

COUNCIL MEETING, THURSDAY, MARCH 9, 2017, 6:00 P.M.

The Mayor and City Council met in regular session on Thursday, March 9, 2017 at 6:00 p.m. with the following members present: Mayor Diaz, Council Members Rivas, Robinson, Lee, Garcia and Gonzales; City Manager Squyres and Kathy Greiner. City Attorney DeFoyd arrived after roll call and City Secretary Raines absent.

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

A motion was made by Council Member Rivas and seconded by Council Member Robinson to approve the minutes of the previous meeting.

Vote: 5 For 0 Against

DEPARTMENT HEAD REPORTS:

Lt. Longrigg advised that the police department was staying busy and reminded everyone that next week was Spring Break and to watch out for all the children.

Chief Mier advised that the new ambulance was back at the dealer and that the fire and EMS side had been quite.

Kyle Reed, Public Works Director, informed everyone that he now had his hearing aids. Mr. Reed discussed the upcoming tire round up and advised that he would get back with them on a firm date. He informed everyone that the water on Burman to Flaxman would be off for about an hour on Saturday if it didn't rain, that the contractors would be working on tie in and they were putting out notification flyers.

Ivan Rojas, Parks and Recreation Director, reminded everyone that opening day for the ball leagues would be April 1st, starting at 9:00 a.m. and the shades were going up at Smith Park and should be ready for opening day.

Elizabeth Flores, Heritage Hall Director, advised that they had served 42 seniors today and had been stuffing Easter eggs. She stated that the seniors wanted to have a Spring garage sale.

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Mayor Diaz advised that April 1st would be a good day because it was opening day for the ball leagues and they would have a lot of people there.

Elizabeth stated that people had been donating items for the garage sale. She also reported that they had 15 new members and 36 people present for Game Night.

Council Member Lee ask if the Rabies Clinic was also in April, it seem like everything was in April.

Riley Mier, representing Jacinto City Library, reported that they had a lot of activities scheduled for Spring Break and that computer classes would start on March 18, 2017.

CITY MANAGER'S REPORT:

City Manager Squyres reported on the status of the new police station stating that they got off to a slow start and discovered some things that we didn't know was under that property so we had to move some water pipes and dig out a concrete floor of an old tank that nobody knew was there and it wasn't on the engineering drawings that was submitted to the Architect but now that we are up and going, all the underground plumbing has been installed and inspected, the concrete piers for the support of the two story building is all done and inspected, the elevator pit has been poured and inspected and now they are finishing up the underground electrical so we looking forward to pouring concrete in the very near future and moving forward.

He stated that there was a little delay on the fire station because of the ADA issue, as crazy as this sounds, we were catching flak from a State inspection service that was telling us that we needed the upstairs at the fire station fully ADA compliant because it was upstairs dorm for firemen. He stated that he grew up in the fire service and in his almost 40 years in the fire service he had never seen anyone hop

out of a fire truck and get into a wheelchair and that was our argument, we sited other fire stations and he virtually surveyed the State and sited dozens of new fire stations built without elevators when the final argument came we had to make a slight design change and he pointed out the change for the Mayor and Council and advised that this change won them over and we could move forward now. He discussed other ADA issues we have had with other building in the city.

He stated that the latest program we had instituted was the cat program, Catch, Neuter, Spay and Release, and it had been a big success, we made our first delivery of cat to the vet the other morning and some citizens had already taken part in it and delivered cats there as well and it had worked really well, we were moving forward and hoped to make a huge impact on the cat population.

He stated that we talked a little about Senate Bill 2 at the last meeting, Paul Bettencourt was sponsoring it and the bill would really hurt cities, hurt all of Texas really, that everyone was opposing it and we could be presenting a Resolution to council in the near future on it and they are asking any elected or appointed officials who can make it to Austin on Tuesday, March 14th for the hearing on it, and they would like us to show up in force on it so if any council members were interested to please let him know.

He reminded everyone of the Household Hazardous Waste event on March 25th and they would need to be there early, it starts at 8:00 a.m. and goes until 11:00 a.m. and went over a list of all different items they would collect and the flyers for this was on the website.

He stated that a few months ago we passed a contract with TXU Energy and we had just got our first bill on it and there was significant savings on it.

UNFINISHED BUSINESS:

6. Council to consider proposal for rehabilitation of Swimming Pool Building.

Mayor Diaz stated that we could discuss this thoroughly because she hated to have to table something that we needed to get started on, if they had not done their homework and not read their e-mail it was no ones fault but their own.

Council Member Robinson stated that we had already table it and he was ready to make a motion on it.

A motion was made by Council Member Robinson to accept the initial contract for the pool house for \$149,790.00 dollars, the motion was seconded by Council Member Rivas. Vote: 4 For 1 Against (Garcia)

NEW BUSINESS:

- 1. First Reading of Ordinance 2017-1 Declaring Unopposed Candidates in the May 6, 2017 General City Election Elected to Office; Cancelling the Election; Providing a Severability Clause and Providing an Effective Date.**

A motion was made by Council Member Robinson and seconded by Council Member Lee to approve the first reading of Ordinance 2017-1 declaring unopposed candidates in the May , 2017 General city Election elected to office; cancelling the election and providing a severability clause and providing and effective date. Vote: 5 For 0 Against

- 2. Former Jacinto City Mayor Allan Jamail to introduce Jacinto City Health Care Center's new administrator Melissa Armstrong.**

Mayor Diaz advised that we would be skipping Item 2 as the parties were unable to be here.

COMMENTS FROM THE PUBLIC:

Becky Gammage, representing Jacinto City Dog Rescue, stated that she wanted to let them know that the last two weeks there had been 14 dog's lives saved, 7 went to loving homes and 7 more were transferred to other rescues so she thought that they would like to know that the money collect, that was 7 dogs that had to be vetted and they have about 6 in foster homes and there will be some coming out of the pound tomorrow and they work very hard to make sure the dogs are saved. The stated that she had BBQ and raffle tickets for sale and if they didn't know her phone number by now, it was on Friends of Jacinto City.

Robert Hernandez, 10245 Chadwick, stated that he had been reading about and seeing a lot of disunity in our nation recently, don't get him wrong, it was not going on in Jacinto City but he wanted to comment on it and he wanted to encourage those in attendance to display unity, not disunity and he would like to encourage oneness, that we didn't all have to agree as long as we were one. He stated our leaders should see unity as a mandate and make every effort to keep unity. Mr. Hernandez discussed traits that he felt created unity as well as traits that created disunity, that a bell was not a bell until you ring it, a song not a song until you sing it and love in your heart was not love until you give it away. He thanked them for their time and God Bless America, God Bless Texas and God Bless and keep Jacinto City.

COUNCIL COMMENTS:

Council Member Rivas ask the police department if they see an up rise In more kids being mischievous during spring break (Lt. Longrigg's answer was not picked up by the sound system). He stated that with that being said, there was time when he went to his house he come up to the intersection he always look over at the gate at Smith Park and sometimes it is 10:30 and sometimes it is 11:00 o'clock and that gate is still open, available to those kids and here comes spring break, they are going to get bored and guess where they are going to hang out. Lt. Longrigg make a comment about the timer and Councilman Rivas stated the timer need to be changed and he questioned our curfew.

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City Manager Squyres advised that he would check on it.

Mr. Rivas stated that he would have a lot of hazardous waste to throw away. He stated that he was glad that we made a more on the bath house because summer time would be here before we knew it and he was ready to take a dip in the pool.

Mayor Diaz ask what date would everything be completed and City Manager Squyres advised that we didn't have a firm date yet, that hopefully by the next council meeting we would have a date, they had received the results on the soil samples and were finalizing it .

Mayor Diaz stated she hoped they had it ready by summer time and Mr. Squyres said he did as well but don't look for early summer time.

Council Member Robinson wish everyone a good weekend and cautioned them to be safe, that it was supposed to be a rainy weekend.

Council Member Lee thanked everyone for coming out, God Bless them and he had to say he was getting a lot of positive e-mails about the ball parks, they liked how they look and are getting excited about ball season and are hoping the dug outs will be ready.

Council Member Garcia advised City Manager Squyres that she would be going with him on March 24th to Austin for the hearing on S.B. 2. Mr. Squyres ask if she wanted him to put her on the list to speak and she replied probably not. She ask Lon if the Hazardous Waste event was announced at Galena Park and Mr. Squyres stated that he actually announced it at the Cap Meeting the other night so they know about it. Ms. Garcia ask the library when they have their youth meetings and was advised they were the 1st and 4th Thursday of each month.

Ms. Garcia ask Lon if on the pool itself he did say the shell was going to be pulled out and he advised that yes it was going to be pulled out.

She also stated that he advised her on that Monday that we would have an extra lane, was that correct and he stated yes. Ms. Garcia ask him when was the soil sample done and he advised he could not remember the exact date but he could get it for her and we had not received the analysis yet. Council Member Garcia stated that just for the record, in her thinking, it was not that there wasn't thought or homework done on it, she didn't think that any of the council members would just sit there and not look at things but (1) she was looking at the overall picture instead of the money but obviously she was not allowed to express that today and (2) the citizens do deserve good and done right from the bottom up and the (3) thing she did want to say was that it was not a mistake to table it the first time because since then we did find that the plumbing underground was unsanitary, if you pee in one section then the person next door would feel the warmth on their feet, that was how bad it was, that wasn't announced here but that was the condition beforehand so it wasn't a mistake to table it because it gave us ample time to go and look into it just to make sure that we were properly doing things. She stated that the agenda for today was sent out on Monday and they did receive an e-mail on Tuesday, one on Wednesday and one just a few hours before the meeting and she just barely read the last one. She stated she compare the quotes from Wallis and Valdez and the first one we received on Tuesday from Mitchell she compared the two lists, the first version versus the second version and she saw where there were some additions to it but of course you know we are not allowed to ask question so she couldn't ask them but it didn't matter anymore but she saw where a change was made on that as well but it seems like it was just basically given to one contractor and one contractor was given the opportunity and it appears the other two were not but that was ok, she was sure it would be a good building. She stated that the other statement that she wanted to make was that we do need to get the pool started, the main thing was what was the use of having the building if we don't have the pool. She stated that she hoped that we had it done by May but with the rain coming in April she just didn't see it happening and she didn't see the urge if we weren't going to have it

by May what was the rush but that was just thought, she didn't know how to build a pool, she was not the contractor she couldn't promise the pool would be ready by May, the way she looked at it, with mother nature playing against us and it was just obvious we get rain around this time and she believed that was what kept up behind with the pool, because several time it had to be drained right.

City Manager Squyres stated that was the original issue, the problem this time was there were some questions about the contractors selection that were voiced from the Council and an individual so we went back, even though the Council had awarded it and he poled council and there was some concerns to make sure that every contractor had the opportunity to explain their bid, to look at it thoroughly and we even reached out to some particular contractors that the gentleman mention that he thought we needed to look at and the contractor that he thought we should look at, they vetted him thoroughly and that took time and because of that there was a delay in giving Progressive the go ahead and once we did that they are moving as fast as they can but there was a few weeks delay because of that to make sure the public would know we were doing good diligence on it because it was such a large project and it take so much time and we hope the pool would last us another 50 years and as she said, we just want to make sure we do it right.

Ms. Garcia stated he was right and nothing was built to last, eventually whether it was 50 years down the road eventually it was going to break on us, that she thought about the Town Center, we didn't keep the old building, we tore it down and built a new one and now everybody likes the Town Center and the preschool. She discussed the gym, stating that part was new and part rehab and discussed the problems we have with leaking in certain sections of the building.

Ivan, Parks and Recreation advised that they didn't have this problem like they use to.

Ms. Garcia stated that her point was that we were constantly bringing in new items like water lines, we are trying to make them brand new because the old stuff was just old and times have changed but like she said just looking at the overall picture she was sure we were going to get something good, she had confidence in her fellow council members but she was looking at the overall picture, not so much the cost and to her it just didn't make sense to build a new pool and stay with an old building, that was just her and she wanted all of that for the record.

Council Member Rivas stated that he agreed with her, he would have demolished the whole site and started from scratch but it was not just up to him but we were press against time and we have to go with what the clock would allow.

Council Member Garcia stated this problem had been around since May last year, we have had a whole year and she appreciated everything that Gregg had done and she says it publically because she did, that all of them have regular jobs and we are all pressed with our time and talked about all the hats everyone had to wear so we do the best we can with the time we have so she appreciates everything that everyone does, it has nothing to do with that. She stated this project didn't just creep up on us, it happened last May and it had been sitting for a whole year.

Council Member Lee stated that since we were getting on the record, he would like to say that he was for a new building from the very beginning and he knew the Mayor was but the fact was that we had three major projects going on at the same time, the police station and fire station and they didn't fore see doing a swimming pool this soon, we thought we would have a few more years but it came on us suddenly so we are concerned about how much money we spend because we have got these projects going on and just looking at the figures himself it was a lot of money to build a new building, it was something that we needed to consider because we had quite a bit of

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surplus before now but we were spending a lot of money and it was for the citizens and it was all a good thing, we were looking to the future but we also must consider the fact that we were not going to have nearly as much money as we did have to consider what these things cost.

Council Member Gonzales stated that he agreed with Mr. Lee, the thing is that when you say it is not about the money, it is about the money and as tax payers ourselves, we were actually elected to oversee the spending of the city and we have to remember that what we spend affects all the tax payers, even ourselves so when we look at the project we want to look at the cost because the cost is what it boils down to, when you compare building a new one compared to refurbishing you are naturally going to do what is best for the taxpayers and he thinks that is what we did. He cautioned everyone to be careful on spring break.

Someone from the audience wanted to know if they could ask a question and Mayor Diaz advised them that we were actually not supposed to be talking about because it was not on our agenda and she clarified this with City Attorney Defoyd who advised that she was right. Mayor Diaz stated she was sorry.

Mayor Diaz adjourned the meeting at 6:50 p.m..

Respectfully submitted,

A handwritten signature in cursive script that reads "Joyce Raines". The signature is written in black ink and is positioned above the typed name and title.

**Joyce Raines
City Secretary**