

**CITY OF INGLESIDE  
AGENDA  
REGULAR CITY COUNCIL MEETING  
AUGUST 28, 2018**

**1. Call meeting to order**

The meeting was called to order at 6:30 p.m. with Mayor Ronnie Parker presiding. Council Members present: Mayor Ronnie Parker and Council Members Ben Tucker, Kody Fahrenthold, Oscar Adame, Dennis Knippa, Pete Perkins, and John Schack. Staff present: Interim City Manager Florencio Pena, Interim Finance Director Linnette Barker, and City Secretary Kimberly Sampson. There were approximately 40 guests.

**2. Roll Call**

All Council Members are present.

**3. Invocation**

**4. Pledge of Allegiance**

**5. Citizen Comments**

Council Member Perkins announced that he attended a meeting today with members of the San Patricio County Economic Development Corporation (SPEDC). There is movement for the Port of Corpus Christi Authority (POCCA) to add two more voting members from San Patricio County to the existing seven (7) Member Board of Directors. Currently San Patricio County is one (1) vote on the seven (7) member board and if they add two (2) more San Patricio County votes, San Patricio will not "out-vote" the Nueces representatives, it will just be more equal. It doesn't change their majority vote, it would just allow for a better representation of the San Patricio area which is growing rapidly. As we move forward with this discussion with POCCA we will be asking all entities to voice their support.

**Presentations:**

**6. Recognition of Troop 9839 for the completion of the Bronze Award Project at Whitney Lake.**

Parks and Facilities Manager, Mariana Garcia, reported about all of the work the Girls Scout Troop 9839 has done with the new flower beds at Whitney Lake to earn their Bronze Award and assisted Mayor Parker in presenting Certificates of Appreciation to: Reagan Pena, Genevieve Garza, Eva Browning, Gretchen Canon, and Kyla Amacher.

**Zoning Public Hearings:**

N/A

**Action Items:**

**7. Consideration of request to approve a Letter of Agreement with San Patricio Municipal Water District (SPMWD) to contribute \$10,000 for an engineering feasibility study to build a regional wastewater treatment plant in cooperation with SPMWD, City of Portland, City of Aransas Pass, and City of Gregory. (Tabled from 8/14/18)**

San Patricio Municipal Water District (SPMWD) General Manager, Brian Williams, explained that there have been a few studies over the years to consider the feasibility of a regional wastewater treatment plant. There have been discussions of which industrial partners would be willing to purchase the wastewater effluent. If the study shows positive numbers and the SPMWD is to move forward with the project, we would need to purchase additional land. The study being presented cost about \$46,000. SPMWD is

asking Portland, Ingleside, and Aransas Pass to each pay \$10,000 and Gregory to pay \$5,000; with SPMWD paying the remaining \$11,000 for the study.

Council Member Schack stated he would rather see the breakdown based on population or current wastewater flow rates and to include Ingleside on the Bay (IOB) as a contributor. IOB citizen Howard Gillespie stated although he is not on the IOB Council, he feels their Council would consider being a part of this study.

Council Member Perkins questioned how this would affect the work Ingleside is considering with Poseidon and Mr. Williams stated the regional facility could not work without Ingleside's participation and Ingleside cannot support both wastewater facilities.

Mayor Parker noted that both the SPMWD and the Poseidon facilities are still being considered as well as our own new wastewater treatment facility. Whichever direction is decided upon, there would be no loss of current staff positions because we will still have to maintain our own infrastructure even if we become a transfer station.

Mayor Parker made a motion to table this item until SPMWD could bring back to the City Council a shared cost based on the existing flow rates and was seconded by Council Member Schack. The motion was approved unanimously.

- 8. Consideration and approval of an Ordinance by the City Council of the City of Ingleside, Texas authorizing the issuance of "City of Ingleside, Texas Tax Notes, Series 2018", levying an Annual Ad Valorem Tax, within the limitations prescribed by law, for the payment of the obligations; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the obligations; authorizing the execution of a Paying Agent/Registrar Agreement and a Purchase and Investment Letter; complying with the Letter of Representations previously executed with the Depository Trust Company; authorizing the execution of any necessary engagement agreements with the City's Financial Advisors and/or Bond Counsel; and providing an effective date.**

Andrew Freidman of SAMCO explained there were six (6) bids received, with the lowest being Frost Bank at 2.59%.

Interim City Manager, Florencio Pena noted these bonds would be for various vehicles and equipment as well as drainage needs, all pending Council approval. He noted this will keep our tax rate at the same rate so that as we see other bonds being paid off over the next three years, the Council has the opportunity to borrow up to \$18M. Staff recommends approval of this bond. The staff are also preparing a list of items they need and that will be brought back to a future agenda for approval.

Council Member Adame made a motion to approve Ordinance # 2018-10 by the City Council of the City of Ingleside, Texas authorizing the issuance of "City of Ingleside, Texas Tax Notes, Series 2018", levying an Annual Ad Valorem Tax, within the limitations prescribed by law, for the payment of the obligations; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the obligations; authorizing the execution of a Paying Agent/Registrar Agreement and a Purchase and Investment Letter; complying with the Letter of Representations previously executed with the Depository Trust Company; authorizing the execution of any necessary engagement agreements with the City's Financial Advisors and/or Bond Counsel; and providing an effective date; and was seconded by Council Member Adame. The motion was approved with Mayor Parker and Council Members Tucker, Fahrenthold, Adame, Perkins, and Schack voting aye; and Council Member Knippa abstaining.

- 9. Approval of an amendment to the contract for solid waste collection services with BFI Waste Services of Texas, L.P. for bulk collection services. This 3<sup>rd</sup> amendment to the contract includes changing bulk collection from once a week to once a month and divides the City into 4 zones that will each be picked up once a month. This amendment ratifies the 2<sup>nd</sup> amendment approved September 26, 2017 extended the**

**contract through September 30, 2023 and suspended a CPI residential rate increase in 2017.**

Mr. Mike Reeves of BFI Waste Services of Texas, L.P. quoted statistics from 2015 to current indicating the increased tonnage of trash and bulk being picked up in Ingleside. Over the years, the staff and BFI have worked together on how best to pick up the bulk pickup for this community. The most current method has been for the citizens to call City Hall and be placed on a weekly pick up list. What is being proposed is a method that the citizens do not have to call in, but rather they have a set monthly schedule for their area to be picked up. Dividing the community into four (4) areas like our brush pick up schedule and assign each area one (1) each month; the drivers would pick everything in that area within that week. The citizens must put their bulk curbside no later than Monday of their week and then we will pick up Tuesday through Friday. If we can do it all in one day, great; if it takes us four days, then that's what it takes.

Building Official, Care Dietrich noted this will keep the BFI trucks from driving all City streets each week, but rather in a focused area one week of each month. She also noted that staff would bring back an Ordinance mandating that all bulk be curbside by a scheduled time on Mondays.

Mr. Reeves provided a handout of bulk items to the Council and it was recognized that refrigerators are allowed once they are tagged by authorized personnel that all Freon has been removed.

Council Member Adame made a motion to approve the 3<sup>rd</sup> amendment to the contract for solid waste collection services with BFI Waste Services of Texas, L.P. for bulk collection services to include changing bulk collection from once a week to once a month and divides the City into 4 zones and to ratify the 2<sup>nd</sup> amendment approved September 26, 2017 extended the contract through September 30, 2023 and suspended a CPI residential rate increase in 2017; and was seconded by Council Member Knippa. The motion was approved unanimously.

- 10. Approval of Change Order No. 1 in the amount of \$11,467.53 for Gourley Contracting to address unforeseen roof conditions and associated with the Hurricane Repairs to the Ingleside Public Library. The revised contract with Gourley with this Change Order is \$204,858.68. Funding is available in the Harvey Fund.**

Council Member Perkins made a motion to approve Change Order No. 1 in the amount of \$11,467.53 for Gourley Contracting to address unforeseen roof conditions and associated with the Hurricane Repairs to the Ingleside Public Library; and was seconded by Council Member Schack. The motion was approved unanimously.

- 11. Award the bid of \$1.00 to Brewster Construction Company for the transfer of ownership of "the Depot" building located at Faith Park, next to the City Hall Annex located at 2665 San Angelo.**

Council Member Schack made a motion to award the bid of \$1.00 to Brewster Construction Company for the transfer of ownership of "the Depot" building located at Faith Park, next to the City Hall Annex located at 2665 San Angelo and was seconded by Council Member Farenthold. The motion was approved unanimously.

- 12. A Resolution of the City of Ingleside giving their support of the application submitted to National Parks Service seeking help with facilitating new signage and trails for the Parks and Recreation Department.**

Parks and Facilities Manager, Mariana Garcia explained that a Letter of Support from the Council is required for this grant application.

Council Member Schack made a motion to approve Resolution # 2018-17 of the City of Ingleside giving their support of the application submitted to National Parks Service seeking help with facilitating new signage and trails for the Parks and Recreation

Department; and was seconded by Council Member Perkins. The motion was approved unanimously.

- 13. AN ORDINANCE AMENDING THE STREET RECONSTRUCTION FUND 2017/2018 BUDGET FOR THE CITY OF INGLESIDE TO PROVIDE FOR EXPENDITURES IN THE AMOUNT OF \$100,446; AMENDING THE STREET MAINTENANCE FUND AND THE CAPITAL PROJECTS FUND TO RE-ALLOCATE FOR THE 2018 STREET IMPROVEMENT PROGRAM. The following is recommended: Street Maintenance Fund \$790,000; Street Reconstruction Fund \$261,431; and 2015 Bond Fund \$809,834.60. The funds will be used for awarding a construction contract of \$1,661,265.60 and engineering and testing \$200,000 for a total of \$1,861,265.60.**

Interim City Manager, Florencio Pena stated that the majority of the funds for this years' streets projects is from the 2015 Bonds (\$809,834.60), then Street Maintenance Fund (\$790,000) and the rest from the Street Reconstruction Fund (\$261,431).

Council Member Schack made a motion to approve Ordinance # 2018-11 AMENDING THE STREET RECONSTRUCTION FUND 2017/2018 BUDGET FOR THE CITY OF INGLESIDE TO PROVIDE FOR EXPENDITURES IN THE AMOUNT OF \$100,446; AMENDING THE STREET MAINTENANCE FUND AND THE CAPITAL PROJECTS FUND TO RE-ALLOCATE FOR THE 2018 STREET IMPROVEMENT PROGRAM; and was seconded by Council Member Schack. The motion was approved unanimously.

- 14. Approval of an Indefinite Delivery / Indefinite Quantity contract with J. Carroll Weaver Inc. for \$1,695,484.60 and for a period not to exceed 12 months to as part of the 2018 Street Improvements Program. Three bids were received. The streets proposed under this contract include:**

- Ave A –SH 361 to 12<sup>th</sup> Street
- 1<sup>st</sup> St. – Ave A to Chandler
- Buckeye – Ave A to 1<sup>st</sup> St
- Henrietta – 4<sup>th</sup> St to 8<sup>th</sup> St
- Texas St. – Ave B to the School
- 6<sup>th</sup> St.- FM 1069 to Ave B
- 7<sup>th</sup> St. – FM 1069 to Ave B
- Live Oak – 4<sup>th</sup> St. to Ave G

**Funding for this contract will come from Street Maintenance Fund, Street Reconstruction Fund and 2015 Bond Fund.**

Interim City Manager, Florencio Pena noted that Avenue J from 1<sup>st</sup> Street to 4<sup>th</sup> Street was omitted from the agenda item but is included in the attachments. It was also agreed that the repairs to Texas Street and Avenue A would be the last repaired due to ongoing infrastructure work in those areas.

Council Member Adame made a motion to award the Indefinite Delivery / Indefinite Quantity contract with J. Carroll Weaver Inc. for \$1,695,484.60 and for a period not to exceed 12 months to as part of the 2018 Street Improvements Program; and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

- 15. Consideration, Discussion, and Action on approving the proposed drainage projects known as Swan Lake and Alana Lane to be undertaken by the San Patricio County Drainage District (SPCDD). SPCDD has received bids for these two projects Swan Lake \$34,672.50 and Alana Lane \$82,325 with AR Construction Company for a total of \$116,997.50. Funding for these projects is from funds collected by SPCDD on behalf of the City of Ingleside**

Interim City Manager, Florencio Pena explained both of these projects would be funded by SPCDD.

Mayor Parker questioned if this would relieve the drainage issues along Alana Lane. Public Works Director, Donald Paty replied that it would help with most rains, but not the 16" rains like we had a few years back.

Council Member Schack made a motion to approve the proposed drainage projects known as Swan Lake and Alana Lane to be undertaken by the San Patricio County Drainage District (SPCDD); and was seconded by Council Member Knippa. The motion was approved unanimously.

#### **16. Hurricane Harvey Recovery updates**

- a) **Insurance**
- b) **Buildings and Facilities**
- c) **Business Disruption Insurance Reimbursement**
- d) **FEMA Debris Removal**
  - i. **Debris Removal**
  - ii. **Personal Property Debris Removal**
  - iii. **Personal Property Demolition & Debris Removal**
- e) **Status of Grant Requests**
- f) **Fund 19 Fund Report**

City Secretary, Kimberly Sampson stated that the adjuster has increased their estimates for structures from \$265,301 to \$739,071. They are still not allowing for lost income of Sales Tax, Hotel/Motel, Permit fees, or Utility Billing because we don't own these buildings. They allow about \$250,000 for payroll and equipment use, but won't release those funds without talking to FEMA. Things are moving forward; however staff feels we should seek legal clarification regarding the lost income and how FEMA is related to the City's policy.

Shane Torno, our Project Manager with Freese and Nichols, provided an overview of the progress with the Library, City Hall, Faith Park, Cove Park, and Live Oak Park. He confirmed that the lights at the Pony Field at Live Oak Park were not in the original walk through with the Adjuster; however, they have been added. In reviewing the funds and process needed for reimbursement through insurance and then FEMA, it may be less costly and quicker to use the insurance and city funds to purchase directly from a Buyboard source than to go through the FEMA process.

Building Official, Carey Dietrich explained that there were no PPDDR applicants allowed; however, of the 37 PPDR applicants, 27 have been approved. We are now in the process to confirm if we can use the existing contract with Crower Gulf, or if we need to go through the RFP process again.

Interim City Manager, Florencio Pena clarified the six (6) Notice of Intents approved by FEMA and noted that the staff are now working with the firm Dewberry to complete the full applications.

Interim Finance, Director Linnette Barker provided an overview of the expenses of \$5.3M and revenues of \$4.3M to date.

#### **17. Approval of a Task Order (Owner Task Order number 2018-009, Hanson Task Order Number 17L0101-018) for Engineering Services at Live Oak Park Pony Field Lighting Hurricane Repairs in the amount not to exceed \$27,000.00 for professional service and an additional \$2,500.00 for windstorm observation for a total of \$29,500.00.**

Interim City Manager, Florencio Pena suggested this item be removed from the agenda because it appears to be less expensive and faster to use insurance and City funds than to go through the FEMA RFP process.

No action was taken by Council.

#### **18. Request by Council Member Knippa to discuss the possible movement of the City Council Meetings from Tuesday nights to Wednesday nights.**

Council Member Knippa requested this agenda item to consider moving the Regular Council Meeting nights from Tuesdays to Wednesdays. If the Council doesn't want to vote on it, he questioned if the public can be polled for/against it by either a note on the water bill or a questionnaire put out like we did during the budget process.

Council Member Schack stated he was against Wednesday nights due to that being some individuals Church night.

City Secretary, Kimberly Sampson noted that the messages placed on the water bills are rarely responded to, but we could add it to the questionnaire during the next year's budget process.

No action was taken by Council.

**Consent Agenda:** (All of the following items are considered to be self-explanatory by the City Council and will be enacted with one motion; there will be no separate discussion of these items unless a Council Member requests.)

19. **Approval an authorization for the Interim Finance Director to request for Qualifications (RFQ) for Public Accounting Firms to perform the annual audit for fiscal years 201-2018, 2018-2019, and 2019-2020.**
20. **City's preliminary Financial Reports as July 31, 2018.**
21. **Ratification of City of Ingleside expenditures to be paid.**
22. **Approval of City Council Meeting Minutes dated July 10, 12, and 13, 2018.**
23. **Award of grant funds from Meadows Grant/Texas Forest Service to the Ingleside Volunteer Fire Department for apparatus repairs due to Hurricane Harvey.**
24. **Approval of non-emergency use of Fire Department Apparatus.**
25. **Approval and support of the sale of cancer awareness t-shirts to assist with funding charitable donation to cancer (prevention/education/research/awareness) organization(s).**
26. **Consideration and action authorizing the Mayor to sign the Easement and Public Right of Way Deed for the Swan Lake Drainage project and authorizing the staff to pay the \$10.00 to Roma Realty, Ltd.**

Council Member Adame made a motion to approve the consent agenda items 19-26 as presented and was seconded by Council Member Knippa. The motion was approved unanimously.

### **Executive Session:**

27. **The Council may meet in Closed Executive Session in accordance with Texas Government Code Section 551.071 (Consultations with Attorney) and Section 551.087 (Deliberation Regarding Economic Development Negotiations) regarding the following items:**
  - A) **Attorney/Client consultation regarding implementation of Personnel Policy regarding employee pay, and**
  - B) **Legal update of Impact Fees**

Mayor Parker closed the Regular Meeting to go into Closed Executive Session at 8:02 p.m.

Mayor Parker re-opened the Regular Meeting at 8:32 p.m.

28. **Possible action regarding any Executive Session item listed above.**

Council Member Schack made a motion to suspend City of Ingleside Policy and Procedure Section 6.B.2 regarding overtime pay for police officers until the next Council Meeting; and was seconded by Council Member Perkins. The motion was approved unanimously.

Council Member Perkins made a motion to send the Impact Fees back to the Review Committee (P&Z Committee) and Hanson Professional Services to revise the Impact Fee list of projects and developments and go through the public hearing process again; and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

**29. Reports from Staff**

City Secretary, Kimberly Sampson stated that IT Department will be making contact with the Council Members to get their new laptops up and running for them.

**30. Requests from Council Members**

Mayor Parker and Council Member Adame requested a hard copy of the fees from other Cities be made available to the Council because the electronic spreadsheet is difficult to read and compare. They also requested that there be examples of Single Family Residence and General Commercial (6", 8" and 10") be done for comparison.

Council Member Adame asked if there is a need for an agenda item for the Interim City Manager to stay on with the New City Manager in place.


Council Member Tucker asked if there is a way for Oxy to pay for the flushing of the lines that is being done for that area of town due to chlorination issues and if need be, that a there be future agenda item to discuss.

Mayor Parker suggested that instead of us having to do small bonds each year, that the City look into doing a bond election.

**31. Adjourn**

There being no further business, the meeting was adjourned at 8:45 p.m.

**ATTEST:**

  
\_\_\_\_\_  
Kimberly Sampson, City Secretary

**APPROVED:**

  
\_\_\_\_\_  
Mayor Ronnie Parker