

**CITY OF INGLESIDE
MINUTES
REGULAR CITY COUNCIL MEETING
JULY 10, 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, Dennis Knippa, Pete Perkins, and John Schack. Council Members absent: Council Member Oscar Adame. Staff present: Interim City Manager Florencio Pena, Interim Finance Director Linnette Barker, and City Secretary Kimberly Sampson. There were approximately 25 guests.

2. Roll Call

Council Member Adame was absent due to work related business.

3. Invocation

4. Pledge of Allegiance

5. Citizen Comments

Ms. Janet Terry reported that she is frustrated with Animal Control because the microchip machine is broken, no one return calls, and allowing an animal that has been deemed dangerous and restricted from the City to be allowed back in the City. Ms. Terry reported it is a \$500/day violation for a repeat offender and she doesn't feel enough is being done by the Animal Control department.

Presentations:

6. Presentation by Attorneys with Daly and Black, P.C. regarding Hurricane Harvey Windstorm/Insurance Cases.

Mr. Richard Daly of Daly and Black, P.C. stated that his firm has teamed up with State Representative, Todd Hunter in trying to assist individuals, companies, School Districts, and Municipalities battle insurance companies with their Hurricane Harvey Windstorm/Insurance Cases. Mr. Daly reported insurance companies come in with some extremely low dollar figure to repair/replace the damage done by catastrophic events. When a property owner disagrees with the dollar figure, the insurance company requires you to prove your case at your own expense. Daly and Black, P.C. are willing to help. Mr. Daly reported that all attorney fees are paid by the insurance company. Mr. Daly explained that 99% of the claims are settled out of court once an attorney is on board. Attorney fees are added on top of the repair/replacement cost for the insurance company to pay. They firm charges 40% of the cost of repair/replacement and by State Law that can be added on top of the repair/replacement cost.

Mr. Mike Gallegher, Daly and Black, P.C. stated their company is currently working with Odem/Edroy ISD and other governmental entities. They provided handouts and played recorded messages of private property owner clients with TWIA officials stating they could not or would not assist their clients. Following the attorneys getting involved, the insurance companies agreed to settle with the property owners. If necessary, the law firm is not opposed to getting the media involved to assist in helping a claim be processed more accurately.

The Council thanked the Attorneys for providing the information to the City and the public. If any citizen wants to get in touch with these individuals, their contact information is available at City Hall.

Public Hearings:

N/A

Action Items:

7. **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 reported that she and Records Retention Officer, Dee Redford are working to make sure all of the information from the department's is up to date and that the Purchase Orders (POs) we have are combined information to report to insurance company. It is taking Mrs. Redford additional time to breakdown the PO's by covered structures.

Freeze and Nichols Project Engineer, Shane Torno gave an overview of the various structures damaged by Hurricane Harvey. The structural engineer from Hanson Professional Services, Inc. has reviewed the Public Works Office/Lab area and does not believe it is sound. Staff will seek a total loss on this structure and the unrepairable Concession Stand/Announcers Booth at Faith Park. The restrooms at Cove Park are repairable with a cost estimate of about \$30,000. The restrooms at the front of Live Oak Park were fixed for about \$3,000.

Eric Rivera of Hanson Professional Services, Inc. reported he has been working with Interim City Manager Florencio Pena regarding the City Hall repairs. Some of the repairs/concerns are: a smoke detection system, lighting, utility payment area and a raised area for the City Council dias. The Library repair contract is fully underway. Mr. Rivera reported that a change order was needed to replace the plywood two feet all around the building, and the plywood on the last two feet of roof (all the way around it) was thinner than the rest and therefore the City Manager and Mayor authorized the change order while the roof was being repaired. The contractor is now working on the interior.

Mr. Pena reported that we are still waiting on the payment from FEMA for the debris removal; however, it has moved from the Federal level to the State level and it is expected any day. The staff has submitted a few PPDR application to FEMA for review.

Mr. Pena stated that it was brought to his attention that FEMA is offering free grant writing assistance for projects that move from the Notice Of Intent (NOI) state to a full grant application state. Mr. Pena is trying to confirm from FEMA what their assistance will involve as opposed to working with H2O which has a contract for up \$45,000. We have received word back regarding several NOI's and Mr. Pena is recommending that the staff focus on the following: (1) EOC Community Safe Room; (2) Drainage on Coach Emory Bellard Drive; (3) City Wide Drainage Study; and (4) Harden the ECO and Public Safety Building.

8. **Consideration and action regarding the selection of exterior paint for the Library improvement project.**

Council Member Schack made a motion to accept the selection of exterior paint for the Library improvement project recommended by the Friends of the Library and the Library Board; and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

9. Consideration and action to reclassify the position of Infrastructure Director to City Engineer Grade 36 and to include as part of the duties of such position emergency management, building maintenance and capital projects management.

Interim City Manager, Florencio Pena, stated there is a need for a full time Project Manager, Building Maintenance, and Emergency Management Coordinator (EMC). He suggested the staff re-write the job description for the Infrastructure Director to be a City Engineer and ask the individuals with the contract company that was hired to help us find applicants for the Director of Infrastructure and to see if any of them have Emergency Management and building maintenance experience.

Council Member Fahrenthold expressed his concern that the EMC should be someone within the Police Department who has other duties throughout the year and then when EMC is needed, it becomes their full time duties until the situation settles back down. The EMC is a specific trained position and may be more suitable to co-exist with something like the Evidence Tech.

A comment was made by a citizen, Mr. Edward Stewart, that 911 funds can help fund and EMC position; however, there are restrictions on those uses. He suggested the staff look into that.

Mr. Pena explained with the current level of capital projects there is sufficient work to keep an Engineer busy; however, with the \$10-20M of capital projects expected within the next few years it is imperative that the City have a full time Engineer to help plan the future of Ingleside.

Council Member Schack made a motion to table the agenda item until such time that the staff can research if 911 funds are available for such a position and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

10. Update on Swan Lake and Alana Lane Drainage Projects.

Public Works Director, Donald Paty, reported that the San Patricio County Drainage District is taking bids for the Alana Lane Project and we have recently received the easement documents back from the Attorneys for us to begin moving forward with the Swan Lake Project.

11. Discussion, consideration, and action authorizing the staff to purchase laptops for Council Members to use for Council Meetings and other City business. There are sufficient funds in the FY 17/18 General Fund - IT budget.

City Secretary, Kimberly Sampson, explained using laptops would reduce the staff time involved in preparing the agendas, transporting the agenda, as well as the reams of paper for the packet. By providing a laptop to the Council Members this will also allow them to use a city computer for their city business and therefore if there were an open records request, it would be for the information on the city computer not their personal computer. As the staff and meetings moves back into City Hall, it would also be an opportunity to link the computers during the meetings to see everything on the overhead projector on their screens.

Council Member Schack made a motion authorizing the staff to purchase laptops for Council Members to use for Council Meetings and other City business; and was seconded by Council Member Perkins. The motion was approved with Mayor Parker and Council Members Tucker, Fahrenthold, Perkins, and Schack voting aye; and Council Member Knippa voting no.

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.)

12. Ratification of City of Ingleside expenditures to be paid.

13. Approval of City Council Meeting Minutes dated June 12 and June 21, 2018.

Council Member Fahrenthold made a motion to approve the Consent Agenda and was seconded by Council Member Tucker. The motion was approved unanimously.

Work Sessions:

N/A

Executive Session:

14. Council may meet in Closed Executive Session in accordance with Texas Government Code Section 551.071 (Consultations with Attorney), 551.072 (Deliberations about Real Property), 551.074 (Personnel Matters), and 551.087 (Deliberation Regarding Economic Development Negotiations) regarding the following items:

- a) Economic Development Negotiations regarding a possible MOU for a possible desalinization plant**
- b) Update regarding the Corpus Christi vs. Ingleside Boundary dispute**
- c) Update on search of City Manager**

Mayor Parker recessed the Regular Meeting to enter into Closed Executives Session at 8:00 p.m. Mr. Pena, Interim City Manager was not present for the Executive Session.

Mayor Parker re-opened the Regular Meeting at 8:28 p.m.

Carlos Riva, CEO of Poseidon Water along with John Michael of Hanson Professional Services, Inc. provided an overview of their company and a Memorandum of Understanding (MOU) being presented to the Council. Poseidon has two other similar facilities: Carlsbad, CA and Huntington Beach, FL. There are four or five different developers looking in the San Patricio County area to purchase and build. A few of these projects are either in Ingleside or just outside Ingleside City Limits. One of the projects being considered is larger than Exxon and could bring 1,500 new jobs. The amount of water needed for these type of potential industry is about 35MGD (Million Gallons per Day) and even though we can accommodate that water demand today, we may not be able to in the future.

This MOU would allow Poseidon to spend their own money to do a feasibility study to see if a desalinization plant would be profitable for this area. They plan to permit for up to 100MGD plant and build it as the industry users need it. For instance, if the "Falcon" Project which is projected to be bigger than the Exxon plant does come to San Patricio County, they need 35MGD and then their output from the cooling tanks would be 25MGD of water that can be recycled with the salt water and therefore cut down on the cost to desalinization process. This water is not expected to replace the SPMWD water for the public drinking water. The desalinization is for industry use only. There is also an option for a partnership with industry to build a joint wastewater plant that could also feed into the recycling of water for industry use. These are all options that Poseidon will be considering during this feasibility study. There is no cost to the city for this study.

Once the feasibility study is complete, Poseidon will come back to the City with the results of whether this is a favorable venture or not. The other plants that have been developed are built and run for 30 years at Poseidon's expense/revenues and at the end of that 30 years it will be turned over to the municipality it is located in. The 30 year old plant is required to be in as excellent condition as the day it is built. This has been awarded several accolades in CA and FL for their innovative process.

15. Possible Action regarding any of the Executive Session Items listed above.

Council Member Perkins made a motion to approve the MOU with Poseidon for a possible desalinization plant; and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

16. Reports from Staff

City Secretary, Kimberly Sampson, reminded the Council of the meetings scheduled for Thursday (July 12), Friday, (July 13), and Saturday (July 14).

17. Requests from Council Members

Council Member Perkins requested a future agenda item that indicates all of the equipment and vehicles that indicates what is working and what is not, as well as what is being done to fix it and when it will be fixed.

18. Adjourn

There being no further business, the meeting was adjourned at 9:29 p.m.

ATTEST:



Kimberly Sampson, City Secretary

APPROVED:



Mayor Ronnie Parker