

**CITY OF INGLESIDE  
MINUTES  
REGULAR CITY COUNCIL MEETING  
AUGUST 9, 2016**

**1. Call meeting to order**

The meeting was called to order at 6:30 p.m. with Mayor Luis Lamas presiding. Council Members present: Mayor Luis Lamas and Council Members Ben Tucker, Bill Underbrink, Oscar Adame, Dennis Knippa, Steve Diehl and John Schack. Staff present: Acting City Manager Florencio Pena, Finance Director Paul Baen, and City Secretary Kimberly Sampson. There were approximately 25 guests.

**2. Invocation**

**3. Pledge of Allegiance**

**4. Presentations from the Audience**

Mayor Lamas introduced Florencio Pena as the new Acting City Manager.

**5. Consideration and action of the Minutes of the City Council Meetings of July 26, 2016 and August 3, 2016.**

Council Member Diehl noted a correction to agenda item # 19 that the amount approved should be \$51,000.

Council Member Diehl made a motion to approve the Minutes of the City Council Meetings of July 26, 2016 and August 3, 2016 with the amendment noted above; and was seconded by Council Member Tucker. The motion was approved unanimously.

**6. Recognition of Eagle Scout Kyle Bryant for his work with City of Ingleside Parks and Recreation Department to improve the BBQ pits at Live Oak Park and Faith Park.**

Mayor Lamas presented a Certificate of Appreciation and recognized Eagle Scout Kyle Bryant for his work with City of Ingleside Parks and Recreation Department to improve the BBQ pits at Live Oak Park and Faith Park.

**7. Consideration and action of a request for the use of Live Oak Park for Boy Scout Troop 26 for overnight camping.**

Parks and Recreation Events Coordinator Mariana Garcia explained that under the recently approved Ordinance, nobody can camp overnight at the various City Parks unless they have City Council approval. The request by the Boy Scouts is for specific duration during the fall and the spring. Staff suggests the approval of the fall request at this time. The Scouts assist us with several clean-up and renovation projects within the parks.

Troop Leader Donald Bryant spoke in favor of this being one of the main methods for the Scouts to earn their camping merit badges and eventually their Eagle Scouts.

Council Member Schack made a motion to approve Troop 26 and the Cub Scouts to camp at Live Oak Park from now through November 30, 2016 with at least one week's notice to the Parks staff; and was seconded by Council Member Adame. The motion was approved unanimously.

**8. Presentation by City's financial advisors, SAMCO, of the City's 2017 Debt Model, evaluation of debt capacity and potential issuance of new debt for future capital improvements.**

SAMCO representative Andrew Freeman explained that as a result of the changes in the City's tax roll, the City has the opportunity to borrow additional funds. Since the City is not ready with a large project it is recommended that the City consider a short term Tax Anticipation Note in order to keep the I&S tax rate about the same rate. Once the tax rate decreases, it is difficult to increase it back up. The debt ratio for Ingleside is \$806/person; in Aransas Pass it is \$2,000/person; Rockport is \$2,200/person; and Corpus Christi is \$1,250/person. Acting City Manager Florencio Pena recommended the following projects be considered as potential projects: drainage work on Lover's Lane, a Dump Truck, a Backhoe, and a Pot Hole Paving Machine. It was noted that the actual projects would not need to be determined tonight. These items total approximately \$735,000 which could be financed over four years with a cost to issue of \$20,000.00 and an interest rate of 1.45%. .. This would give the City time to prepare a proper Capital Improvement Plan for infrastructure and/or structures.

Council Member Schack stated he would prefer implementing a depreciation program and thereby putting aside cash to replace these capital items with cash.

Mr. Freeman stated that if allowed, the staff can make inquiries and seek interest from bond buyers and that there would be no obligation by the City until the City acts on the bids received, potentially August 23, 2016. City Council Meeting or even as late as August 30, 2016.

Mayor Lamas and Council Member Underbrink agreed the Interest and Sinking Fund (I&S) Tax Rate needed to stay level. Council Members Diehl and Schack stated they didn't want to borrow money just to borrow money and they would not vote for bonds to purchase equipment. If it were legitimate projects for the public, they would reconsider their support of the bonds.

It was questioned if the I&S tax rate decreases, if the Maintenance and Operation (M&O) tax rate could be increased to level out the tax rate to be the same. Mr. Freeman explained that the M&O cannot be increased above the roll back rate without being subject to a rollback election.

**9. Consideration and action authorizing the Ingleside Volunteer Fire Department to apply for two Texas A&M Forest Service grants and one Helping Heroes grant.**

Fire Chief RJ Thomas explained the three (3) grants being presented. The Helping Heroes Grant requires no matching funds. The Texas A&M Forest Service Grant for Personal Protective Equipment requires a \$2,800 match of the \$8,400 grant and department has those funds in their budget. The Texas A&M Forest Service Grant for a new Tender Pumper I is a \$240,000 match for a \$200,000 grant. These funds are not in the budget; however, because we do not anticipate being awarded this grant for 3-4 years; we would like to begin the waiting process and budget for it at that time. This larger grant receives points for multiple years of application.

Council Member Underbrink made a motion authorizing the Ingleside Volunteer Fire Department to apply for two Texas A&M Forest Service grants and one Helping Heroes grant and was seconded by Council Member Knippa. The motion was approved by Mayor Lamas and Council Members Tucker, Underbrink, Knippa, Diehl, and Schack; Council Member Adame had temporarily stepped out of the Council Chambers and thereby was not present to vote.

**10. Consideration and action regarding replacement process due to the retirement of Municipal Court Judge Cheryl Deal to be effective December 31, 2016.**

Mayor Lamas thanked Municipal Court Judge Cheryl Deal for 32 years of service to the City of Ingleside.

Council Member Diehl questioned that tonight was only to discuss the process with which to replace the Council's appointment to the Judge's position and Acting City Manager Florencio Pena agreed. Mr. Pena further noted that in order to be a Municipal Court Judge there is a certain amount of training required. Council Member Diehl stated he felt this

should be treated as other departments within the City and look in-house first to see if there are qualified individuals interested, if not, then the Council go out for other applicants.

Council Member Diehl made a motion authorizing an internal posting for the position of Municipal Court Judge and was seconded by Council Member Tucker. The motion was approved unanimously.

**11. A Public Hearing regarding a request for the closure and abandonment of a road located adjacent to Blk 1 Lt 1 Old Ingleside Subdivision, also known as 1439 Main Street.**

Mayor Lamas made opened the Public Hearing at 7:57 p.m.

Speaking in favor of the road closure was Mr. Bill Cone. He explained that the ROW through the neighbor's property was abandoned years ago. Now that Mr. Cone is selling his property, he would like this piece to be included with the sale of the land.

There were no speakers against this request.

Mayor Lamas closed the Public Hearing at 7:58 p.m.

**12. Consideration and action of an Ordinance of the City of Ingleside, Texas, for the closure and abandonment of a rad located adjacent to Blk 1 Lt 1 Old Ingleside Subdivision, also known as 1439 Main Street; and providing for effective date, reading, severance, and publication. (First Reading)**

Council Member Schack questioned if there were any utilities in this ROW and staff agreed there were none.

Council Member Schack made a motion to move to a second reading the Ordinance of the City of Ingleside, Texas, for the closure and abandonment of a rad located adjacent to Blk 1 Lt 1 Old Ingleside Subdivision, also known as 1439 Main Street; and providing for effective date, reading, severance, and publication; and was seconded by Council Member Knippa. The motion was approved unanimously.

**13. Consideration and action to make a determination if the following structure meets the minimum standards of adopted codes or shall be demolished and removed from the property - Owner: Diana Angela Perez and Raymond Lee Harrison, III; Lots 14 - 18, Block 10, Houghton Subdivision; or Otherwise known as 2775 El Paso. (Tabled from 7/26/16)**

Building Official John Davis stated that Mr. Raymond Lee Harrison, II (father to Raymond Lee Harrison, III) came into the Building Department today and paid for building permit. He has also provided the WPI-8 paperwork. The options tonight is to either determine the need to demolish or take no action and thereby allow the property owner to repair the property within the 6-month building permit time-frame.

No action was taken.

**Agenda item 14-C was removed from the Consent Agenda**

**14. Consideration and action of the Consent Agenda:**

- a) **Ordinance # 2016-14 changing the zoning for the following property from its present zoning of T1-C (Manufactured Homes) to R-2 (Two Family Residential) and further providing for effective date, reading, severance, and publication. (Final Reading)**
- b) **Ordinance # 2016-15 amending Chapter 18 Buildings and Building Regulations Article II Construction Standards, Ingleside Code of Ordinances, to amend section 18-33 thru 18-34 to add provisions for the finished floor elevation of construction in the City Limits of the City of Ingleside not otherwise provided for by the FEMA Flood Map Study. (Final Reading)**

- d) **Ordinance # 2016-16 and action of an Ordinance amending Chapter 18 Article X Floodplain Management Section 18-351 General Provisions to update to the most current version of the Flood Insurance Study (FIS) for the City of Ingleside, San Patricio County, Texas. (Final Reading)**

Council Member Underbrink made a motion to approve the Consent Agenda and was seconded by Council Member Knippa. The motion was unanimously.

- 14-c) **Ordinance # 2016-17 and action of an Ordinance amending Chapter 30 Article III Weeds, Trash, Rubbish, Debris, Green Waste, Stagnant water, Ingleside Code of Ordinances, to amend Section 30-94 Penalty for Violation of Section 30-92 and/or 30-93 to better facilitate the timely abatement of Health and Safety Violations. (Final Reading)**

Building Official John Davis explained this is only for previously disconnected accounts that the City is required to perform safety inspections for electrical power. This does not happen just because someone doesn't pay their bill. A safety inspection is only required when the power has been off for six-months or more.

Council Member Diehl made a motion to approve Ordinance # 2016-17 and action of an Ordinance amending Chapter 30 Article III Weeds, Trash, Rubbish, Debris, Green Waste, Stagnant water, Ingleside Code of Ordinances, to amend Section 30-94 Penalty for Violation of Section 30-92 and/or 30-93 to better facilitate the timely abatement of Health and Safety Violations with a change from the word "may" to "shall"; and was seconded by Council Member Underbrink.

Mayor Lamas questioned if the word "shall" would allow any leeway because someone inherits the property or something like that. Mr. Davis stated the word "may" would allow leeway, but not the word "shall."

Council Member Diehl withdrew his motion.

Council Member Underbrink made a motion to approve Ordinance # 2016-17 and action of an Ordinance amending Chapter 30 Article III Weeds, Trash, Rubbish, Debris, Green Waste, Stagnant water, Ingleside Code of Ordinances, to amend Section 30-94 Penalty for Violation of Section 30-92 and/or 30-93 to better facilitate the timely abatement of Health and Safety Violations as originally written by staff; and was seconded by Council Member Adame. The motion was approved unanimously.

15. **Consideration and action of a Resolution amending the Municipal Annexation Plan adopted by Resolution No. 735 in 1999 by removing the Plan, the area described and identified therein as Tract B.**

Finance Director Paul Baen explained this is the first step in moving forward with the annexation of the properties currently in our ETJ and involved in Industrial District Agreements that expire December 31, 2016.

Council Member Schack made a motion to approve Resolution # 2016-16 amending the Municipal Annexation Plan adopted by Resolution No. 735 in 1999 by removing the Plan, the area described and identified therein as Tract B; and was seconded by Council Member Tucker. The motion was approved unanimously.

16. **Consideration and action appointing an individual to serve as the City of Ingleside's representative to the San Patricio County Economic Development Board of Directors.**

Council Member Schack made a motion to appoint Council Member Adame as the City of Ingleside's representative to the San Patricio County Economic Development Board of Directors; and was seconded by Council Member Tucker. The motion was approved unanimously.

**Council Member Adame left the meeting at 8:25 p.m. due to a family emergency.**

**17. Consideration and action to regard former City Manager Jim Gray's Severance Package as a current year expense.**

Finance Director Paul Baen stated the total severance package for former City Manager Jim Gray was approximately \$225,000. Per the contract, this amount was to have been appropriated by Council as part of the City's budget. Therefore, we would like to recognize this expense in the current budget even though payment of some of this expense will be paid out next year..

Council Member Tucker made a motion authorizing the staff to expense the entirety of former City Manager Jim Gray's Severance Package as a current year expense out of the expected current year surplus; and was seconded by Council Member Underbrink. The motion was approved unanimously

**18. Consideration and action authorizing the staff to continue negotiations of the possible 380 Agreements with Koch/Flint Hills and/or Kiewit Offshore Services. The City Council may meet in Closed Executive Session in accordance with Texas Government Code Section 551.071 (Consult with Attorney) and Section 551-087 (Deliberation Regarding Economic Development Negotiations).**

Mayor Lamas recessed the regular meeting in order to go into Closed Executive Session at 8:33 p.m.

Mayor Lamas closed the Executive Session and reconvened the regular meeting at 9:35 p.m.

No action was taken.

**19. Receive the Departmental Reports for the month of July 2016.**

Council Member Diehl suggested the staff provide quarterly report instead of monthly.

**20. Staff Reports**

Acting City Manager Florencio Pena provided a handout of the revised Planning Calendar for the Budget Workshops, discussion of Tax Rates, and dates for Public Hearings.

**21. Requests from Council Members**

Council Member Underbrink requested that there not be any handouts during the Council Meetings; that all materials be provided in the Council Packet delivered on Fridays before the Tuesday meetings.

Council Member Knippa requested the dollar figures for the various repairs/replacements at the Humble Center. Staff will provide those to them via email.

Council Member Diehl questioned if we have a written legal opinion from the Legal Counsel regarding the use of the Cheniere check. Staff stated an opinion has been received.

**22. Adjourn**

There being no further business, the meeting was adjourned at 9:50 p.m.

**ATTEST:**

  
Kimberly Sampson, City Secretary

**APPROVED:**

  
Mayor Luis Lamas