

COUNCIL MEETING, THURSDAY, FEBRUARY 13, 2014, 6:00 P.M.

The Mayor and City Council met in regular session on Thursday, at 6:00 p.m. with the following members present: Mayor Diaz, Council Members Rivas, Robinson, Lee, Garcia and Gonzales; City Manager Maner, City Secretary Raines. City Attorney Defoyd out of State.

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

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

Mayor Diaz called upon the Department Heads for their reports:

Chief Ayala advised that his officers were working on unhealthy conditions in the city and they needed the citizens to work together with them to take care of these problems.

He reported that we had recently had two robberies here in the city and our Detectives had found evidence that one of the robberies never occurred. He thanked Mr. Raul Rodriguez and Ms. Gosney for reporting suspicious activity that they were able to address and take care of. The Chief advised that we were having a lot of complaints about identity theft and cautioned everyone to not throw anything in the trash with their name, address, etc.

Mayor Diaz ask that they please call in if they see any unhealthy conditions or suspicious activity so that the city can address the issues.

Chief Squyres advised that they had been very busy, that the flu season was still with us. He stated that the city was also working on the unhealthy conditions and had picked five properties that would be presented to the Dangerous Building Board.

Kyle Reed, Public Works Director, advised that Horseshoe Construction was almost through with the pipebursting project except for cleanup and they would clean up the yards and streets. He stated that Absolute Plumping, who was working on the waterline project, were doing a good job, that they were working a little slow due to all the bad

weather and advised the Mayor and Council that probably in the next couple of weeks he would be calling to let the citizens know a little early because when they tie those two lines that come across at Flint and Kirby, a 10" line that would tie into a 14" line on Market, and that was going to require us shutting the city down and they were going to do it when it was most convenient for the citizens and that was usually a Sunday night and he would notify TCEQ because we would have to issue a boil water which was their rule, it had to be done but nobody needs to get alarmed, those are in the paper all the time, that it happens when our water pressure drops below 20 psi for more than 30 minutes so this was just a little heads up, it was going to be better when we get this job in and we were slowly getting new water line and about to complete the sewer collection system as well.

Mayor Diaz advised Kyle that she would like for him to thank the guys that are working by the school, they don't close the road during arrivals or dismissals because that would be a headache.

Mr. Reed stated they were good contractors and he would pass that along to them.

Ivan Rojas, Parks and Recreation Director, advised they were still registering for baseball on Monday, Wednesday from 6:30 to 8:00 at the gym and on Saturdays at the concession stand from 11:00 a.m. until 2:00 p.m. and Softball was on Tuesday and Thursday from 6:30 p.m. to 8:30 p.m. and on Saturday from 10:00 a.m. to 1:00 p.m. at the gym. He advised that Opening Day was March 22nd with the parade starting at 9:00 a.m..

Mayor Diaz ask how the softball was doing and did they have a new name.

Mr. Rojas advised that it was Jacinto City Girls slow pitch softball.

Cindy Miller, Heritage Hall Director, thanked all who came to the Senior's pajama party, that Pizzini's had catered it and everyone had a good time. Cindy announced that their Valentine party was tomorrow at 10:00 a.m. and invited them to come out and join them.

Mayor Diaz stated they loved it and had a good time.

Stephanie Orr, Jacinto City Library, advised that they were staying busy with computer classes and they had a Valentine party for the kids yesterday.

Mayor Diaz advised that we had an event that was coming up on March 7th and 8th and she was going to ask Mr. Diaz to comment on that.

Constable Chris Diaz announced that on March 7th and March 8th, the Harris County Constables offices, along with the AFLCIO, Jacinto City, City Council Member Robert Gallegos, Senator Sylvia Garcia and Congressman Gene Green will be hosting a job fair. He stated it was going to be all union shops building trades associated with the AFLCIO and what they were going to promote was the apprenticeship programs to high school students as well as anybody that would like to seek a career change and anyone now in the building trade could definitely come in and look at the benefits in the union shop to see where they could benefit themselves as a family and also get those prevailing wages that are owed to them as they get out and work. He stated this would improve our community because we were going out and getting our people in our community to go in and look at these jobs and where the wages would benefit them as well as our city. He discussed the benefits this could provide and that they were going to organize a walk and go door to door and talk to people to let them know that we do have a job fair coming up because they want a great turnout, that they were working with all the colleges and the school districts, Pasadena School District and GPISD. He encourage everyone to come out and be a part of this job fair, that it was a great opportunity and a win win situation, we need to let the people in our communities know that we care about them and that the opportunities are there. He stated that it was going to be on March 7th from 3:00 p.m. to 7:00 p.m. and on March 8th from 9:00 a.m. to 12:00 noon at Jacinto City Town Center. He advised that they did have flyers and would be putting out posters and advertising.

MAYORS REPORT:

Mayor Diaz stated that everything was going ok, that she had a wonderful time at the Valentine part and that we had a Galena Park High School LULAC group here and they would introduce themselves later and let everyone know why they were here.

CITY MANAGER'S REPORT:

City Manager Maner stated that he would pass.

UNFINISHED BUSINESS:

1. The following bids were received on a restroom facility for Wilke Park:

Wallis Concrete, LLC	Base Bid:	\$121,266.00
Civil Concepts, Inc.	Base Bid:	\$156,513.00

City Manager Maner recommended that the Council table the bids for review by himself, Kyle Reed and Ivan Rojas and award the bid to the low bidder meeting specifications.

A motion was made by Council Member Lee and seconded by Council Member Rivas to table the bids for review by the City Manager, Kyle Reed and Ivan Rojas and award the bid to the low bidder meeting specifications. Vote: 5 For 0 Against

NEW BUSSINESS:

1. A motion was made by Council Member Garcia and seconded by Council Member Gonzales to approve Resolution 2014-1R setting the General City Election for May 10, 2014 and appointing Precinct Judges and Alternates as follows:

Precinct #163: Wayne Nichols – Precinct Judge
Alicia Hinojosa – Alternate Judge

Precinct #229: Scott Dowlearn – Precinct Judge
Flortina Flores - Alternate Judge

Vote: 5 For 0 Against

2. A motion was made by Council Member Garcia and seconded by Council Member Robinson to approve Resolution 2014-2R Creating an Early voting Ballot Board for the May 10, 2014 General City Election and appointing the following members:

Wayne Nichols – Presiding Judge
Scott Dowlearn - Member
Flortina Flores - Member

Vote: 5 For 0 Against

3. Jim Moore to address Mayor and Council regarding Public Works Director.

Mr. Jim Moore addressed the Mayor and Council stating that he wanted to let them know so they would feel comfortable with him talking that he was not talking about anything that had to do with 5/21/2010 with the Rangers that what he was going to be talking about was stuff before that that had happened at public works except for one issue that had to do with a trailer that belonged to Lon Squyres' father-in-law. He stated that back when he was working for the city he was involved with setting up the hay ride in Parks and Recreation and last year he thought he ought to go out and look at that because he helped start it up, he came out and looked and there was a nice parade and everything going and he noticed the trailer and he said there was only one trailer he had ever seen like that with four down legs on it and that was a 16' low boy trailer that Lon Squyres' father-in-law loaned and he recognized it and he got to thinking there was no way they were going to put those kids in that trailer with a hole in the floor and he had to put plywood in it when Lon used it during the fireworks in July so he decided he needed to investigate it a little bit more because surely Kyle Reed didn't do this because he left, he told him he was going to get that trailer because Lon Squyres would forget about it and sure enough, he forgot about it because he approached Lon about it and he thought I was talking about one trailer but that was not the one he was talking about but he ask him if he had given the trailer to the city and Lon said he did not give the trailer to the city. Mr. Moore stated there was new lumber put in it, it had been painted and new lights put on it and everything, work being done on city time by city employees and he said man, he never learns because what he told him had come true, Lon did forget about it because they used it for several year along with his when he was out here for the fire works. He stated so that got him to saying ok, and that was why he was doing this, they could look into it, city money used to put the flooring and everything in and he was sure city money for having it painted and he was sure time being done on the job and it not belonging to the city. They could come to their own conclusion about that, is that taken from the citizens, is that taken from the rights of people out here that would look for their water bills to go down and ever thing else for somebody else to be taken advantage of them so he said he wasn't going to stop there, that he ask them the last time he was up there if they were willing to sit down and talk to him but he knew between the City Manager and the lawyer that they were not allowed to talk to him, which was plumb terrible because they were the backbones to this city as far as getting anything done or seeing that things are done right, no one else. They were Jack Maner's boss, they were the ones, if they don't like or want

to do something, that could ask Jim DeFoyd yes, no or what but he had a feeling that to him, the thing he was thinking was that with the City Manager doing what he was doing, this book right here, this gave him an idea of Kyle Reed, that he must have something on Jack Maner for Jack to be supporting him as strongly as he does because he has been there when Kyle had told him that he had to keep this in case something happens but anyway, here or there, he thing to them was that they could do whatever they want with this at this point, that he had about eight more issues, bad issues, things that public works is working, that they need to know especially Carmela. He stated they talked about, when he first got terminated, they talked lot of times, but he couldn't come out and tell them everything because there was too much going on, did he ever feel like he maybe had a chance of coming back to work, yea, but you know what he wouldn't be able to do the employees out there or the citizens justice if he came back because he thinks what is going on right now and why he was out here was to do the right thing for this city and them. He stated they had an opportunity right now, that was running for office, to stand up to the plate because he knew how it worked, he knows how it works from the City Manager and how he controls and how he will try to use them, that right now they had the opportunity to try to do something for this city but come May, he didn't know they would unless they got a backbone and stood up to the plate because they weren't going to have tomorrow if they let this go, they had control over it right now and he knew that everyone of them knew what was going on out there. He stated that like he said on that trailer, he could bring it up but nothing was going to happen and that was pretty bad for the citizens. He stated that he was not going to spend a whole lot of time right here, that he would if they wanted to without having to talk to the people and let them just keep messing up the council meeting because he had been in their situation before, he put his hand out there once before and if they wanted to sit down and talk, he would give them everything he has and they could determine what they wanted to do with it and he was done, he could wash his hands and he could walk but at least he could say that he gave it the best shot that he could for the citizens of Jacinto city, the tax payers that pay, that he could leave that up to them and that Carmela knew how to get hold of him. He had enjoyed working here and believed in passing on his knowledge to everyone out here, that he was hurt when he left here, not bitter because at his age he didn't want to go out with a dirty slate, that he would have liked to retire but he got shorted that through no fault of his own. He stated that if they decided not to sit down and talk to him because of whatever reason here, whereas Jim DeFoyd, he could understand and he would have to go ahead and finish up what he was doing here, that he has had Channel 2 come out and want to talk to him at

his house about this and he wouldn't talk to them, he didn't feel it was right, it was their place to take care of stuff, not his to muddy the water, but he has that and if he ever needs to use it he could and he had told them once before that if we can't go here, he would do whatever he had to do because he was going to make one last stand and he hoped that each and everyone of them could reach down inside and Mayor, they had been knowing one another a pretty good while and she could do one thing, she could call the Ranger and ask where he is at or what you need to do to get this finished.

Council Member Robinson ask the City Manager who owned the trailer. Mr. Squyres advised that the trailer was owned by his father-in-law and was loaned to the city to use for whatever they needed to use it for, that he thought they rode on it in one of the parades recently but when Mr. Moore ask him about the trailer and whether or not it was for sale or not, he originally thought he was asking if his father-in-law wanted to sell his RV trailer and his response was he didn't think so, he was going to go one last time camping to see if he could still do that and that was why there was some misunderstanding about which trailer he was talking about so it was a 16' trailer and the city has had it for several years, that his father-in-laws health was failing and he was not going to be using that trailer.

Mayor Diaz stated that we also used it in just about all our parades.

Chief Squyres stated that he thought the intention of bringing in extra trailers was not that the city didn't have trailers but for the 4th of July it took a lot of effort to get those trailers ready for a show which means that we would have to ask public works to quit using those trailers while they still have a lot of work going on so they brought in extra trailers from where ever they could get them and that way they could get ready for the fireworks show with little or no disruption to the city and that was the motive.

Kyle Reed stated that he would also like to add that during the fireworks display that trailer caught on fire, the floor, that they redid that trailer, if he leased a trailer or rented a trailer, because the trailer was in the back at the barn, pushed back in the weeds and as far as he was concerned, it was a city trailer, it had an exempt tag on it and they fixed it and painted back where it use to be and they rode on it in the Christmas Parade and this was nothing more than just something to try to start trouble about in his opinion.

Vickie Lee, from the audience, stated that it was damaged by the city so the city fixed it right.

COMMENTS FROM THE PUBLIC:

Donna Dailey, 1701 Chazen, stated that she thought the backbone of the city was the citizens and they were working for the citizens but they did appreciate them and the reason they were up there was because they vote them in and she thinks that we have a bunch of qualified people up here so therefore they were an extension of the backbone. She stated that she wanted to thank Mr. squyres for the use of his trailer or his father-in-law's trailer and she was sure that if we had to go out and rent one it would cost us a lot more than what the citizens have given up to put in there, the wood and the paint and also if we did damage it with us using it, of course we should repair it. She stated that she really hated to see election time come around because they come out of the woodwork and they try to put our citizens down, our workers down and she thought there was something that said that we couldn't call out employee by name to put them down, she stated that we were lucky to have Mr. Reed working for our city, he was good to our citizens and to have a disgruntled employee come up every time there was an election really gets tiresome, this employee doesn't have property in Jacinto City, doesn't pay taxes and she did know this was an open meeting but as a citizen she really gets tired of hearing it over and over again and everything that they say has already been taken care of. She stated that she didn't want us to loose good employees because of the way they were treated here. She stated that now Councilmen on the other hand, if they have something to say, they put them in and they should be able to say something, but with an employee she thought it should be handled a little different, they have bosses and you can go to their boss and talk to them but as far as standing up here talking about Mr. Reed and making him look like a thief and giving all of these little statements she was really disappointed that none of them don't tell them to shut up and stop it and she didn't think that was breaking the law, it was taking care of our employees and that was part of their job because they were part of our city too and for anybody to come in, who is not a citizen here, not a tax payer here and try to make our people look like they are thieves, bad, etc., and just because there is an election She hopes that we don't have to hear it again.

Raul Rodriguez, 1410 Jennifer, he stated that they say we can't talk about our employees or mention names but he was going to talk about one and he would tell you that he was real proud of him and that was Chief Joe Ayala, and the reason, like he said while ago about a recent incident that he had called about, there had been a lot more than that on the street and when he calls for an officer it doesn't take long and he is there. He stated

that if there is a problem he will talk to Joe and they sit down and discuss it and we have good employees that work for us and he was really proud of him because if he had a problem, if the officer doesn't do what he is supposed to be doing he goes straight to Chief Ayala and tells him and to right now he hasn't had one. He discussed a recent incident that he had called on and how quickly it had been taken care of. He stated that to make it better in our city we had to work together, that we need to stop, look and think and work together to make this city better than what it is.

Mr. Rodriguez stated that they had the LULAC Youth with them and he would tell them one thing about LULAC, that for about 14 years he had worked for scholarships for students and discussed some of the accomplishments the students had achieved through these scholarships and he would like to let the youth talk to them.

Mayor Diaz ask Mr. Rodriguez if he was the President of LULAC and he stated that he was the Vice President of LULAC Council and President of Civil Rights.

Emily Rivera, 10517 Fairfax, stated that their group was here about a year ago doing the same thing, then there was four of them going for the LULAC Conference and like he had said, they were the LULAC Youth and they represented the area of Jacinto City and Galena Park as well, which they were more than glad to represent. She stated that they didn't ask Galena Park to Help because they were not as connect to them as they were around here and Jacinto City was a great help, they donated here and supported their fund raising events. She stated that they were fund raising to go to New York this year and last year there were only four members that went with one sponsor and this year it is 21 members with 2 sponsors. She stated that the 21 members were chosen by the Board Members and their sponsor from their whole organization. She discussed the car wash they had to benefit Evelyn Perez, a young lady here in Jacinto City and they raised over \$2,200.00 and took it to them at the hospital.

Mayor Diaz stated that she wanted to let everyone know that they were out there from early morning to late and also a lot of teachers and parents and Peanut (Mary Robinson) was there.

Emily advised that they did it along with Jacinto City Elementary and faculty. She said they were basically here because they were selling cake pops for Valentine, that they had a

deposit to make on Monday for their plane tickets and they had to come up with a quick fund raiser because their bank account didn't have too much so they came up with the idea this week end and they have over a 1000 cake pops made and the rest of the group that was going was actually at home working on them right now and they had baskets and individual cake pops if they would like to place their orders.

Mayor Diaz stated that she wanted to make everyone aware that any time she need this LULAC Organization to help with any project or event here in the city they never say no, they are ready to help, all she has to do is call. So let's help them out if we can.

Emily stated that she also had something else, not with the topic of New York, that they had someone that wanted them to help them with a Health Fair but they wanted them to host it so she was going to ask if they could have the gym for March 15th. She stated that Texas Children's was interested in coming to help them, the Walgreens who had already said they would donate basic shot and check something out and they had different doctors and dentist offices that wanted to come out and help and they think it would be a good idea and they had ask her to take care of the location and they would need it on March 15th from 9:00 a.m. to 1:00 p.m. and they would have flyers to pass around.

City Manager Maner stated that he thought we could arrange that that we would check into it and they could check with Ivan sometime tomorrow afternoon.

Mayor Diaz reminded everyone that tomorrow was Valentine if they needed cake pops and Emily advised that they could deliver them if they wanted them too.

The group was ask to stay after the meeting so that people could place their orders.

LaGloria Sephus, 9701 Market St., stated that on Resolution 2014-1R would that they reread again about the number of precincts.

City Secretary Raines advised that she checked this with the City Attorney before she did the Resolution and that in our Charter it shows Jacinto city as two precincts, the South side is 163 and the North side is 229.

Ms. Sephus stated there was four precincts in Jacinto City.

Ms. Raines stated that Precinct 769 was the Big Bass Resort and there was one other little section from Holland Avenue to Siesta and the were County Precincts so what the county did for us when we used the county equipment, and now we have to use a different election company, but they say since our Charter is written that way and that is what Jim said, we count the two county precincts in with 229 but when you go to vote, they are divided out and the clerks will be aware and when you show them your voter registration with your precinct on it and they were counted as voting in their precinct but when they are tallied by the machine, they are tallied in 229 because it was all on the North side.

Mr. Jim Moore stated that he had to rebuttal what Kyle Reed had said (Council Member Rivas ask Mr. Moore to please state his address) Mr. Moore stated Jim Moore, Crosby, Texas, 4400 Sherry Lane 77532, Mr. Moore stated that he wanted to rebuttal what Kyle Reed had said about the trailer, that first of all, he wanted to give them this date right here, May 27, 2010, cs. #10-000962, that had to do with Shuptrine.

Mayor Diaz advised Mr. Moore that she was sorry but she was going to stop him there, she didn't want to talk about anything that he was going to down our employees.

Mr. Moore stated that he was not going to down them, that what he was doing was giving something on something that has to do.....

Mayor Diaz stated that this was something that happened maybe five, ten or fifteen years ago.

Mr. Moore stated that it had to do with creditability right now was what he was talking about, it has to do with creditability, that he just got shut down on creditability and he can respond to that, he should have the right by first amendment to do that.

Mayor Diaz stated that all she ask was that he please do not talk about our employees.

Mr. Moore stated that he was not going to talk about them, he was going to talk about the issue, he had that right.

Mr. Moore stated that we already know who it was, he would use the public works director and anyway what it has to do with, the Police Chief got this deposition , not a deposition , but a statement from Kyle Reed, which he brought up before (Mayor Diaz reminded him about using names) that he lied about tables and chairs and he brought it up several time but just because of what he said over here he was going to rebuttal that part, that it stated right there, that the 16' low boy, that he was the one that put it up on the hill and put the fireworks in it and to do that he had to that he had to put a piece of plywood on it so it would be stabilized for the stuff they put on it, it wasn't because it caught on fire or anything, none of that was and that trailer was never used until this year or last year, the first time out of four years that it sat back there other than for fireworks and if you go back there and look at all the trailers that the city owns, look and see which one is the best, that you got that 16' trailer that we were talking about that looks like a brand new one off the showroom floor and you go look at all the others the city owns and they look like crap.

Mayor Diaz advised him that his time was up.

Mr. Moore said one more thing right quick, he set an exempt tag on that plate.

Mayor Diaz advised him again that his time was up.

COMMENTS FROM COUNCIL MEMBERS:

Council Member Rivas reminded everyone that tomorrow was Valentine's Day, the day of love and his wife said she was lucky to have him but she was wrong, he was the lucky one. He stated that he was so glad to have these young people here today and when they came up and spoke about what they do it was like a breath of air. He stated that they witnessed an individual getting up there and turning things other ways so thank them so much for coming tonight and we greatly appreciate all they do for us.

Council Member Robinson wished everyone a safe and Happy Valentine and stated that he agreed with Ana when she called upon the group, that he didn't get a chance to go by the car wash but he was glad they got his wife to wash cars because she didn't do that at home But they did a great job to help that girl.

Mayor Diaz gave an update on Evelyn, stating that she went back into the hospital yesterday or the day before, that when she, Peanut and some of the other teachers went to see her she looked good and was singing to them, not doing great but she looked well but she did have some complication over the night and did go back into the hospital and ask that everyone keep her in their Prayers.

Council Member Lee stated that we don't always like hearing everything we hear at these meetings, but it was our job to listen and it has nothing to do with elections or who is running in the elections, nothing to do with who is who's boss, we work in a system with checks and balances and we work together and we have boundaries and laws that we try to uphold and ordinance and rules and no matter who sits here you have to do it that way and it was their privilege to do it. He stated that we don't always like to hear negative things said about department heads but sometimes it was necessary but they could take care of it, they could help and one lady did, she got up and gave her opinion about it, she said it was ridiculous and he agrees but they had to do it, it was the law so that was why they did things the way they do.

Council Member Garcia stated that she agrees with Council Member Lee, sometimes it was just part of their job, they had to listen regardless and believe her if there was something going on they would look into it because that was what they do but there was a way to handle things. She stated that she could recall maybe a year and a half ago we had the media out here and they wanted to talk to her and she took them to public works and together with Kyle they gave them a tour of public works, change something negative and make it positive and after that she didn't hear anything else, or hear anything on the news, but if there was something going on, it was their job to look into it. She wished everyone a happy Valentine's Day.

Council Member Mario Gonzales wished everyone a happy Valentine's Day and that he wanted to give a special thanks to the students from Galena Park and Mr. Rodriguez for all he does with the students and it made him proud to know that our city had a bright future with people like them.

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Mayor Diaz wished everyone a happy valentine and thanked Cindy for the chocolates.

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 printed name and title.

Joyce Raines
City Secretary