

**COUNCIL MEETING, THURSDAY, JULY 14, 2016, 6:00 P.M.**

The Mayor and City Council met in regular session on Thursday, July 14, 2016 at 6:00 p.m. with the following members present, Mayor Pro Tem Rivas, Council Members Robinson, Lee and Gonzales; City Manager Squyres, City Attorney DeFoyd and City Secretary Raines. Mayor Diaz and Council Member Garcia on vacation.

The meeting was opened with Prayer and the Pledge of Allegiance

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

**REPORTS OF OFFICERS, EMPLOYEES AND COMMITTEES:**

Chief Ayala advised that they had the Police Academy graduation , everyone enjoyed the program and they would be working on another class soon. He advised everyone that if the were leaving town for more than two days they should come by the station and set up a vacation watch and the officers would come by and check their residence He stated that he just wanted to let everyone know that with these issues that had been going on, that we have to work together and he knew that everybody was kind of on edge right now , that this affected not only the community but law enforcement and they are concerned because they don't know what the children are thinking about them and they would do what they could to let them know they were there for them. He stated that they welcome anyone who would like to ride along with the police officers and he advised what they would need to do in order to make this request.

Chief Mier advised that they had an increase in call during June, a lot of which was due to the heat and cautioned everyone to stay hydrated if they had to be out in the heat. Chief Mier reported that they CPR classes were still being offered and they would be taking the fire truck down to the gym tomorrow for the kids that were in the summer programs. She discussed the fire work, stating that there were some comments about them not going very high and explained that most of the shells were 6" and that the higher the number, the higher the y would go and they cost more.

City Manager Squyres stated that like she said, we didn't have any 10" shells this year at all, they outlawed the 12" a few years ago and the highest caliber shell this year was an 8" and very few of those, he stated that one of the problems was that we had kept the same budget for many many years on that show and the cost of the fireworks had gone up over the years and as they knew, this was a joint project and we went from \$6,000 to \$7,500 last year but the administration at Galena Park refused to match that and we shouldn't pay more than they do, it should be a 50/50 deal. He stated that we were going to be approaching Galena Park again and the new leadership may be open to a little higher budget.

Mayor Pro Tem Rivas ask if that would be an opportunity for the officers, the fire truck was always a sparkle in the kids eyes , they always find it fascinating would that be a good time for maybe the police to be there.

Ivan advised that Lt. Longrigg had already been by and talked with the kids and parents and they were very receptive.

Bernardo Perez, Public Works, reported that we were really having some dry weather now and need to try and conserve water usage. He reported that the new restrooms are in at Smith Park, they still need the electricity and plumbing but should be ready for use in the next week or so.

Mayor Pro Tem Rivas stated that he had driven by and they really looked nice And it was a wonderful addition to Smith Park.

Ivan Rojas, Parks and Recreation Director advised that they had been staying busy., they had movie night on July 1<sup>st</sup>. with about 25 or 30 people attending and movie night was scheduled again for July 27. He reported that on July 4<sup>th</sup>, the gym had been open, they had the decorated bike parade at noon and had 5 or 6 bicycles , games and served hot dogs. He stated the summer program was still going on for the kids through July 29<sup>th</sup> and that Cummins Diesel Engines was going to be doing pizza or bar=b-que for them on the last day and was discussing other ways they could do community service in the city.

Mayor Pro Tem Rivas ask Ivan what he could tell them about the swimming pool.

City Manager Squyres advised that the engineer had surveyed the pool on two different occasions , the first time was a visual inspection with water in the pool, we didn't want it to float anymore so they left it full then he had us pump it out and did his analysis on it and he explains it as not an actual floatation of the pool and concrete as he described it was much the same way as what happens to some of our concrete slabs out here where they crack all the time and he called it an uphevele where the clay actually swells and he says that what is under the pool now is not water any longer , that there used to be a screen of filter but it had been gone for a long time and ever since clay has been filtering into that space so it is surrounded by clay, it has clay under it so he found what he called stress crack on the sides and below , we can evaluate a little bit further if council wants a written report in the form of something with an engineers stamp on it, he is an engineer and can provide that and if we want to hire him to come and talk to the Mayor and Council we could have a workshop for that and we need to pretty quickly move on and let's plan what we want to do from here, that we had at least two pretty solid alternatives for using the same the existing structure in one form or another and keeping the same shape but not the depth.

Council Member Gonzales , stated that Mr. Rivas was there right at the location did he think it would be an option to close Lane Street where they would have the full street.

Mayor Pro Tem Rivas stated that they pretty much do that now , an office came by and told them that if they heard an emergency vehicle coming through to Clear the street for them. He ask if Mario didn't say they could see them well and Mario replied that they could but the were some distance away.

Heritage Hall Director, Elizabeth Flores, was absent due to Senior Game Night.

The Jacinto City Library Report was given by Riley Mier, a volunteer at the library, she advised that Ms. Denton was not able to be here due to a shortage in the staff and ask that she give the report from the library. She advised that the summer reading program was still going on and that Ms. Denton would be continuing the computer class and there were a lot of activities going on.

#### **CITY MANAGER'S REPORT**

City Manager Squyres advised that they met with the Railroad yesterday and one of the top projects they talked with them about was the work that needed to be done on Palestine Street and Mr. Jamail was probably going to talk about that, he stated that one of the hurdles we have had was getting passed the railroad, Kyle did not want to be arrested for working on that shoulder there, the last time we worked on it they actually got the railroad police after us so we met with them and it ends up that Kyle Reed is actually related to a friend of a friend that works for the railroad and we made those connections and instead of going through the Home Office to get permission to get permits and flagmen, which is what they have always demanded, now we will deal with it locally and they will come out and clear it for us while we are working on it and it will be zero cost to the city so we will be able to do much of that work our self now or if we opt to we can use local contractors and they also talked about different topics, on the dead end of Palestine there wa a large pile of old railroad ties that had been there forever and they are supposed to be clearing that out for us. He stated that Councilman would probably be talking to them after the meeting that he had talk to them about something that we would all really like if we could ever pull it off and we talked to them about some of the trash trees that have grown up in the right of way that they need to remove and they told us that they would accomplish that.

He stated that it was mentioned that we have the restroom in finally and the holdup has been the wet weather, we did still have to deal with the old one and pour some sidewalks as well so we have a little work before we start using it.

Mr. Squyres stated that they also met with the Port of Houston about a week or ago about some the smell we are getting near the levy road and the Corp of Engineers was there as well they went to the contractor that was actually doing the dredge work and they are changing the way they let the sludge into the drain facility, in simple words and it is taking a little bit of a different route before it get to the outflow giving it time to decompose and bleed off some of the stink because it can be a pretty bad smell so they are doing all they can, we realize that the Port has to maintain itself, it has got to dredge from time to time, there is no way around that. We also discussed the steps they take to handle mosquitoes.

**UNFINISHED BUSINESS:**

**1. COUNCIL TO RECEIVE AND AWARD BIDS ON SALE OF USED EQUIPMENT.**

**2007 Mercury:**

Thelma Jones	\$675.00
Claudio Mendez	800.00
Josefina Careda	650.00
Jose L. Cortez	501.00
Mike Gonzales	526.00
Maria Torres	650.00

**2003 F150 Ford P/U**

Sherry Kowalski	\$100.00
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**1987 F700 Ford Bucket Truck**

G. Jaramillo Jr.	\$800.00
Charles Smith	750.00

**1991 Chevy Kodiak**

G. Jaramillo Jr.	\$400.00
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A motion was made by Council Member Lee and seconded by Council Member Robinson to award the bid on each vehicle to the highest bidder. Vote 3 For 0 Against

**NEW BUSINESS:**

1. Budget Revision in Department 11-6901 in the amount of \$8,500.

City Manager Squyres explained that this was actually an error correction, that when we tallied the spread sheets, one of the cells did not get captured in the item total so the item that has already been purchased is the small vehicle for city hall, they approved the item and amount but it just wasn't captured in the total and we need to correct this for the auditors. A motion was made by Council Member Robinson and seconded by Council Member Lee to approve the Budget Revision in the amount of \$8,500. Vote: 3 For 0 Against

2. Allan Jamail to address Mayor and Council to discuss the Zika virus, concerns in the city and city's progress on removing stagnant mosquito breeding ponds located near residences first reported in March.

Mr. Jamail stated that before he spoke on the agenda item he would like to give a few minutes of his time for a moment of silence for the officers who lost their lives in Dallas and their families that are grieving at this time, they only lost their lives because they were out there on the streets protecting the constitutional rights of people who wanted to protest other actions of other police department in other states and everyday our officers are faced with situations and a lot of times both sides of the story doesn't get told .and there was always two sides to these police situations .

Mr. Jamail stated to the Mayor, City Council and City Administration that he wanted to thank them for being up here tonight and serving our city, he knew there was a lot of other things they could be doing and he knew that they didn't receive a lot of pay or thanks for the job they do but he really appreciated what they do and he knew they had the citizens best interest at heart and he was

rimarily on the agenda to talk about the Zika virus that he had brought up in March because he was trying to get our city ahead of the virus here in Harris County and that was always the best thing to do. We all know that the impact is coming for our city and Harris County . He stated that he brought up two specific areas that was harboring stagnant water and allowing the same type of mosquitoes that is carrying this virus that is killing people. He discussed different ways the virus could be transmitted . He stated that just yesterday the first case was confirmed in Harris County , that this started in March when he brought it up and it was getting closer, that in Texas there was 50 cases, and about 250 in the United States and the virus was mainly coming from people traveling in South America, etc. and in Jacinto City you have a lot of people who are going to those areas, they are bringing the virus into our country and when they were checked they were not showing signs of it. He stated that the only thing we could do in this city was to warn the citizens by some kind of public announcement or putting a flyer in their water bill and called attention to a flyer that he had given them and the city has the largest pool of stagnant water in the city and he was asking them to do something about it, he knew it wasn't budgeted but things happen he stated that he had been studying and he had a lot of material to try and help them out.

City Manager Squyres stated that we had hired someone to come out and shoot grades on it so we know exactly where the low and high spots are and Mr Reed feels that at the current pace he is going to be able to use his crews to do it and we may have to rent a little equipment to do it and we have fill dirt that we are getting from a plant on Clinton Drive ,and it is already being donated to us and will be shipped over here over the next few day and as he had already mentioned this and we have made the connection with the railroad and by next week we should be able to get in there and start the work and even if we have to contract it we have two bids, one for \$17,000 and one for \$19,000 and we have the money because Streets and Drainage is one budget and we have some capital outlay left over there, we were going to be doing one project on Market Street on the aprons of business and if we need to keep enough of it back to help with that project we would do it and Council gave us very strong maching orders when they heard this and they wanted it fixed.

Mr. Jamail questioned if this was taking care of the Palestine from Flint all the way to Holland.

City Manager Squyres stated that it was Kirby all the way to Holland and some work on the Flint side, that we had taken care of some of Flint already but we were still going to have to do some work there as well.

Mr. Jamail stated that we have one of the best City Attorneys in the United States of America, Jim DeFoy and he knew that Jim knew how to get ahold of the railroad's attorney and once he told them what the health official has said is going on in this country those attorneys will not want to enter into litigation with Jim DeFoy over allowing the city to come in and correct a health issue on their property.

Mayor Pro Tem Rivas thanked Mr. Jamail for his input,

3. Amend Budget Code 11-6801 Maintenance & Repair of Bldgs. In the amount of \$3,700, Budget Code 14-6799 Maintenance and Repair of Auto in the amount of \$2,500, Budget Code 16-6799 Maintenance & Repair of Auto in the amount of \$7,800, Budget Code 17-6888 Warrant Service in the amount of \$28,500

City Manager Squyres stated that he could hit the high spots if they would like, he stated the Warrant Service was a good thing, yes we were spending more money because the Law Firm that was doing the warrant service was doing a spectacular job, they get 30% of what they collect, it looks like we are chipping in \$28,500 more but that is actually charged to the person that has the warrant so it is really just a flow through. He stated the Building & Maintenance if they would recall last year while we were at a meeting, a DWI hit our building and because it is insured, we are getting it back from the insurance and part of it is coming from the restitution fund from the individual that hit it so that is also a flow through amount. He stated that the budget amendment for \$7,800 was the same thing, we were getting reimbursement from insurance but because the way we budget and the way accounting works in city government we have



to express it this way, we spent it so we so we have to amend the budget even though we are being compensated for it so all of these amounts of these funds are being feed back into revenue as well.

Mayor Pro Tem Rivas ask about the ambulance and City Manager stated that was a dirty word today, that yesterday we actually had two ambulances down at one time and we had one at Ford right now actually and we are not real sure what is going on, they are telling us that we have contaminated fuel and giving us an outrageous amount to repair it and it is the same one that we had spent a large amount on recently and the other looks like it is a fuel problem as well so Kyle is pulling fuel sample and having them checked by a lab to make sure it is not our problem and in the mean time we are purchasing fuel somewhere else and the backup ambulance is back in service and we are waiting on results from the fuel analysis before having repairs made.

City Manager Squyres stated that while we were on that topic, today we finished up what must have been the 17 or 18 groups of forms for a grant that was going to pay a large part of a new ambulance, he thought it would actually pay 55% of a new ambulance which was \$165,00 and Congress Woman Shelia Jackson Lee was the one that was facilitating that , it was a lot of work on her part and it has been a lot of paper work and it was exactly the same grant that was funding the body cameras and we were also going to see if the State of Texas will fund an emergency funding grant to fund part of the remaining fee because our remaining balance on it was about \$75,000 so hopefully we could apply and get that as well to help with our match , it will just depend if the time lines all fit in for that. There was a comment from the audience that was not picked up by the sound system.

Council Member Gonzales ask if the budget amendments could all be covered by one motion and was advised they could.

A motion was made by Council Gonzales and seconded by Council Member Robinson to amend the budget codes as stated. Vote: 3 For 0 Against

There were no comments from the Public.

**COUNCIL COMMENTS:**

Council Member Robinson thanked everyone for the fire works what he saw was good , we could make some adjustments but like everyone said we do this as a partnership and he didn't want to spend any more of our money than he did of someone else and he also want to comment on the job our police officers do everyday keeping our community safe and also our firefighters , they are all putting their lives on the line everyday and he appreciated the jobs they do and all of our workers to please take care of their self and be safe.

Council Member Lee thanked everyone for coming out, that it was very hot out there, to please stay cool and hydrated . He stated that he also wanted to say that he appreciated our police and fire departments so much and the sacrifices they make and all of our department heads, we appreciate all of them that he thought it was ironic that the people who are protesting , because they have the freedom to do that and they have the freedom because of our police departments and our military , every country can't protest, we are free to do it because we have people who protect our freedom, so please think about that and God Bless.

Council Member Gonzales stated that about the pokey man, there was a lot of kid playing that and the craze, he didn't know if everyone had heard about it, there was a lot of kids playing that and they were actually doing it while they are driving and he believed the chief had told him that people were actually committing crimes because of that so we have to be careful with that, if you see someone in your front yard they may be playing the game or whatever but just be aware their intentions might be otherwise. He stated that Lon had mentioned the railroad meetings they had and they were looking at maybe creating a quite zone through the city at certain hours of the night, there were a lot of people who had to hear that during the night and we are going to look into seeing if we can do that without spending a lot of money. He thanked Everyone for coming out.

Mayor Pro Tem Rivas stated that he enjoyed the fireworks and looked forward to them every year, that when he first moved to the city he and a friend were doing some sheet work on his house on the July 4<sup>th</sup> weekend and all of a sudden they heard boom, boom, boom and they go outside and right across the street, where the movie theater is now, they were doing fireworks and it was great and they have been doing it every year and it was amazing that the city does something like that and he want to see it continue.

He thanked Mr. Jamail for taking the time to remember those officers , he stated that he worked in a plant and they knew the dangers to watch out for but for them to just be doing their job and that to happen . He thank him again for reminding us to take time out to appreciate them.

He advised that his neighbor across the street, Betty Pierce, who owned North Shore Pest Control, here in our city had passed away. He stated that he had spoke to her several times and got history lesson from her about the city and her life here and she had some black and white photos of the city that were just amazing and she will be greatly missed. He stated the generations come into the city and leave and it was great to have people who stay here, that live here and don't move off, that they moved off once, they thought the grass was greener in Spring but it wasn't , they still know some people who live there and they say you can't get an officer to show up and here you call and response time from the police department ,. is less than five minutes, Where can you get that. He thanked the Chief for what they do at the police station, he thanked the fire department, public works , parks and recreation for all that they do and wished everyone a great weekend and God Bless.

Mayor Pro Tem Rivas adjourned the meeting at 7:05 P.M..

Respectfully submitted,



Joyce Raines  
City Secretary