

## COUNCIL MEETING, THURSDAY, JULY 25, 2013

The Mayor and City Council met in regular session on Thursday, July 25, 2013 at 6:00 p.m. with the following members present: Mayor Diaz, Council Members Rivas, Robinson, Lee and Gonzales; City Manager Maner, City Attorney DeFoyd and City Secretary Raines. 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 Rivas to approve the minutes of the previous meeting as submitted. Vote: 4 For 0 Against

### DEPARTMENT HEAD REPORTS:

Chief Ayala Reported that they had been very busy and cautioned everyone to be sure their vehicles were secure and report any suspicious activity. He reminded everyone of National Night Out on Tuesday, October 1, stating that we had ten parties scheduled as of now and to be sure and call if they wanted to host a party. He advised that the benefit for Lt. Walker and Sgt. Castenada was scheduled for Saturday, July 27<sup>th</sup> at the Town Center from 11:00 a.m. to 4:00 p.m., with BBQ and auction and encourage everyone to come out and support this.

Chief Ayala also reported that Norvell Tindol, a long time resident of Jacinto City had passed away and ask that everyone keep the family in their prayers.

Constable Diaz addressed the Mayor and Council stating that he would just like to say that it had been great working with them the past seven months in the community and he wanted to continue to partner with our Mayor and also our Chief to make this a safe place to live and promoting our patrol daily and making sure they see them visible in the neighborhood and they had added one more district unit in their department so they would see him out cursing the street and if they had any questions feel free to stop him, that his name was Marcus Anderson and most of them knew who he was, he had been working with the department over seven years. He stated that they were going to continue working with all their communities and he was also looking forward to supporting the fund raiser for Lt. Walker and Sgt. Castenada and anything they could do to help them. He thanked Jacinto City for their support.

Kyle Reed, Public Works Director, reported that we were having quite a few water leaks, small so far, but if they saw any water on the side of the road right now, it probably would be a leak so just give them a call so they could fix it. He stated that when they have to turn off the water to fix a leak, they try to get it back on as soon as possible but when someone call and ask how long the water will be off, he has no clue but call if you see a

leak because they work 24/7 to fix them. He reported that Bernardo Perez, had a hip replacement and he talked with him today and he got the staples out and he wasn't going to be back for a while and like he said, that was a big hit for the public works department.

Ivan Rojas, Parks and Recreation Director, stated they had been staying busy, the pool was open from Tuesday through Sunday and gave the schedule and they still had senior water aerobics and senior swim and they also had their Dive In Movie tomorrow starting at 8:00 p.m. and the new softball league would be out there selling hotdogs, popcorn and drinks, it was hot out there so to come and enjoy the pool.

Mayor Diaz stated that she was sure the kids would enjoy the Dive In Movie.

Ivan advised that they were also charging \$1.50 to get in.

Stephanie Orr, Jacinto city Librarian, stated this week had been their camp for the kids at the library and they have had a ball and tomorrow was their field camp to the Art Museum and they had been doing all kind of things from 10:00 a.m. to 12:00 noon this week and were all looking forward to going on this field trip. She advised that August 10<sup>th</sup> was the end of the summer reading program and went over the different programs they had provided each week.

#### MAYOR'S REPORT:

Mayor Diaz stated that she thought we had a good turnout for the garage sale last Saturday, maybe there was two many, she understood that we had 226 garage sales. She stated that she got a lot of good response. She stated there was a new thing she wanted to bring up, that she had talked with Jack about it but she hadn't talked with the Council about it but she was going to go ahead and do it now since they were all here. She stated that she got some information during the garage sales to do a thing in the community called Jacinto City Trade Day and she kinda picked a date when we have our pumpkin fest and what she wanted to do, and she wanted to get their input; she wanted to sell booth during the pumpkin fest, around the baseball park, and charge \$10.00 for a 10x10 spot or you could bring ten cans of food. The ten cans of food would go to the Food Basket Program and the \$10.00 would be donated to Santa on the Fire Truck and she knew that at the pumpkin fest we had about 200 people come out so she thought inside the baseball field we could line them up 10x10, they could bring their table and sell to all the people there. She stated this was something new that she wanted to try out this year and see how it turned out and ask the Council if they were ok with that.

Council Member Robinson ask what if they wanted to sell cokes or something like that.

Mayor Diaz stated anything they wanted to sell, that you had people who have had garage sales that still have stuff left over or whatever they would like to sell.

City Manager Maner stated that she had presented this idea tonight and it certainly sounded like a good one to him and he would suggest that everybody think about this and come up with some input and it would certainly give them time to come up with any necessary rules between now and then, there was plenty of time.

Mayor Diaz stated that wanted to have it put in the news letter also and this gives people time to brainstorm a little bit, it would be something a little different and the money that is brought in would be going back to the city for our kids. She reminded everyone to come out on Saturday for the benefit, BBQ and live auction.

#### CITY MANAGER'S REPORT:

City Manager Maner stated that everything was going well but he would like to add a little something to what Ivan reported about the Dive In Movie tomorrow night. He ask everyone to keep in mind that the capacity of the pool was 150 so there was a limit on attendance so it would have to be a first come first served so be there early.

There was discussion about what time they could get there and Ivan advised that they were still open to the public until 8:00 p.m..

City Manager Maner ask if it was correct that they had a session from 5:00 p.m. to 8:00 p.m., were they going to empty that session and then let people back in and he was advised they were.

Mayor Diaz advised them to bring their lawn chair and Off for the mosquitoes, that the last couple of movies we have had there had drawn a big turnout.

Mayor Diaz stated she told Ivan this year instead of them bringing a dish; and we want to help out Jacinto city Softball league so they were going to be selling hotdogs, popcorn and drinks and admission would be \$1.50.

Ivan advised that they would have tables and chairs out there but it would be a limited amount and they were welcome to bring their own.

#### UNFINISHED BUSINESS:

1. Council to receive and award bids on restroom remodel at Wilki and Smith Park.

City Manager Maner advised that we only received one bid.

Mr. Maner stated that he had proof of Liability insurance and a Fax from his insurance agent stating they are preparing the bond and we do require a bid bond.

H & H Construction	Base Bid – Wilki Park	\$89,942.50
	Alternate 1 – Smith Park	\$89,942.50
	Alternate 2 – Exterior	
	(Both) Refinish	\$16,172.00

City Manager Maner stated that we didn't have a total on the bid here but it would be \$196,057.00 and unfortunately we had a total in the budget of \$76,000.00 and he didn't see how we could do anything with that amount.

City Attorney DeFoyd stated that they had to reject the bid anyway because they didn't have a bid bond.

City Manager Maner stated that he would suggest that we just reject it, Council re-coop on this and decide what we wanted to do.

A motion was made by Council Member Rivas and seconded by Council Member Gonzales to reject the bid because there was no bid bond and let council decide what they wanted to do. Vote: 4 For 0 Against

2. Council approval of second and final reading of Ordinance 2013-8 application for Pipeline permit from BridgeTex Pipeline Company, LLC.

Council Member Rivas ask about permit fees and were they always the same, was that set permit fees and was advised that they were set by Ordinance and you would have to change the Ordinance to change the fees.

Council Member Rivas ask if there was a Representative of BridgeTex here and there was not. He stated that on these plans here would somebody please contact BridgeTex or give him their number, that he was questioning their prints because there was 500 wall pipe and then there was 375 wall with the same pressure specifications on both sheets and he was questioning that, he didn't understand how they could have the same pressure acceptance.

City Manager Maner stated that he didn't either but it was possible that for some reason that they were both rated for that, that might the answer.

Ms. Raines advised Council Member Rivas that she had a contact name at the office and would email it to him in the morning.

Mr. Rivas stated that he ask the questions at his job and no one could answer them so he would like to talk with them.

Council Member Lee ask if it was possible they were using the maximum pressure for both of those.

There was general discussion on the pressure for different size pipe.

A motion was made by Council Member Rivas and seconded by Council Member Robinson to approve the second and final reading of Ordinance 2013-8 for a pipeline permit from BridgeTex Pipeline Company, LLC. Vote: 4 For 0 Against

#### NEW BUSINESS:

1. Council to approve budget amendments to cover overages or anticipated overages in FY 2012/2013 budget as listed:

City Manager Maner stated that as all the Council Members were aware, each year toward the end of the budget year we start having a few overages in the budget and it had always been the policy of the city that when any budget code goes over that at least three of the council members have to sign it before it is paid and we have always done that but a few years ago our auditors came to us and suggested that we start actually amending the budget each time so this was a list of those item so far and there were some in vertically every department but they are listed on the agenda and the council was made aware of them earlier and he would recommend that the council approve these amendments and he would point out that one of them was a good amendment even though it was an overage and that was the \$4,000.00 overage in Department 14 for ambulance billing because that was the fee that we pay the collection company to collect fees and that was a percentage and that meant that we had collected more. He stated that the others were just common things and if there were any questions, he would try to answer them.

Mayor Diaz ask if we needed to go over this and let them know what it was for.

City Manager Maner advised that since it was on the agenda and of course the council had it in writing we would not have to go over each particular one and the motion could be made to amend the items listed on the agenda.

A motion was made by Council Member Gonzales and seconded by council Member Lee to approve the overages and anticipated overages in FY 2012/2013 budget as listed on the agenda: (Copy of agenda attached for record) Vote: 4 For 0 Against

**COMMENTS FROM MEMBERS OF THE PUBLIC:**

Donna Dailey, 1701 Chazen, stated that they were talking earlier about water leaks and she just wanted to comment our city because she texted Kyle around 7:30 one morning and by the time she got her grandson ready to go swimming, they were already out fixing the leak and she thought that was really good when our city replies that fast and she really appreciated that. She stated that she thought the garage sale was a big success and she hoped to see that at least every year if not more often. It was a good way to get to know your neighbors and she just wanted to thank everyone up there for the job they were doing.

**COMMENTS FROM THE COUNCIL:**

Mayor Diaz stated that people came from all around and she ask them how they knew about the garage sale and they said a friend told a friend and so on and maybe it would get bigger next year and she thought it was a big success.

Council Member Rivas stated that he would just like to say that on the bathroom project that he was all for looking at the bids to refurbish all the bathrooms but he got to thinking about it and he really wasn't going to go that way, he changed his mind, he thought this city deserved the best that we can provide them with and he thinks that tearing down an old bathroom and putting up a new one is deserved so if we can't do it this year because of budget, let's move that money over and do it next year.

There was general discussion on how long the bathrooms had been there and the consensus was that no one could remember when they weren't there.

Mayor Diaz stated that she would go with what Mr. Rivas said, they deserved good restrooms, that during baseball season the parks were packed and we do get a lot of complaints about those restrooms.

The question was ask from the audience that if we had to use the money by September, could we start the project and do part of the work and then stop.

City Manager Maner advised that he didn't think that would be practical, he believes that we will just have to do what we can to budget for it next year, that the council was about

AGENDA  
COUNCIL MEETING  
JULY 25, 2013  
6:00 P.M.

1. CALL TO ORDER
2. INVOCATION AND PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING(S) *Rollins/Rwan 4 for 0*
5. REPORTS OF OFFICERS, EMPLOYEES AND COMMITTEES:
  1. MAYOR'S REPORT
  2. CITY MANAGER'S REPORT
6. UNFINISHED BUSINESS:
  1. COUNCIL TO RECEIVE AND AWARD BIDS ON RESTROOM REMODEL AT WILKI AND SMITH PARK
  2. COUNCIL APPROVAL OF SECOND AND FINAL READING OF ORDINANCE 2013-8 APPLICATION FOR PIPELINE PERMIT FROM BRIDGETEX PIPELINE COMPANY, LLC
7. NEW BUSINESS:
  1. COUNCIL TO APPROVE BUDGET AMENDMENTS TO COVER OVERAGES OR ANTICIPATED OVERAGES IN FY 2012/2013 BUDGET AS LISTED:  
11-6795 MAINT/REPAIR CHRISTMAS LIGHTS - \$640.00, 11-6808 MATERIALS/SUPPLIES - \$1,000.00, 11-6880 UNEMPLOYMENT BENEFITS - \$4,000.00, 14-6703 AMBULANCE BILLING - \$4,000.00, 14-6801 MAINT/REPAIR BUILDING - \$500.00, 14-6860 TELEPHONE - \$1,000.00, 15-6732 COMMUNITY BLDG. EXPENSES - \$2,000.00, 16-6799 MAINT/REPAIR AUTO - \$2,000.00, 16-6801 MAINT/REPAIR BUILDING - \$2,000.00, 16-6813 MISCELLANEOUS - \$250.00, 17-6614 OVERTIME - \$450.00, 17-6740 COURT TECHNOLOGY EXPENSE - \$1,550.00, 19-6712 AUTO FUEL - \$9,000.00, 32-6871 UTILITIES - \$5,000.00.
  2. COMMENTS FROM MEMBERS OF THE PUBLIC
  3. COMMENTS FROM COUNCIL MEMBERS

to start its budget hearings and things like that and he was sure they would be considering that.

Council Member Lee stated that he agreed with Mr. Rivas completely, he thought we needed new restrooms but the big selling point to him was that he wanted Smith Park to also get one.

Mr. Rivas ask which Park was the oldest and was advised it was Wilki Park.

Ms. McMurry, 10325 S. Oswego, ask if maybe the city and citizens could get together and have a fund raiser to help build the restrooms.

City Manager Maners stated that he thought that would be a great thing to do except that the only thing that he would throw into the pot here was that you were talking about a lot of money.

There was general discussion on the subject.

Council Member Lee advised that he thought the Shopping Cart Ordinance and the Dog Waste Ordinance was working very well.

Mayor Diaz thanked everyone for coming out and ask that they keep the Jacinto City Trade Day in mind.

Mayor Diaz adjourned the meeting at 6:45 p.m..

Respectfully submitted,

A handwritten signature in cursive script that reads "Joyce Raines".

Joyce Raines  
City Secretary