

**COUNCIL MEETING, THURSDAY, MAY 26, 2016, 6:00 P.M.**

The Mayor and City Council met in regular session on Thursday, May 26, 2016 at 6:00 p.m. with the following members present: Mayor Pro Tem Rivas, Council Members Lee, Gonzales; City Manager Squyres Council Member Garcia and City Attorney DeFoyd arrived after roll call. Mayor Diaz, Council Member Robinson and City Secretary Raines on vacation.

The meeting was opened with Prayer and the Pledge of Allegiance.

A motion was made by Council Member Lee and seconded by Council Member Gonzales to approve the minutes of the previous meeting as presented. Vote: 3 For 0 Against

**DEPARTMENT HEAD REPORTS:**

Chief Ayala stated that he was going to wait until later (The remainder of his statement was not picked up by the sound system) He reported that they did well on the BBQ fund raiser for the Little League and Girls Softball and they appreciated all the help and support.

Mayor Pro Tem Rivas stated that the BBQ was really good and he enjoyed the event, there was a lot of happy faces there and it was great.

Kyle Reed, Public Works Director reported on the tire roundup held on May 14<sup>th</sup> and they picked up 326 tires plus the 500 or more they had picked up previously so they had got a lot of tires off the street. He discussed the mosquito problems, stating that he had not had that many calls. He discussed a couple of areas that they could not get too for spraying.

Ivan Rojas, Parks and Recreation Director, reported that they would be hosting a couple of basketball camps and that Galena Park had been able to accommodate the pool rentals that we had already scheduled and he went over a schedule of movie nights. (Parts of his report were not picked up by the sound system)

Elizabeth Flores, Heritage Hall Director, advised that they were continuing the texercise and it was going well, that they had 20 participants, that they were increasing the number of meals served at the center as well as the home bound meals. She stated the website was working well, that a lot of people were responding.

**MAYOR'S REPORT:**

Mayor Pro Tem Rivas states that he didn't have anything to report.

**CITY MANAGER'S REPORT:**

City Manager Squyres stated that the new version of the website was up and running well.

Mr. Squyres stated that we were really flustered with the pool situation , in case anybody hadn't heard, it floated, they were going to rehab the pool , they gave us assurance that it was going to be fine and it was a well established company but we are not happy about that to say the least and we were looking at legal action against them. He stated that we were trying to bring in some experts on this to get their thoughts, from the engineering opinion, what went wrong, why it floated , we know they took some precautions but obviously they didn't take enough precautions so we are very concerned about that.

He stated that we also got a little bad news that our garbage contractor told us that they opted out and would not extend our contract this year, the reason being; he was telling us that Jacinto City residents was putting out much, much more garbage than the typical home and it was not just us, it was Jacinto City and Galena Park. He stated that they told him that the average home should put out about 40 pounds on a regular trash day and ours was putting out about double that and a large part of that had to do with the residents per home and that kind of thing. He advised that they would be bidding on the contract and that we would be putting out a RFP and he was working on that now so hopefully you would see that on your next agenda. He stated that he attended a meeting that HGAC and U of H had about recycling to try to throw some recycling into it but would like to put some type of component into it if possible but there was a real good chance that our garbage collection was going to increase in cost.

He stated that as had been mention, they were trying to look at alternative we can do at the pool or near the pool to give the kids something to do, that the kiddie pool was still there which was great and put a couple of large inflatable items there to accommodate some kids , We could provide some type of aquatics for the kids.. He stated that they were also going to start looking at other people's pools and decide what they want because they wanted to have this thing built and ready for next season so if on October 1, the council approves the pool and from what he was hearing they would and there was universal support for it and all the contractor they have talked to tell them that if they start around early October, they should easily get it in by the time it is pool season.

He stated that on the mosquito situation we were trying to be a little proactive , that they met with Harris County Emergency Management and they had a different opinion than the county, that unless they test and find one of these mosquitoes that carry that virus, they will not help us spray, the difference is we spray for nuisance mosquitoes and they don't, they will only spray if they find one of the diseased mosquitoes. He stated they tried to reason with them by telling them that they didn't live next to the dredge pits He stated that what we were trying to work out with them and he thought that we were going to do it was to purchase a mosquito trap, that it was not very expensive, around \$500 and deliver that trap once a week or so and have them tested because if they find those mosquitoes in that trap,

they will come out and spray in addition to what we do. He stated that in all likely hood we would be signing some type of agreement with them in the next few weeks.

Bernardo Perez, Public Works, stated that we have one of those traps that was out on Munn St. and that was the only one the county had out here.

Mayor Pro Tem Rivas ask why was that at just that house.

Mr. Perez stated he did not know why they picked that house.

**UNFINISHED BUSINESS:**

1. Second and Final reading of Ordinance 2016-3 Setting Salary for Mayor and Council.

A motion was made by Council Member Garcia and seconded by Council Member Gonzales to approve Ordinance 2016-3 Setting Salary for Mayor and Council, as read, on the second and final reading. Vote: 4 For 0 Against

**NEW BUSINESS:**

1. Council to receive and award bids on sell of used equipment.

2003 ½ T F150 Ford P/U	STP Services	\$600.00
2000 Chev. 3500 Dually Trk.	STP Services	900.00
1997 Bobcat Track Hoe	STP Services	950.00
1990 Ford Tractor With Mower/bush hog cutter	Willard Shuptrine	600.00
	Candelaria Aleman	1,555.00
	STP Services	1,650.00

A motion was made by Council Member Gonzales and seconded by Council Member Lee to accept the high bids for the sale of the used equipment Vote: 4 For 0 Against

2. Council to approve advertising for bids on CDBG Water Mains and Fire Protection Project No. C2016-0023

City Manager Squyres advised that this was a grant project and it was going to put water line and fire hydrants in the main part of the city, the boundaries were Kirby , the East boundary was Holland, the North boundary was Norvic and the South Boundary was Fairfax because

Lane was done by the city several years ago.

A motion was made by Council Member Lee and Seconded by Council Member Garcia to approve advertising for bids on CDBG Water Mains and Fire Protection Project. Vote: 4 For 0 Against

3. City Council to consider entering into a contract with Center Point Energy for the conversion to LED street lights.

City Manager Squyres stated that each of them had a copy of the contract and this was the clear brighter lights instead of the dull yellow lights that we have throughout the city and that Houston started this two years ago and has been marching through the city with it and now that they have got the product they like and are consistent with it and have got the price down on it, they are willing to do this with other cities. He stated that it would not cost us anything on the front side whatsoever, that CenterPoint is betting on this, thinking that LED are so capable and dependable that they are going to save money by not having to come out periodically and repair these lights and they are expecting at least a 10 year life span on these and in some areas they are getting more. He advised that there was one issue with this and it wasn't really a negative for us, if for some reason, after 7 to 10 years, they feel they are not recouping their investment by the lack of maintenance on these, they have a right to go to the PUC and ask for a way to recoup that, which would typically be with a small fee on everyone Center Point portion of that light bill and if that happened it would be Region wide and so even if Jacinto City said no we don't want those lights our rates would get adjusted whether we have those lights or not. He stated that once we sign this contract any new lights added in the city would be these new lights, if not any new lights would be the sodium vapor lights. He stated that the consumption on the LED lights was about half of what the present lights are so we should see a reduction on our bill as well.

A motion was made by Council Member Garcia and seconded by Council Member Gonzales to approve the contract with Center Point for conversion to LED Street lights. Vote: 4 For 0 Against.

Ivan Rojas, Parks and Recreation stated that he had forgot to report on the preschool graduation that took place on May 27<sup>th</sup>, that it went very well and the kids and parents enjoyed it.

Mayor Pro Tem Rivas stated that it was really great to see the ones that were really into it and then you get the ones that say can we get this over with and where are the cookies.

**PUBLIC COMMENTS:**

Dee Maner stated that she would like to complement and she would also like to un-complement . She stated that she didn't know if people knew the good job the do during bad weather, that Houston was built on a marsh and , were nearly at sea level, our streets aren't designed to hold water and she hears people complaining about flooded streets, never complain about flooded streets, they are designed to hold water and those flooded streets keep us from flooding more houses but she would say that every time and she lived at the end of the street by the storm drain, and her street always floods but Kyles men are out there Checking the storm drains to be sure they were clear and she wanted to say one other thing about the high water, when the tide was in water had no place to go and we were going to flood so she didn't want to hear any complaining about flooding streets, thank God we have flooding streets.

Chief Ayala stated that they had spoken earlier about the benefit for baseball league and he just wanted to make a presentation. He stated that they cleared \$2,447.80 and he went ahead and parted this and he wanted to make a presentation and ask Ms. Salinas to come forward and presented her a check for \$1,232.00 on behalf of the Jacinto City Police Department and hopefully they could make good use of it Ms. Salinas thanked Chief Ayala and the Police Department very much.

Donna Dailey, 1701 Chazen, stated that she was on the Variance Board and it was brought to her attention because of different things that had happened to where the set back lines are so out of date that we are charging our residents \$250.00 just to make these small changes and she didn't think it was right and the reason she didn't was , for instance, the variance that was coming up in a week or so , the carport was behind the variance and it was not blocking anything and she thought we needed a little more common sense in some of our rules. She stated that she had an outline, that someone put in a patio and she had been going over and over how could she do this because she knows that it is the words you use and what she wanted was a 27 x 27 patio with another 16 x 12 cover so she could go from the carport to the house and she can't do that because of the offset but she could have a 37 x 27 carport so she was getting the same thing, probably better, but what she was saying was that we were not using any common sense in our rulings and she thought it was time to take a look at it She passed the outline out so they could see what she was talking about) she questioned why we had to go through all this , she was on the Variance Board herself and she was having a problem with it and she sees all these people coming just because something is a foot off line. She stated that she knew that we couldn't be on any of our right of ways, that was not what she was talking about and she wasn't talking about anything that blocked peoples views when they were backing out , that this wasn't River Oaks but she wanted things to look nice , the people wanted to beautify our city but we have all these laws and rules, that we needed a little bit of common sense put in there and everybody that she has talked to individually agrees with her and says they are working on it, well they needed to work a little faster and she was here to put it on the agenda that we need to look into this.

**COUNCIL COMMENTS:**

Council Member Rivas stated that the first thing Mam was that she said this was not River Oaks , did she know how River Oaks got to be so beautiful it was because it was rules and regulation they had to follow and if we don't do that here then what happens (there was a comment from the audience that was not picked up by the sound system) and Mr. Rivas stated really was that what happened over there, that they would talk later.

He stated that in regard to the pool situation, he was happy to hear that we were going to pursue this legally because doing some research on that pool , it was a beautiful grand lady, a wonderful thing we have there, you could also say it was a relic but other people have golden memories of it and probably would hate to see that thing go and he was one of them, he always thought that we could leave the pool where it was at and just build around it to beautify the area, the kiddie pool could go and put a splash pad there, rebuild the club house add a new fence around it and rebuild the pump house and he thought it would look great but as this pool floated, did it break, was it structurally sound .

City Manager Squyres advised that there was cracks throughout the pool, that we were hoping that we could band aid it for a year but the problem was that every pipe, the main drain that runs back into the filtration system are broken, the pipes that run back from the pump to supply the pool with water are broken and the pipes in the gutter of the pool are all broken so there was just not a good way to put the pool in service so that was why we were looking at alternatives.

Council Member Rivas stated that he guessed what that said to and he really didn't know if we needed to talk about it , he ask Lon how many time, to his knowledge, had that pool been emptied and went through the process and was that going to be a good legal leg for us to stand on to say that this process has happened time and time again.

Mr. Squyres advised that he didn't know, that he could tell them he had pumped it with the fire truck probably five or six time himself during his time with the city and they never had a problem but here we are in this situation. He stated that he could tell them that they did take measures to mitigate the potential for damage but obviously we feel like they did not do enough to mitigate it.

Council Member Rivas ask who was them, was the right people there that had knowledge of pulling water out of there.

Mr. Squyres advised that this was a huge aquatics company that builds pools , refurbishes pools and they were one of the bigger players in the game and they have good insurance which is one of the reason we make sure when we take on one of these projects that they do supply the insurance to us and we would probably making a claim

Council Member Rivas ask if the city was overseeing the project and Mr. Squyres replied that they actually ask us to do the initial start of the pump down on that and Ivan could clarify that if they wanted, he was certified and we started the pumps running for them and they ask us to reach a certain bench mark before they took over , we were not able to reach that bench mark , in short, the pool was fuller with water than they had ask it to be and we saw no problem with the pool at the time they took it over, if fact, he thought it was over the weekend that our staff was pumping and he believe it was on Tuesday before the issue was noticed and he believed it was almost a 4 Inch rise on the end of that pool.

Council Member Rivas stated that he didn't know if any of them knew this but that pool could hold 233,000 gallons of water and a gallon of water weighted 8.34 pounds and that gives it a total weight of 1,943,220 pounds of water in that pool.

Mr. Rivas stated that in regard to the garbage, that he had seen himself where there was quite a bit of trash in front of houses sometimes especially on Saturdays so he could see that changing.

Ms. Dee Maner spoke from the audience concerning the pool, what a great pool it was, etc. but the sound system could not pick up everything she said. She stated that pool had a well beside it and when you pumped the pool you also had to pump the well , that you were taking out almost 2 million gallons of water and we have had a lot of rain , she stated the pool had been murdered because it was not emptied correctly, that you could actually open up the well and see now much water was underneath the pool, that they didn't build pool like that anymore . She stated that she had drained this pool personally at least seven times Because they used to let the pool get dirty all winter then we drained it and filled it up and what they did , they kept a pump on that well seven days a week for 24 hours and you could see how much water was under that pool and if they drained it in the middle of a flood season and ask if what they were doing was going to put hydro valves in it , that we had some hydro valves in the pool and she thought there was one in the main drain already and the problem is there was so much water under that pool those hydro valves could not let the water back in the pool and she explained what the hydro valve does and there was no way with the amount of water we had under that pool that those valves could keep up with it so the pool floated. She stated had that well been pumped or had they looked in the well and seen that there was way to much water pressure under the pool to take that much water out of the pool and keep it from floating that she didn't care how big of a company they were or who they are they destroyed that pool and we could win in litigation and a court of law.. There was discussion about how much rain we have had and the difference in how most pools are built today and this pool floated because of negligence and she stated where it floated. She stated that she was very angry about it because there was no reason to destroy that beautiful old lady, she ask if they knew there were more drownings in Harris County than any where in the world and explained why this was. She stated that pool had taught

thousands of children to swim and it was no telling how many lives it had saved and for it to be destroyed for poor negligence of course made her angry and when they talked about a new pool they better have someone on that committee that knew something about pools and she would like to be on that committee. She stated that was her say, that pool did not have to float, that pool was the strongest and best pool she had ever seen. She stated that she was not saying that the pool could be saved but she should not go down without a fight, she wanted to see them pay.

Council Member Rivas ask if we undertook this project, were we looking at a million dollars plus.

City Manager Squyres stated that the pool itself, with just talking to five or six companies, a pool with the little splash pad was probably going to that plus whatever we budget for the building as well and if we were going to build a pool lets do it right and put a new building there as well so we were probably looking an 1.4 or 1.5 million.

Ms. Maner ask how much of this was insurance going to pay and Mr. Squyres stated that we didn't have a clue yet, that this just happened.

City Attorney DeFoyd stated that they were starting to look into it.

Council Member Lee stated that he was concerned about the pool himself and one of the things he was going to ask was about the liability of that company and how many times the pool had been drained in the recent pass and he thought all of his questions had been answered.

Council Member Garcia stated that she just wanted to thank every department member for taking care of the city, that it takes everyone coming together to take of it and get it where it is right now and she has no complaints from anybody. She stated that she thought it was the Chief and Gregg that took over the BBQ benefit and she thanks them for doing this and ask if this was the first time this was done. She reminded everyone to please call if they were having a mosquito problem, that the number of complaints determined how much we could spray. She ask Ivan if he said we had a basketball camp June 13<sup>th</sup> – 17<sup>th</sup> and Ivan replied that it was in August and she ask about the movie nights. She ask Ivan if he would look into more activities for the kids during the summer at the gym and she discussed the programs they previously had for the parents and kids at the gym. She stated there were different topics that the parents needed to be educated on such as the sales tax, public work, health and humane, etc., and maybe get the Zumba class here in the city involved or maybe a dance company. She stated that she had heard nothing by good things about the Police Academy and she was glad we had this in our city and thanked everybody for coming out for the meeting.

Council Member Gonzales stated that just to be clear, the pool was not repairable correct so we would have to build a new one . He stated that when we go out to visit other pools if all five members wanted to go would that violate any rules and he was advised by City Attorney DeFoyd that it would not, that they were just investigating something not meeting He wished everyone a safe and happy holiday weekend.

Council Member Rivas stated that when that happened he would like to be there as well.

Council Member Garcia suggested having input from citizens on what they would like to see in the city.

City Attorney DeFoyd stated they were just investigating, not taking any action.

Council Member Rivas ask Ms. Maner if she had something to say and she replied that she didn't have a lot to say but that there were probably a lot of pool that would have a lot to offer but that Galena Park was not a good example and she would like to have lots of input in their findings and make sure that we have a pool that is for families , swimming lessons, etc.. So she didn't want them to get carried away by looking at pools in other cities that didn't fit our requirements.

Ms. Daily discussed how had it was to get in and our of some pool when you were seniors.

Mayor Pro Tem Rivas adjourned the meeting at 6:58 p.m..

Respectfully submitted,



Joyce Raines  
City Secretary