

COUNCIL MEETING, THURSDAY MARCH 26, 2015, 6:00 P.M.

The Mayor and City Council met in regular session on Thursday, March 26, 2015 at 6:00 p.m. with the following members present: Mayor Diaz, Council Members Rivas, Robinson, Lee, Garcia and Gonzales; City Manager Squyres, City Attorney DeFoyd and City Secretary Raines.

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

A motion was made by Council Member Robinson and seconded by Council Member Garcia to approve the minutes as presented. Vote: 5 For 0 Against

DEPARTMENT HEAD RESPORTS:

Lt. Longrigg reported that the police department was doing good, that they had just received a duce and a half military surplus vehicle, it was parked behind the station and they would be taking the markings off that were on it now and putting the city information on it and went over some of the things that the vehicle would be used for.

He advised that the police department was aware of high grass issues, a lot of which was due to all the rain we are having but they would be working on it.

Mayor Diaz ask that they keep on these people with the high grass, etc and get Jacinto City nice and clean like it used to be, that was the main think that she wanted to get going.

Chief Meir, Fire Department, stated that the last few weeks had been actually quite, no fires in the city but the EMS calls were keeping them busy, they were averaging about 2 calls a day and on a positive note, they were talking to the Boy Scouts to help them obtain their fire badges.

Mayor Diaz advised Kyle that she got a lot of calls yesterday about mosquitoes and even got pictures.

Kyle Reed, Public Works Director, stated that he did too and he would cover that in his report. He stated that first of all he had stated in previous meeting that this was going to be a very active mosquito season and we were going to spray when they can, right now the wind is a little to high but when the wind dies the machine will be ready. He stated that he was not going to call anybody or say that anybody was telling a story or whatever, but he would tell them that his guy walking those parks, they worked there all day yesterday,

there were no mosquitoes at Smith Park or Wilki, there could be mosquitoes in other parks of the city and they were going to address it. He advised that Harris County had a terrible amount of mosquitoes.

He advised that the guy on Holland were doing a very good job on the sidewalks and they were looking fantastic and they were replacing a lot of concrete that he didn't think they were going to replace.

Mayor Diaz ask about the hooks and was the grass going to be replaced with asphalt and was advised that the hooks were for the curbs and that asphalt would replace the grass.

Mr. Reed stated that he was having a lot of complaints about sidewalks and would be talking to them about this.

Kyle announced that the annual rabies clinic would be on April 18<sup>th</sup> at the public works facility and hopefully he would have a price sheet soon and city tags would be available at the clinic.

He advised that the bid on the asphalt project had been awarded to the lowest bidder, AAA Asphalt and they would be starting on the project soon and we would be doing the work covered by the base bid only.

Ivan Rojas, Parks and Recreation Director, reported that all was going good at parks and recreation and that girls softball would start their games next week. He also advised that they had started work on the fence at Smith Park.

Mayor Diaz commented on the how nice the new sidewalks were at wilki park and ask about putting sidewalk around by the girls softball field where water stood so bad and was advised that they were working on that.

Cindy Miller, Heritage Hall Director, advised that April 2<sup>nd</sup> was their Easter Party and they were be having chicken races and if they wanted to know what a chicken race was, they had to come to the party. She also announced that Senior Olympics would start April 27<sup>th</sup> and opening ceremonies would at the JC Gym at 8:45 a.m..

## MAYOR'S REPORT

Mayor Diaz welcomed Leslie Herbst from the Port of Houston Authority and announced that the Annual Easter Egg Hunt would be Saturday at Wilki Park fields at 11:00 a.m.. She stated baseball field were going, games were going and she was there just about every night. She stated that she was getting complains about mosquitoes and she would be passing them along to Kyle.

#### CITY MANAGER'S REPORT:

City Manager Squyres stated that as they might remember that recently the council made a decision to hire a new firm to do court collections for warrants that have compiled through the years and he thought we gave them 13 years worth of data and the other day the phone started ringing at city hall and they have not stopped ringing since, they are doing an outstanding job, people are finding out they have warrants that never knew they had warrants (Mayor Diaz advised that she had received a call from a senior that didn't know she had a warrant and she told her to call Lon). Lon stated that you would rather receive a call or letter telling you that you have a warrant than getting stopped by a police officer and ask Lt. Longrigg to explain what happened if they get stopped and have a warrant.

Lt. Longrigg explained the process.

City Manager Squyres advised that this was generating quite a bit of revenue for the city.

City Manager Squyres stated that he did want to make council aware of one situation because they might be getting some phone call on it or they might notice it. He stated there was a company just across from public works that was selling asphalt millings where they grind down the old asphalt and sell it to people to use for various things. He stated that one person covered his entire front yard with about 8" of them and that is not permissible, so the rule on that is, we view it as a city, as any other road covering just like we would concrete or asphalt, if they are going to apply that in their yard, they have to get a driveway permit so if they hear those question, just send them to city hall and the same rules apply as for any other driveway, they can't cover more than 24 ft. across of their front yard with a driveway of any kind.

There was general discussion about the cost of this material.

Chief Squyres stated that not only were we straying for mosquitoes but Leslie would tell them that they had hired a new company and we would invite her up at the end of the

meeting to explain how they are going to be assisting with the mosquito issue.

**UNFINISHED BUSINESS:**

1. Second and Final Reading of Ordinance 2015-2 declaring unopposed candidates in the May 9, 2015 General City Election elected.

The Ordinance was read by City Attorney DeFoyd.

A motion was made by Council Member Garcia and seconded by Council Member Robinson to approve Ordinance 2015-2 declaring unopposed candidates in the May 9, 2015 general city election elected on the second and final reading.  
Vote: 5 For 0 Against

**NEW BUSINESS:**

1. Council action on variance board's recommendation at 1230 Mercury.

City Manager Squyres advised that the Variance Board had a meeting two week ago and the church around the corner on Market had brought this property and had wanted to use it as for church service and it was not zoned for this, they had applied for a variance and the board felt that would not be a wise decision for the city and they recommended it be denied. Mr. Squyres stated that on a side note, he had met with a group that wants to use the building and after further reflection he thought they were regretting asking to do it in the first place and have found other uses for the building where they can do meeting there of a non religion type that will not require a zoning change.

A motion was made by Council Member Robinson and seconded by Council Member Rivas to approve the recommendation of the Variance Board and turn down the request for a zoning change. Vote: 5 For 0 Against

2. Council to amend Budget Code 115-19-6919 for budget year 2013/2014 in the amount of \$2,070.86

City Manager Squyres advised that this was a housekeeping chore from last years budget, it was a carryover item that the auditors pointed out to us, that they broke down between the principal and interest and ask us to revised to support , there was no net give or take of the decision, there was no appropriation of any money.

A motion was made by Council Member Robinson and seconded by Council Member Lee to approve the amendment to Budget Code 115-19-6919 for budget year 2013/2014 in the amount of \$2,070.86.

Vote: 5 for 0 Against

3. Auditors, Belt Harris Perchacek, LLP to present audit for FY 2013/2014

Ms. Stephanie Harris with Belt Harris Perchacek, LLP, presented the Audit for FY 2013/2014 stating that page 1 was their official report to the council and she was very please to say that they were issuing an unmodified opinion on the city's financial statements, unmodified being the highest level of assurance that they could provide as the city's independent auditor, that the financial statements are materially correct and that all disclosures required by generally acceptable accounting principal have been included , Ms. Harris went over a few of the financial highlights. She stated that the city had received \$750,000 in grant funds during this audit period and the law required that when you receive over \$500,000, they as the independent auditor was required to do what was referred to as a Single Audit and they were very please to say that they were issuing an unmodified opinion on the grant compliance. Ms. Harris stated that she would be happy to take any questions.

Mayor Diaz stated that we appreciated all the hard work they had done for us and thanked them for their service.

City Manager Squyres stated that if the council had any question after reviewing the audit, he was sure the auditors would make themselves available.

Ms. Harris replied absolutely.

Council Member Garcia ask if the city was to stop receiving funds how much did we have to pay the employees to continue services and so forth.

Ms. Harris said so if we stopped any general revenue, no more property taxes etc., the best number to look at, generally speaking, would be your ending fund balance in terms of your operating reserves and if you look at that on a modified equal basis, the city ended the year with 9.6 million in total fund balance and for 2014 their annual operating expenditures were 5.4 million so if expenditures remain relativity comparable to the next

year, meaning that you didn't have any large construction projects or issue any new debt, you would have sufficient capacity for more than 12 months, just under two years.

4. Police Department to present 2014 Annual Racial Profiling Report.

Lt. Longrigg presented the Racial Profiling Reports stating that every year they were required by law to advise them of our racial profiling situation in the city. He stated that this report was compiled of various contact data received from the police department for purposes of identifying and responding to, if necessary, any racial profiling practices and was provided to the FBI, as well as other agencies. He called attention to the packets given to the Mayor and Council which provided the information that was compiled. He stated that they were proud to note that in 2014 they had no complaints of any racial profiling in our city as far as the police department was concerned, if they had any questions to please contact him.

Council Member Lee stated that he knew the chief had to take a course on racial profiling, had any of the other officers done that.

Lt. Longrigg stated that on a regular basis police officers had to take continuing education classes to keep their license, that every two years they had to do so many hours and that was one of the courses they could take.

Council Member Lee ask if every officer did that.

Lt. Longrigg stated that every office should be able to do that, had they done it, he didn't know if they had but he could get back with him and let him know., that he didn't know if the class was required or an optional class.

COMMENTS FROM THE PUBLIC:

Leslie Herbst, community Relations Manager for the Port of Houston Authority, stated that she just wanted to give them an update, that right near by they had one of their dredge material placement area which the commonly refer to as a dam site and they have a contractor that does regular maintenance on those sites that included monitoring, mowing and mosquito control so the new contractor was Bayou Landscaping and they were very well know for residential and commercial properties and they work with other

governmental agencies so they were really looking forward to having them on board, they just switched over and hopefully you wouldn't even notice a change and some of the things that were discussed earlier such as mosquito control and tall grass and just to further expand on what Mr. Squyres had mentioned that for mosquito control they use a consumer level safe brand called mosquito dunks and it kills larva and it was placed on the dam sites in standing pools of water monthly so hopefully our sites will be taken care of and of course they would maintain the grass as well and she was available at any time to answer any questions and she would leave her cards with the city secretary so they could get hold of her and if it was dam site related or general Port of Houston related she was happy to help and looked forward to seeing them at upcoming meetings.

Isaac Menendez, 10913 Munn, stated that he had a couple of questions and actually he was just wondering about the Port of Houston, he knew that over the years people had talked about maybe having a walkway up there and it might be a liability issue but maybe something to think about in the future. He stated that he had a couple of things that he wanted to discuss with the council and he was sorry that the auditor had to leave but just a quick question, that Carmela brought up a point that Jacinto city actually had about 2 years worth of revenue surplus funds in our accounts and with that saying, a lot of people did not know what that means so and he didn't know when he first say it too, he saw 9 million dollar for a city prospective and he thinks that is not a lot of money period so he looked at if as a percentage what is it compared to other cities Baytown, West University, Bellaire, Park Place and he looked up their budgets and researched all the budgets for 12 other cities and compared and the highest percentage he found of any other city that has revenue built up in that amount of money would be a city off 290 and 6-10 and he forgot the name of the city but the highest percentage was 91% and we have more percentage than a lot of other cities and our parks, police department, street and pipes are falling apart, he didn't blame this on the city council or the city manager but he thought that when they thought about budgets and what the city needs he ask that they think about that and he didn't think that we should run on the bank, he was far from that but he did think that we should think of it in a long term prospective and think where are we going as a city and they might already be having these discussions , it was just when he sees these numbers and he sees the stated of our parks and our sewer, flooding and no sidewalks there was a lot of things that could be improved upon and so he ask city council to dive into these numbers and remember that they guide where our city goes.

He stated that he himself was going to ask for parks because that was what he was involved in but he definitely thinks that our police department needs their facilities improved, he thinks that our fire department need their part too, there should not be a run on the bank

but it should be a question to an auditor to say finally what can we do responsibility to do capital investment in our city and move forward with that on the auditing side and with the 2015 budget.

He stated that the only other item he wanted to bring to council was the city restroom at the park, that when they had opening day, they had several issue and he hadn't really heard anything about it, he had sent a couple of e-mails out but he wanted to touch base with them and let them know that this was an issue and before it became any bigger and got exasperated he wanted everybody to kind of think about it, that they spend \$133,000 on these restrooms and the wear and tear on these was probably going to be their biggest expense on that building and he thought making the maintenance on it easier was going to help to the longevity of the building. He discussed the trash containers (which had been placed in the building), the toilet paper dispensers and the auto flush toilets and provided some prices that he had obtained for these items. He stated that on the subject of the restrooms he really wanted to know where they stood and what they want because if they didn't think they should spend \$2000.00 or \$10,000.00 what was the value that they should or should not spend.

Mayor Diaz stated that it needs to be done, it was no if, and or but, you needed to have trash cans there, that she didn't know why there was no trash cans, Mr. Menendez stated that they did put the trash cans in, Mayor Diaz stated that she did understand the toilet paper issue, that you were going to have a bunch of kids go in there and just roll of a bunch of toilet paper it was just vandalism and she would ask that the council look into this and make sure we get this fixed as soon as possible.

Ivan Rojas, Parks and Recreation Director, stated that he had talked to the contractor who built the restrooms to day and he provided an estimate of what it would cost for them to install these items and he didn't recommend putting in the automatic flushers because of the vandalism, that they could do this but did not recommend it.

There was general discussion about the toilet paper dispensers and auto flush and the need for the leagues to monitor the kids and restrooms and the fact that most of this would occur when you have high traffic during opening day or tournaments, etc., that usually wherever you go the leagues have monitors for the restrooms.

Mr. Menendez stated that when you talk about vandalism, most of the equipment is built into the wall so he is not sure what they are talking about.



Council Member Garcia stated that the problem was the amount of toilet paper being pulled but that the whole roll of toilet paper had been thrown into the toilet and in her personal opinion because of what she saw, the toilet paper dispenser are ok, either way if they want to pull a long string or what it is going to be pulled where it is the one he e-mailed or the one we present have, she really doesn't have a problem with the toilet paper dispensers and she is glad that we got the trash cans.

There was general discussion regarding the toilet paper dispensers

Mr. Menendez stated to let him put it this way, he would pay for the toilet paper dispensers, if they wanted him to pay, he would pay, he would have the little league pay for it,.

Mayor Diaz stated it was not something he should do.

Council Member Garcia stated the whole toilet roll being thrown into the toilet was problem and Mr. Menendez stated that the reason that was there was that toilet papers were given to them at the concession stand and the reason they were given to us was that they were constantly running out.

Mayor Diaz stated that first of all they shouldn't have been given to them because there was park attendants the whole day at the park.

Council Member Garcia stated that one park attendant for the Town Center and the park Could not do both.

There was discussion about how many attendants were present.

Mr. Menendez stated that he wanted to come up with an answer to this, he was just thinking preventative maintenance, If he had someone to sit outside a restroom and police it, it would still happen because they were not going to be in that stall with these kids and to think that they would required them to have a bathroom attendant was silly and he just ask that they consider and it seem to be already under consideration and he thanked them.

Council Member Gonzales ask Isaac if he was continuing to have this issue.

Mr. Menendez stated no and since that day it had not been an issue but they would be having Saturday games but kids would do this on a regular day.

He stated that if they didn't think it was worth it, that was fine, it was really up to them, this was not for him but for the city workers that was going to have to pull all of that out of there.

Council Member Garcia ask Kyle if he knew of any issues as far as a ton of toilet tissue being thrown into the toilet.

Kyle stated yes before we got this one, about three or four year ago and he thought we did a good job taken care of the restrooms, it was such an improvement over what we have had in the past, this was a big improvement and now somebody was wanting to rebuild it, that he didn't live in Jacinto City but this was where he worked and he was going to do what was best for the city.

There was general discussion about people taken care of the facilities, etc..

Mr. Menendez stated that he didn't want anyone to think that he was unappreciative of a \$135,000 restroom, he thinks everyone put a lot of work into it, he just wants to reduce the amount of abuse that was being put on it.

City Manager Squyres stated that he would like to make a suggestion, that before we made any changes, if any, to wait until the 1 year warranty pass and then after that if there was still a problem we could address it then.

Council Member Garcia ask Kyle to keep a record of any problems we have and that might help them to decide if any changes were required or leave it as is.

Mr. Reed ask that Mr. Menendez please call him about any problems they have with the restrooms.

Mr. Menendez stated that he knew the little league had to do their part and he was more than willing to do that. He stated that he had just spent \$3,000 on the concession stand for Smith Park and he was going to be asking the city to allow them to use it on city property .

There was discussion concerning the portable concession stand.

Mr. Menendez was advised that he concerns were being addressed.

Donna Dailey, 1701 Chazen, stated that she was President of Pony League for five years, that she had kids go up through different leagues and bathrooms have always been a problem and they monitored their bathroom, when they were at the park they had the parents help monitor it because it was our tax money that was spent for this so this was her feelings, if the little league was going to mess it up, lock it up, let them go to their house to the bathroom and maybe they would come back and appreciate it a little bit more because if we paid \$135,000 and they can't monitor it a little bit themselves, because it was for them as citizens, then we have a problem, that they were handled toilet paper in the concession stands a lot of time and we told them they better bring it back and they did. She stated that you have to have somebody there that will stand up to them and say If you want to have things done for you, you have to take care of them, she said we could spend and spend and then have people go through and tear it up and then complain because we don't have this, so they need to help take care of what we have.

Robert Hernandez, 10245 Chadwick, He stated that since we were on the subject of the restroom, he had a question about the design in the men's room about the sink, that when you go to wash your hands the water spouts up like a water fountain, it doesn't come down like a normal sink and ask what the reason for the design.

Mayor Diaz ask Ivan to please check it out.

Kyle ask Robert to call him when he sees something like that.

#### COUNCIL COMMENTS:

Council Member Rivas stated they were talking about sidewalk, how about sidewalks versus parking, that if we build new sidewalks that people were going to park on top of them and we couldn't seem to tell them not to do that.

Mayor Diaz ask where.

Mr. Rivas stated that we have an Ordinance but we didn't enforce it.

Mayor Diaz stated that it did need to be enforced, that on Norvic St they enforced it for a while but it wasn't happening anymore and a lot of kids used that side walk going to and from school.

Mayor Diaz ask Lt. Longrigg to please look into this.

There was discussion about enforcing parking on sidewalks and handicapped parking.

Council Member Rivas addressed Mr. Menendez stating that he agreed that if we didn't do something , even a small amount of being pro-active then we would see the bathrooms get in bad shape.

There was general discussion what was needed to be discussed and done to correct the bathroom issue.

Cindy Miller, Heritage Hall Director, advised the Mayor and Council that they need to see the restroom at the Town Center after a court night, they were a mess.

Council Member Rivas ask Cindy how long this had being going on and if they knew about the problem, why had they not been informed and why didn't we have a bathroom monitor.

Mayor Diaz stated this was a public restroom, the public didn't pay for it and they were going to do whatever they wanted to.

Council Member Rivas stated that he had one more thing that he wanted to say, that Mr. Menendez was allowed to get up there and speak and speak and we never did cut him off.

Mayor stated that was because she allowed it

There was general discussion about the length of time that should be allowed for people to address the Mayor and Council.

Council Member Robinson reminded everyone that the Easter Egg Hunt would be Saturday, Wilkie Fields at 11:00 a.m...

Council Member Lee stated that he would just like to make a couple of observations, that public restrooms were nasty and they always would be and that was just part of having public facilities and as far as the speaker, he was interacting with the council and he thought if they wanted to hear what he had to say, they could continue to let him talk as long as they were discussing and asking questions and he thought there was a difference in

that and someone who just speaks for 3 minutes without any interaction, that he might not agree with Mr. Menendez but he certainly had the right to speak to us and have us listen. He advised that there was a food distribution at Calvary Baptist church on Saturday at 10:00 a.m..

Mayor Diaz advised that Galena Park and Jacinto City Rotary Club was also doing another food drive on April 7<sup>th</sup> at our Town Center and it is her understanding that it will be a huge one, that they will have about 3 18-wheeler trucks of food to give out and flyers will be at city hall.

Council Member Garcia clarified with Mr. Reed that he meant that AAA Asphalt would be starting the project mid April and not mid March, she was advised that was correct.

Ms. Garcia stated that she wanted to thank any citizen that brought any kind of comment or idea to the table and make sure they knew that we always listen to them, that we can't make decision at the council meeting when they bring it up on that day but they do look at them and part of their job was not to say yes or no to everything but they were the middle persons between the residents and city manager and departments and part of their job was not to just communicate their complaint to the right person but part of it was to educate the citizens as well and explain to them why we have to do things a certain way and the information was on the website.

She stated that a couple of people had mentioned a sensor issue in the bathrooms and this was the first that she had heard of this. There was discussion that maybe it was to high to come on when smaller children came in. She thanked the citizens for trusting them for two more years of service.

Council Member Gonzales stated that he had a quick comment on the bathroom issue, that people were going to be doing things they shouldn't be doing, dirtying bathrooms, etc., that was human nature, you were going to have clean people and you were going to have dirty people and you really can't stop it, you could try to deter it by adding these items they were discussing but somehow if that was their intention, they are going to do it. The only thing was that as a council we could try to improve those facilities but we had to also keep in mind that it was not all about the parks and recreation and he knew that was not what Isaac was implying, it was just that they had to look at the other city issues with the streets, sidewalks and infrastructure but it was good that we communicate these things and try to get them resolved.

Mayor Diaz adjourned the meeting at 7:24 p.m..

Respectfully submitted,



Joyce Raines  
City Secretary

