

CITY OF INGLESIDE  
REGULAR CITY COUNCIL MEETING  
MINUTES  
FEBRUARY 14, 2023  
6:30 P.M.

**Opening Agenda**

**1. Call Meeting to order.**

The Regular Meeting of the City of Ingleside was called to order by Mayor Adame at 6:30 p.m. on February 14, 2023, at City Hall 2671 San Angelo Ingleside, TX and live video streaming.

**2. Roll Call.**

With Council Members present a quorum was established.

Council Members Present: Steve Diehl, Stewart Wilson, David Pruitt, John Salinas, Tracy Long, Julio Salinas and Mayor Pedro Oscar Adame.

**3. Invocation.**

Council member Pruitt led the invocation.

**4. Pledge of Allegiance.**

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

**5. Citizen Comments and Reports**

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

Cindy Wilson, 2635 San Angelo Avenue, addressed the Council about the Legacy Oaks and there not being a definitive answer. Wilson believed there are Legacy Oaks where the newer subdivisions are going to be built and encouraged the Council to consider how old those Oak Trees are before allowing them to be cut down.

**6. Staff Comments and Reports**

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

No Staff Comments and Reports presented for this meeting.

**7. Council Comments and Reports**

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

No Council Comments and Reports presented for this meeting.

**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.

No Public Hearings scheduled for this meeting.

**Executive Session**

**8. Closed Session**

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

- a. **Section 551.071 Consultations with Attorney - Concerning legal issues related to the case of City of Ingleside v. City of Corpus Christi**
- b. **Section 551.071 Consultations with Attorney – Concerning contracts and agreements**
- c. **Section 551.087 Deliberation regarding Economic Development Negotiations – Project Green**

At 6:34 p.m. Mayor Adame convened the Ingleside City Council into a closed session pursuant to provision of Chapter 551 of the Texas Government Code, in accordance with the authority contained in Section 551.071 Consultations with Attorney and 551.087 Deliberation regarding Economic Development Negotiations.

**9. Open Session**

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

- a. **Section 551.071 Consultations with Attorney - Concerning legal issues related to the case of City of Ingleside v. City of Corpus Christi**
- b. **Section 551.071 Consultations with Attorney – Concerning contracts and agreements**
- c. **Section 551.087 Deliberation regarding Economic Development Negotiations – Project Green**

At 7:16 p.m. Mayor Adame reconvened the Ingleside City Council into an open session pursuant to provision of Chapter 551 of the Texas Government Code to take any action necessary related to the executive session noted herein, or regular agenda items, noted above, and/or related items.

City Manager Lewis briefed the Council on the amendment to the engagement letter. He explained that Council has options. Discussion among the Council Members, Ernest Garza, and City Staff about the audit completion date if extension was granted, normal procedures for determining the amount of time needed to complete the audit, determination of date for April 15, 2023 and complete audit by June 27, 2023.

Attorney Michael Morris stated he would draft the agreement as follows:

The City of Ingleside, Texas (“City”) and Ernest R. Garza & Co., P.C. CPA’s (“ERG”) agree that ERG will provide the audit services described in the June 3, 2022 “Amendment to Engagement Letter” by and between the City and ERG for the audit year ending September 30, 2022 for the sum of \$37,000 and will complete the audit on or before June 27, 2023 provided all necessary information is provided by April 15, 2023.

**Motion:** Council Member Diehl made a motion to approve Ernest R. Garza & Co., P.C. CPA’s to conduct the annual audit for Year Ending September 30, 2022 and authorize the City Attorney to draft the agreement, as stated above, to conduct the annual audit for Year Ending September 30, 2022. Council Member John Salinas seconded the motion. Motion carries with all present voting in favor.

**Presentations**

- 10. Presentation by Jennifer Hunter of Gypsy M/C International Corpus Christi Chapter in reference to Request for Special Use Permit For Gypsy M/C International Corpus Christi Chapter for the usage of the front circle of Live Oak Park for May 4, 2023 through May 7, 2023.**

City Manager Lewis addressed the Council indicating Director Tarkington and Jennifer Hunter would be presenting information about the request for a special use permit for the Gypsy M/C International Corpus Christi for Live Oak Park.

Jennifer Hunter spoke about the days and times needed, the application process, what the rally was for, donations for other locations, live music, and the Chapter being a non-profit organization.

Discussion held among Council Members, City Staff and Presenter about noise control, traffic, and prior years hosting this event.

### **Consent Agenda**

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

11. **Deliberate and take appropriate action on second and final reading of an Ordinance of the City Council of the City of Ingleside, Texas, ordering and calling a Special Election pursuant to Section 327.007 of the Texas Tax Code to determine whether the citizens desire to reauthorize the local sales and use tax to continue providing revenue for maintenance and repair of municipal streets; prescribing the form of ballot; providing for notices; providing a severability clause; and declaring an effective date.**

Proposed Ordinance 2023-04

12. **Deliberate and take appropriate action on Regular City Council Meeting Minutes of December 13, 2022 and Special Meeting Minutes of December 27, 2022.**

**Motion:** Council Member Diehl made a motion to approve the Consent Agenda. Council Member Wilson seconded the motion. Motion carries with all present voting in favor.

### **Regular Agenda**

13. **Deliberate and take appropriate action on a Resolution of the City Council of the City of Ingleside, San Patricio County, Texas, to nominate Kiewit Offshore Services, Ltd. for the Texas Enterprise Zone Program.**

City Manager Lewis addressed the Council stating that the proposed Resolution would not be a cost to the City and to introduce Director Carr.

Director Carr stated that the Texas Enterprise Zone Program is a tool that abates the States portion of Sales Tax and only requires that the City nominate them for the agreement. For the nomination Kiewit has agreed to invest new capital expenditures (CapEx) dollars of \$10 million over the next 5 years and maintain 1,800 employees. Staff recommend passing this resolution as this has been done multiple times with the City to be good partners with Kiewit.

Discussion was held with Kiewit Consultant Jeff Bevel, Kiewit Comptroller Bob, Council Members, and Staff about the enterprise zone 10 year census block zones, and how this affects economic disadvantaged citizens and veterans.

**Motion:** Council Member John Salinas made a motion to nominate Kiewit Offshore Services, Ltd. For the Texas Enterprise Zone Program and approve Resolution 2023-09, as presented. Council Member Long seconded the motion. Motion carries with all present voting in favor.

14. **Deliberate and take appropriate action regarding the issuance of Special Use Permit to Gypsy M/C International, Corpus Christi Chapter for the usage of the front circle of Live Oak Park for May 4, 2023 through May 7, 2023.**

Director Tarkington spoke to the Council about the application for the special use permit. He stated that in the past the Gypsy M/C International Corpus Christi Chapter had always cleaned up after an event and recommended the permit be issued.

Discussion was held between the Council, Staff, and Presenter Jennifer Hunt about requests for stage, relaxation of noise, traffic safety issue with other events around this event, and commitment of same as last year.

**Motion:** Council Member Julio Salinas made a motion to approve the request for a special use permit as discussed. Council Member Diehl seconded the motion. Motion carries with all present voting in favor.

**15. Deliberate and take appropriate action on the acceptance of the City of Ingleside Annual Financial Report for the Year Ended September 30, 2021.**

City Manager Lewis presented Ernest Garza. Garza summarized and discussed the audit in detail. He stated that it was over a year ago he sent the City a list of financial issues and the financials needed a lot of updating and corrections due to staff turnover. Garza discussed the unqualified statement and was satisfied with the City's financial reporting.

Discussion was held between the Council, Garza, and Staff about the different funds and how the spending for the City had previously happened, How Garza analyzed and why, Transfers on Utility Funds, General Funds, Comparisons, Terminology, variances, assignment on the revenues, and audit breakdown vs. Historical Breakdown, Consistent Liquidity.

Mayor Adame left the dais at 8:12 p.m. and returned to the dais at 8:14 p.m.

Further discussion was held between the Council, Ernest Garza, and Staff about amendments and expenditures, identifying changes in the last couple of years, Changes in staff that causes inconsistencies, unincumbered balance, deposit procedures for the City, management letters, and all departments falling under the City Manager.

Council Member Wilson left the dais at 8:24 p.m.

Council Member Wilson returned to the dais at 8:27 p.m.

**Motion:** Council Member Long made a motion to accept the City of Ingleside Annual Financial Report for the Year Ended September 30, 2021. Council Member Julio Salinas seconded the motion. Motion carries with all present voting in favor.

**16. Deliberate and take appropriate action on a Change Order for the 4th Street Project to address the drainage from 6th Street and Avenue A.**

City Manager Lewis stated that the City had been in discussion with the property owner about a drainage channel that goes across his property and asked the Engineers to come up with (3) three different scenarios to convey the storm water that is going across that private property.

Discussion was held between the Council Members, City Manager and Director of Infrastructure about using the lowest cost scenario option 2 which will not interfere with the property, the parts of the city that this water comes from, flow line depth, preempted the flow from Ave A and future work, how deep of culvert for 36 inch pipe on Ave A, and flow line at 6<sup>th</sup> Street (6) six feet down, drainage inlets.

Council Member Julio Salinas left the dais at 8:35 p.m. and returned to the dais at 8:38 p.m.

Continued discussion held between the Council, City Manager and Director of Infrastructure about the pricing for additional inlets, cost, the natural flow into the private property, original plan called for the natural flow to go across this property however the owner of the property is contesting this and saying the city doesn't have an easement, discussion about the private property, the baffle box within the easement that we currently have, erosion of the private property, pre-existing issue of the drainage flow, the culvert within the city's (20) twenty foot easement, if the approval of the contract is required, anticipating additional costs, 75% complete on the project, unknowns on utilities being 90% complete, \$30,000.00 left in contingencies, and how estimate for change order came about.

Cindy Wilson, 2635 San Angelo, addressed the Council about change orders and materials not being available at the time. What most will not understand is that you have an engineering company that has been with this city for how many years. The engineers are supposed to know what is in this city and come to you and tells you that it is them that has a priority over a lot of the things that have happened here in Ingleside because they are the ones who initiated it. If they know so much about the City of Ingleside, why do you have so many unknowns in the utilities, streets, and everything else.

Further discussion on 6<sup>th</sup> Street & Ave A are always flooded and deterioration, drainage changes since 1986, the ditch being dug by force, contingencies set up for going through the older part of town where most of the unknowns are, completion date in 3 months, demobilization and remobilization of equipment and making sure this goes along with the drainage Study.

**Motion:** Council Member Long made a motion to table the Change Order for the 4th Street Project to address the drainage from 6th Street and Avenue A until March 14, 2023, Council Meeting. Council Member John Salinas seconded the motion. Motion carries with all present voting in favor.

**17. Deliberate and take appropriate action on the initial draft for the request for qualifications (RFQ) for General Engineering Services.**

City Manager Lewis stated that this request was brought forth by the Mayor and we have a rough draft for the Engineering Services to be the City Engineer. The draft was included in the Council Packet and is available to make changes if needed.

Discussion was held among the Council Members about getting the city to have a Project Manager, (EIT) Engineer in Training working toward their PE, the duties of this position, return on the investment for this position for the city, The current Engineer working for the City and what that current work load is, The next step of doing on-site inspections along with Engineering, How would this new position be paid, being able to use this to screen potential engineers, General Services Engineers currently also represents the Client which cannot happen, the Previous position for Project Manager and why it was not a successful position at that time, Engineers in Training (EIT) vs. (PE) Professional Engineers and the various stages in between, Looking for a firm that would meet the City's qualifications, Turn over in the field of Engineering, and the City not being in a position to have a full time Engineer on Staff.

Council Member Pruitt left the dais at 9:35 p.m. and returned to the dais at 9:37 p.m.

Further discussion was held about several options, the current contract for services in place, two issue to be addressed (engineering design and publishing of plans) and (management execution of the projects), cost for general services only without other services provided, and bringing the current contract to the Council.

**Motion:** Council Member Julio Salinas made a motion to proceed with a draft for the request for qualifications. Council Member John Salinas seconded the motion. Motion carries voting 6:1.

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

**18. Announcements of Community Interest and/or upcoming events.**

- a. Ingleside State of The Chamber February 16, 2023
- b. TML Region 11 Quarterly Meeting Yoakum, TX February 24, 2023
- c. San Patricio County Professional Skills & Trades Job Fair Portland, TX February 16, 2023
- d. City of Ingleside Kickball Tournament March 11, 2023
- e. San Patricio County Day in Austin, TX March 23, 2023
- f. Ingleside Round Up Days and Music Festival March 24-25, 2023
- g. Scrabble Tournament for Literacy Portland, TX April 21, 2023
- h. Trashion Fashion Show April 22, 2023

**19. Items to consider for placement on future agendas.**

Council Member Diehl requested for contract for services.

Council Member John Salinas requested to have the Ingleside BBQ Team recognized.

Council member Diehl requested for an update on the TxDot lighting request.

20. **Adjourn.**

Mayor Adame adjourned the Regular City Council Meeting at 9:50 p.m.

**APPROVED:**



Pedro Oscar Adame, Mayor

**ATTEST:**

  
Ruby Mowles, City Secretary