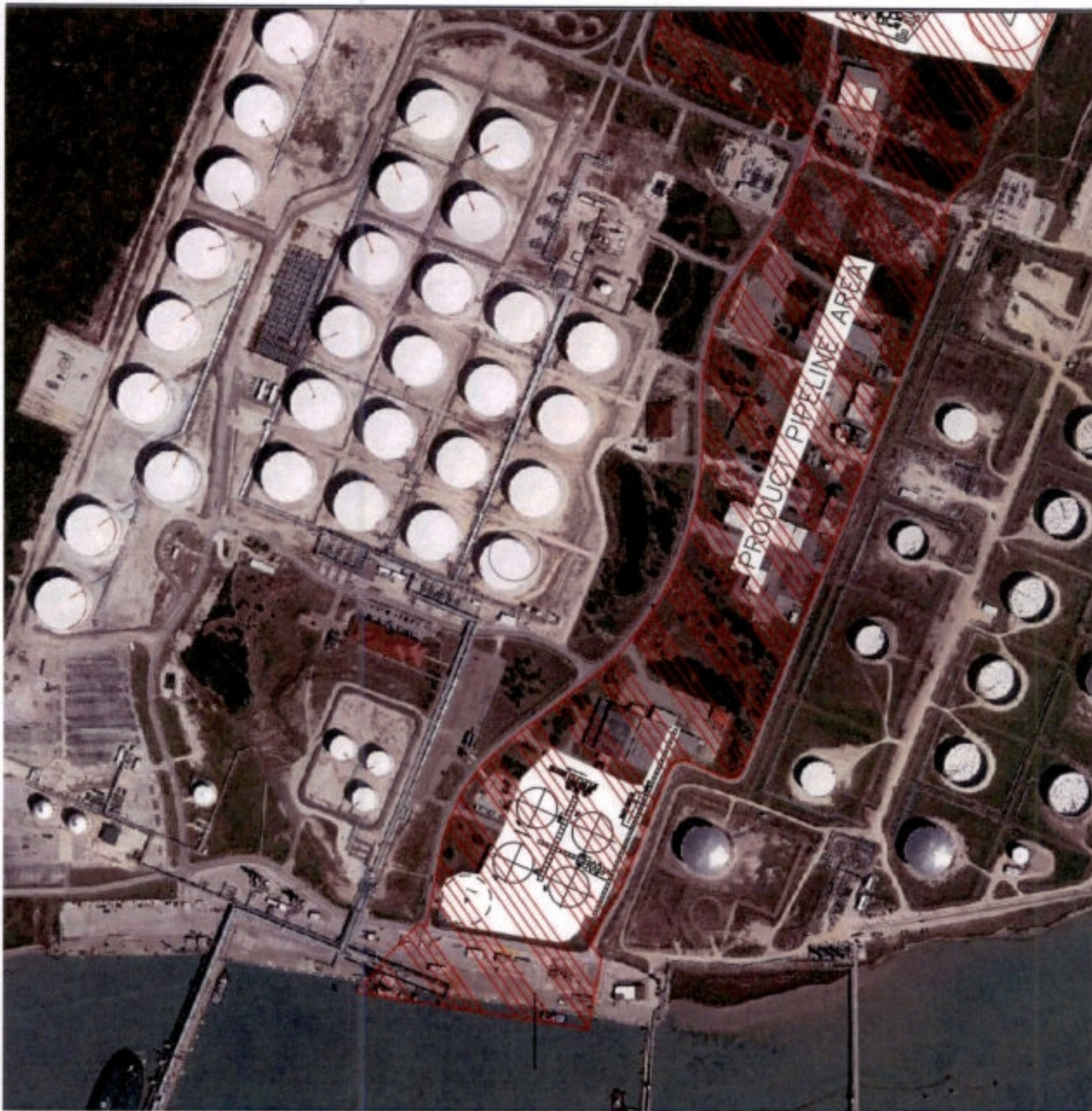


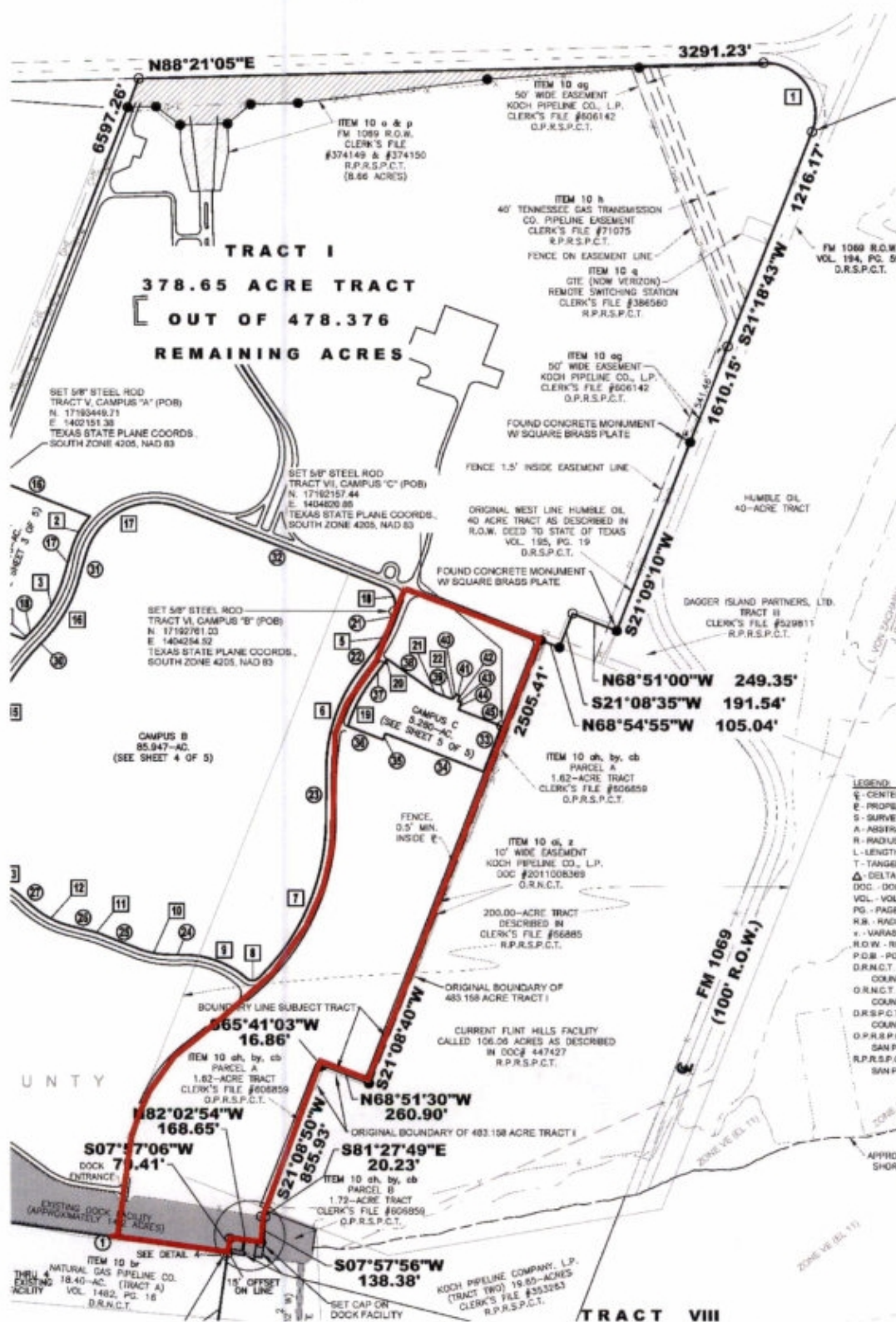
EXHIBIT A-1

EXHIBIT B

