

PUBLIC HEARING, THURSDAY, MARCH 28, 2013, 5:30 P.M.

The Mayor and City Council met for a Public Hearing on Thursday, March 28, 2013 at 5:30 p.m. with the following members present: Mayor Robinson, Council Members Rivas, Diaz, Lee and Garcia; City Manager Maner, and City Secretary Raines. Council Member Gonzales absent due to work and City Attorney DeFoyd absent.

City Manager Maner stated that we thought that Chief Ayala was going to be presenting this and he was not here right now but that was ok because the purpose of this hearing was to consider the application for an emergency wrecker permit that had been filed by Mr. James Compean for Jimbo's Wrecker Service which was located on Orleans Street down in Cloverleaf and Chief Ayala did the background investigation personally and found it to be acceptable and had informed himself and the city secretary that we were in need of another emergency wrecker service in the city and had advised he that he would recommend that the council approve this permit. City Manager Maner advised that we would not do that now, that it was on the agenda for the regular council meeting but this was a hearing on it and unless he was mistaken there was nobody in attendance to comment on it one way or another.

Chief Squyres stated that he could tell them that there were times on MVA's that they had to wait for extended periods for wreckers because of the lack of E-Tags and it would benefit to add another without a doubt.

There was discussion about who was on our e-tag rotation.

Council Member Rivas ask if they could explain the process to him if someone should have an accident, was that what we were doing, approving someone a permit to be able to haul off cars.

City Manager Maner advised that an individual could call any wrecker they wanted to but the police department or the emergency service operators could only call people who have a license with an emergency wrecker permit in our city and this would give them one more option

A member of the audience ask if they had somewhere locally they took it to and was advised that they took it to their storage area or if they are towing for an individual they take it wherever the individual tells them to take it.

Chief Squyres advised that they do this on a rotation basis, that way it is fair and nobody get more business than the other if they are available when they get that call.

Council Member Garcia ask what were some of the things when you are trying to approve a wrecker service.

Ms. Garcia was advised that we have to do a background check on them, fingerprints, photos, provide insurance and a list of each wrecker they are going to be using and they pay a fee for each wrecker.

City Manager Maner advised that notice of this hearing was published in the newspaper as well as on the website. He stated that he thought that the last application we had, which was some time ago, was turned down because the gentleman that was applying for it had some bad things on his record in the past and the chief recommended against it and the council decided not to grant it.

Council Member Lee stated that just out of curiosity, did we update information on the wreckers periodically.

City Manager Maner stated not that he was aware of.

The question was ask if a resident could use any wrecker they wanted to and was advised that if they were in an accident they would call any wrecker they wanted but if they needed to get it cleared immediately or something and you don't care the police department can call them.

They were also advised that if the police department arrests someone and have to have the car towed they use the e-tag wreckers.

Chief Ayala arrived and Mayor Robinson as him if he would like to say anything about the wrecker permit request.

Chief Ayala stated that he checked it out and he didn't see any issues with them, they seem to be professional and they were also employed by the City of Houston and he gave them an ok.

The Public Hearing was adjourned at 5:45 p.m..

COUNCIL MEETING, THURSDAY, MARCH 28, 2013, 6:00 P.M.

The Mayor and City Council met in regular session on Thursday, March 28, 2013 at 6:00 p.m. with the following members present: Mayor Robinson, Council Members Rivas, Diaz. Lee and Garcia; City Manager Maner, City Attorney DeFoyd and City Secretary Raines. Council Member Gonzales absent due to work.

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

A motion was made by Council Member Garcia and seconded by Council Member Rivas to approve the minutes as presented. Vote: 4 For 0 Against

DEPARTMENT HEAD REPORTS:

Chief Ayala stated that he knew they had heard in the media and maybe the neighborhood that two of our officers were shot and he just wanted to tell them how much he appreciated them in the community and the schools, the paramedics for their assistance and their support, all the surrounding agencies, that this was something that we hadn't gone through for a long time that the last time we had a related shooting with an officer shot, to his knowledge, was in 1946 when the first City Marshall, Hugo McCoy, was shot by a suspect and now two more officers had been shot and he just wanted to tell them that they were progressing and both out of the hospital and we hope to see them soon.

Bernardo Perez, Public Works Department, reminded everyone of the annual rabies clinic being held on April 13th at the public works facility and flyers were available here in Spanish and English and they encouraged everyone to bring their dogs.

Ivan Rojas, Parks and Recreation Director, reported that this past weekend they had their baseball and softball parade, it went great and they had a lot of people out there and on Sunday they had the Easter Egg Hunt and probably had over 300 or 400 people and he wanted to thank the Council, Mayor and City Manager that was there and thanks to the chief for all his officers and the public works department, they did a great job and thanked the senior citizens for stuffing the eggs.

Cindy Miller, Heritage Hall Director, reported that they had their Easter Party today, the new calendar was out for April and they were going to start senior Olympics at the end of March and first week of April, they could come by the hall or used the city website. She stated that it was getting to be pretty weather so they were going to be getting active.

Mayor Robinson stated that he didn't have a report tonight.

City Manager Maner stated that all was going well. He stated that he would like to take tonight's report as an opportunity to thank Ivan Rojas for serving as interim Director for the Parks and Recreation Department and this would be his last meeting as such because effective Monday, Ivan would be the new Parks and Recreation Director permanent, as everyone know, Ivan had been with the city for a long time and we carefully looked at many applicants for this position, that we advertised it through the Texas Municipal

League, our website and various places and got some well qualified applicants and several were interviewed but the decision was made that Ivan was the best choice for our city so everyone welcome him and he knew they would give him their support.

City Manager Maner announced that tomorrow was Good Friday and city hall, heritage hall, the gym and public works office would be closed but we would keep the police department and fire department open.

Mayor Robinson ask all the board members to please stand and be recognized and thanked them for their service.

Mayor Robinson recognized Ms. Buck, her son and the Boy Scout Troop.

UNFINISHED BUSINESS:

1. A motion was made by Council Member Rivas and seconded by Council Member Diaz to approve the second and final reading of Ordinance 2013-2 Amending Jacinto City code of Ordinances Ch. 2, Animal Control, Sec. 3 Dogs by adding Sub. Sec. 3M Animal Waste. Vote: 4 For 0 Against

2. A motion was made by Council Member Garcia and seconded by Council Member Rivas to approve the second and final reading of Ordinance 2013-3 Amending Ch. 4, Business Regulations by adding Sec. 15, "Shopping Carts" . Vote: 4 For 0 Against

3. A motion was made by Council Member Garcia and seconded by Council Member Diaz to approve the second and final reading of Ordinance 2013-4 Declaring unopposed candidates in the May 11, 2013 general city election, elected to office, cancelling the election; providing a severability clause and providing and effective date. Vote: 4 For 0 Against

NEW BUSINESS:

1. A motion was made by Council Member Diaz and seconded by Council Member Garcia to approve the application of Jimbo's Wrecker Service for a Emergency Wrecker Permit. Vote: 4 for 0 Against

2. The following bids were received on the sale of surplus city vehicles:

City Manager Maner stated that the sealed bids were supposed to have the vehicle they were bidding on listed on the outside of the envelopes and two of them didn't so we didn't know what they were bidding on.

Page 5 – March 28, 2013

Mr. Maner stated that the first bid he was going to open was from a Tom Whitmore, 1606 Reseda, Houston, Texas and it just said vehicle bid and there was another sealed envelope

inside of that said surplus vehicle bid, two police cars, ambulance, pickup trucks and dump truck so he may have bid on everything. Mr. Maner stated that he had actually bid on a total of eight vehicles and this was Texas Money Makers Inc., a Texas Corporation bidding one lump sum of \$1,500.00 for all vehicles included in this bid.

City Attorney DeFoyd stated that we would have to disregard his bid because we had a minimum bid on each vehicle.

Mr. Maner stated that the second envelope that didn't have a name on the outside of it was from Ten Acres Inc. and he was bidding on five of the vehicles.

1991 Chevrolet Vin.#9757

Ten Acres Inc. \$ 726.00

Roland Garza \$ 300.00

Jerry Kocian \$ 361.00

1995 Ford F150XL Vin.#1175

Ten Acres Inc. \$ 420.00

2002 Ford F150 XL Vin.#1998

Ten Acres Inc. \$ 458.00

Juavier Duran \$ 300.00

1997 Ford F150 Vin.#4220

Ten Acres Inc. \$ 822.00

Jerry Kocian \$ 361.00

Ishamel Palma \$ 850.00

Robert Huitoro \$ 275.00

1991 Ford F700 Dump Truck Vin.#0789

Ten Acres Inc. \$ 456.00

Page 6 – March 28, 2013

1999 Ford F350XLT Ambulance Vin.#4870

Jerry Kocian \$4355.00

City Manager ask the City Secretary to recap the bids and she advised who the highest bidders was on each vehicle:

Ten Acres Inc. was the high bidder on:

1991 Chevrolet vin#9757	\$ 726.00
1995 Ford F150 Vin#1175	420.00
2001 Ford F150XL Vin#1998	458.00
1991 Ford F700 Dump Truck	456.00

Mr. Ishamel Palma was the high bidder on:

1997 Ford F150 Vin#4220	\$ 850.00
-------------------------	-----------

Mr. Jerry Kocian was the only bidder on:

1999 Ford F350XLT Ambulance	\$4355.00
-----------------------------	-----------

City Manager Maner stated that he would recommend that we sell them to the high bidder.

A motion was made by Council Member Diaz and seconded by Council Member Lee that the vehicles be sold to the high bidder. Vote: 4 For 0 Against

3. Larry Schion, 506 Hare Cook Rd, Crosby, Tx., stated that he had something that he wanted to talk about but he didn't think he had all his ducks in a row just yet. He stated that he had talked to Mr. Joe, that he had been having some arguments back and forth with Mr. Walker for probably six months to a year and he ordered some DVD from the police department from where he made his stops and stuff, there was some stuff on it that was kinda disturbing to him, it might not be to some people. Mr. Schion stated that he went to Joe's office and ask how could we stop the turmoil in between and he had originally just ask Mr. Walker for an apology for his lawsuit that he sent him and he said absolutely not so he took that for what it was worth, just flat no but he did give it his effort and he didn't know if a lot of people know that he does try, he went down to Joe's office on several different times so Mr. Joe told him after the lawsuit was won and he owed him

Page 7 – March 28, 2013

and his lawyer \$7300.00 he still wasn't satisfied with that. He stated that the day that Mr. Walker was shot, thirty minutes before he was shot, he went down and filed with Mr. Schion's lawyer to appeal it and now if he loses he would owe him 15 grand and he just want to say that a lot of people don't understand that he gets up here and tries to fight for what is right , he had been doing it for 30 years and he knew Ms. Joyce had sat there and heard

him for at least 27 years but he came before her. He stated that he tried to preach what was good for people, what was good for him and the people of this city that he lived here 35 years so he helps people in this city very much and he heard someone here tonight say that he just wanted to pat himself on the back and it really tears him up to think that people would think that, he had never gotten anything back from this city and it upsets him when people think that because what he is trying to do with Walker, it was not about what he was going to gain for it, he already had \$10,000.00 in it, how was he going to get his money back, what was he doing for gain, it was for what was right and what was wrong. He stated that he had never been in trouble anywhere other than Jacinto City. He stated that it upset him because the same day that Joe Ayala said it is over Larry, and he was sitting right over there they could ask him themselves, he said it was over, I had his word and the same day that he was shot he filed an appeal so apparently he doesn't listen to his superiors and evidently he lied to him because Joe told him and he ask Joe if he didn't tell him that. (Chief Ayala answered from the audience and was not pickup by the sound system. Mr. Schion stated that God blessed him with being able to give the people and he would hate to think that anyone in this room thought that he gave anything for a gain back, that he had been watching the police department for 30 years and he discussed an incident at the fire department when Chief Hobbs was over there when Joann Griggs tried to sneak in on the city that she could live outside the city as well as the fire chief and police chief and he, Wanda and three other people hit the streets, no body else helped but we thought that it was important that they live here and they lived here until the day they moved and Joann Griggs broke the charter and when she went, it wasn't long before David Gongre went. Mr. Schion went on to say that the police department arrested him for what they called an illegal carry and he had a gun license and went on to describe what the law considered an illegal carry and the things that he does is very controversial and he just wanted people to understand that he was not always a jerk but if provoked, he could be. He stated that they didn't understand what he had been through here so he was going to come back up and tell them one of these stories for 20 stories and then that should give enough time for what he has stood up here to speak for will come around where they do an investigation and he would know more about it and he just wanted to let them know that the same day that he got shot he had filed an appeal and to him karma was a bitch and it would always come back, if you are bad to people sooner or later it was going to come back and it was going to bite you in the butt and he thinks that day he got bit in the butt.

COMMENTS FROM MEMBERS OF THE PUBLIC:

Page 8 – March 28, 2013

Mary Robinson, 10109 Munn St., stated that she was the Mayor's wife and worked at Jacinto City Elementary School and ask Chief Ayala to join her at the podium. She stated that Monday after all of the stuff that went on Friday night, she was going to go to their Principal and ask for letters from the students and she didn't have to do that, the students took it upon themselves, they started bringing letters to the councilor and she would like to present these letters, there was an envelope for each officer from the students of Jacinto City Elementary.

Chief Ayala stated that he was very honored and very proud to be a member of the Jacinto City Police Department and he would forward these to the officers and once again, he wanted to thank everyone, including the council, administration here and he knew that many of them came out to the scene and he knew that there were some issues that developed, that we all need to work together, get them resolved and make it safer for everyone.

Council Member Diaz advised that her son Nicholas's letter were in there that when he came home today he told her that he wrote two letters today and when she ask him to who, he said the two police officers that got shot.

Raul Rodriguez, 1410 Jennifer, stated that he had been living here for many years and he also wanted to let them know that he worked with LULAC for 15 years and 10 years in civil rights and if he had had a complaint against the police department he would tell anybody to put it in writing and he would check it out. He stated that Chief Ayala had an open door policy the same as the council up here. He stated that he would be honest , he had had nobody, since he had been in LULAC, come and tell him that our officers, in this city, are no good. He stated that he had been coming to the council meeting for a long time and he always said these officers want to go home to their families and when they are shot that hurt s, they are bother's and sisters and when he found out they got shot he couldn't sleep, he prayed, asking God to not let these two officers die. He stated that when you call them you don't know what is going to happen and behind that badge is a brother or sister of ours and we need to pray for them. He thanked the chief and everyone for a good job.

Mr. Anthony Gonzalez stated that he never comes to these council meeting and it was his first time and the only reason was because of something that happened on Monday and it really got to him because he was practically raised here in Jacinto City and when that incident happened on Monday, it really scared his kid, he said Dad we can't sleep, we are scared and he told him to not worry about it, God was with them and we called out the cops and they came out and did their part as far as he knew, they came up and down to check and he told them they were ok. He stated that Wednesday when all of this occurred

Page 9 – March 28, 2013

it really surprised me because those officers made him, his wife and kids understand, they took a bullet for them, not just the way they looked at it, they really helped them out because his kids said, Dad we have never gone through nothing like this and that close, he stated that he knew what happened and there were a lot of stories out there but they saw what happened Monday and it scared his kids, his kids were teenagers and had been here all their lives and they said this was the first time anything like that had occurred around us and they were really proud that the officers actually did something because there was probably a lot of officers that would say well we don't know who did it and they were really proud of the officers that went in there and found out who did it and were able to capture this kid

because now he kids can sleep, they feel a whole lot better, they say they know the police department is behind them, they were actually doing their job and it really hurt him because it was so close and he could tell everybody here that what they went through you would only understand if you were that close to the bullets and they responded so quick and he had to say the officers did their job, it was sad that they had to take a bullet for us but he felt that was their job and they did it for us not because they were trying to show to anybody else what they weren't and it really hurt them because they were good officers, they see them all the time and didn't expect anything like that especially for a 17 year old kid that was just starting life and didn't know what he messed up and he just wanted to tell them that the officers were doing their job because he had been here all his life and his kids are growing up here and they used to feel safe and after this happened they weren't safe that day but after they found out what happened and they capture him they felt a lot safer because they knew the officers were doing their work.

Council Member Diaz advised Mr. Gonzalez that she knew how he felt, that Monday when it happened, her son was at the baseball park and the first thing the coach made them do was get on the ground and he came home that day pretty shook up and Wednesday afternoon her son was back over there playing again and he said it was worse than it was Monday and she stated that she wanted to thank the coaches that were out there that when her husband picked him up and brought him home he said that the coaches make all of them lay on the ground by the pitcher's mound and told them not to move. She stated that her son was her 13 years old and he came home crying, he was scared to go bed for a couple of days and she thought that he got more scared because her husband was over at the scene and he kept calling him and asking if he was ok.

Mr. Gonzalez stated that even his wife was afraid when she would hear the ice fall down and after Wednesday he told her things were a whole lot better now we were back to normal and we just pray to God that is good and like he said for an officer to do that he really felt that they went out of their way and he thought that we should even award them with something to show them how much we really appreciate them.

Page 10 – March 28, 2013

Donna Dailey, 1701 Chasen , stated that she agreed with what everybody said here about our wonderful police department because that was what why she was here, she was safe as long as she was in Jacinto city she knew that she could pick up a phone and we really appreciate it. She stated that not too long ago we had a meeting over at our Town Hall, Larry got it together because he was upset with Mr. Walker and we had Quanell X there. She stated that she went to that meeting because she didn't like second hand information, she wanted first hand information, she didn't want someone else telling her their views. She stated there were a lot of citizens there that wasn't to support Quanell X but to support our police department and as soon as this happens, Quanell X is on television telling them that man had history with Officer Walker and she didn't know if he did or not, she didn't

remember seeing that man there but maybe he was but is there any way we can keep Quanell X out of our town because you know we fight gangs all the time and as far as she was concerned when you stand up there and she didn't care what color you are but when you stand up there and say we need the brown power here in Jacinto City and he wanted all the young Hispanic warriors to get up and help us that was not good for Jacinto City, we don't want that kind of town and if that is what it takes to fight an officer because you have personal problems with them she thought that was where we should draw the line, that made her feel unsafe to have that type of things in Jacinto City. She stated that we could look around, all of our families were mingled, that all of her grand kids except for one were half Hispanic, she stated that we don't care if you are black, white or Hispanic as long as you are a good person and she was really upset that people that don't even live here, come over here and get Quanell X going in our town and she was upset with this, maybe we can't do anything because of the Constitution but she thought we really needed to look at it because somebody being upset with an officer is causing more trouble other places, if this was true that this young man had mental issues, to get excited by somebody like Quanell X and shoot our officers then she thought that we might need to hold the people responsible that brought them into town. She stated that we have a safe town and we want to keep it safe and if you don't live here she didn't think that you should be able to bring people in to cause us trouble.

Larry Schion, 506 Hare Cook Rd, Crosby, Texas, stated that, by the way, Ms. Dailey was just spouting off because you see Walker tried to get Quanell X to come on him, it was not him, he only did it for spite because he tried to get him here on him, a white guy, making it a black and white issue. He stated that Quanell X don't help white people so he called him and told him to look at the law suit, he looked at it and said that guy screwed him but Ms. Dailey don't seem to know that, she had no idea what she was talking about.

Mr. Schion stated that the only reason he did it was for pure spite and if they didn't like him coming here, talk to Dennis Walker, he just keeps on and on, that it cost him a little bit of money to get him here but he did it because Walker wanted to do it to him. He stated that Quanell X wasn't violent, he didn't have guns, he didn't scare anybody, he had

Page 11 – March 28, 2013

a preacher man here and yea he talked to people but if they didn't like Quanell X being here they needed to talk to Dennis Walker because he was the one that started off his mouth to Eddie's Barber Shop. He stated that people keep saying we don't like him here; why, if you don't have anything to hide, don't worry about it. He stated that he probably did more for this city than most people in this room right now and just because he gets upset with a police officer that didn't have anything to do with Donna Dailey, she was always telling him that he wanted some kind of pat on the back and he never gotten a penny from them and gave thousands.

Raul Rodriguez, 1410 Jennifer, stated that when he asks for help for the scholarships, to dress a child in Jacinto City Elementary he come to the Mayor and Council and the Police

department and guess what, he has a lot of help from the police department, because of them they have dress the school children, helped them out on scholarships and what ever they need and because of them we have children that are now adults and in college, because of them we have children in Jacinto City that are being dressed and provided backpacks and he likes to live in this city because we all work together as brothers and sisters and we are going to stay united and today we stand up for this police department and the two police officers that got shot .

Dee Owens stated that she just wanted to lighten up and tell them they should have seen Ana go into action, that they were down at the T-ball and Ana starts getting texted and she took care of all the ball fields, she got it cleared out as soon as she got the thing and was down here making sure all the other ball fields were cleared out so she wanted to say that Ana certainly was going to make us a good Mayor.

Ms. Buck, with the Boy Scout Troop, stated that they appreciated them letting the scouts come tonight and that scouting was started out here by J. P. White in 1939 and he passed away in 1998 and she and her family had been in scouting for over 40 years, they had tried to invest in the boys and the community. She stated that their boys were ask to do a flag ceremony at San Jacinto Cemetery a few years ago and she told them they would do that if they could put miniature flags on the veterans graves and the director at the funeral home stated that they didn't know who the veterans were so she got on the phone and located about 50 and then she had a few scout groups called her to see if they could take part and last year the scouts put out over 600 flags at San Jacinto Cemetery and ask that anyone knowing of a veteran buried out there to please let them know because they didn't want to leave anybody out. She stated that the reason they were here today was this is their only fund raiser and the boys were selling coupon books and went over where a lot of the coupons could be used and stated that 40% of what they sell stays with the troop to help buy whatever they need and the boys had coupon book with them if they would like to purchase them.

Page 12 – March 28, 2013

Council Member Diaz stated that she would like to talk about their Easter Egg Hunt and there were a few people that she would really like to thank and that was Lori Castillo, LaGloria, the Seydlers, Dee Bellotte and also the council members that attended as well as She especially wanted to thank Gregg and Peanut for helping with their hotdogs this year and they did get a contribution from Mike Schmidt, they donated \$200.00 to go purchase the hotdogs and while she was at Sam's shopping she got a call from Mr. Gregg telling her that he had her a 180 hotdogs buns and then he call her back in about five minutes and told her he had her a 100 hotdogs and this gave her extra money to buy more stuff and she definitely wanted to thank Gregg and Peanut for doing that. She stated that what she did with the money that was left over was buy some extra baskets to raffle and we also had cookies this year so they got a hotdog, a cookie, drink and a bag of chips and they loved it. She stated that around the end they ran of out of hotdog buns and they had about 30

people left and she thought they would leave but no they said they would wait so Carmela ran and got more hotdog buns and she told them it would take about 15 minutes and they said they would wait and they did and she wanted to thank Carmela for going out and buying more hotdog buns. She stated that they had between 350 to 400 kids out there and they had a blast. She stated they had extra golden eggs out there but they didn't come by and claim their prizes and someone ask if they could raffle those off, they did and there were two people here that won Easter Baskets, Ms. Campbell and Jack Maner. Ms. Diaz stated that she also wanted to thank Ms. Linda Wooten, our Easter Bunny, that she had been our Easter Bunny for the past 15 years and she also wanted to thank Precinct 2 Constables office because they were also out helping toss eggs and provided us with a second Easter Bunny. She stated that she also wanted to thank Galena Park High School LULAC because they came out and helped them.

Council Member Rivas stated that the question that he had was about the baskets that we had collected at public works now, the shopping carts, were we working on disposing and cleaning that up and was advised that we were.

Mr. Rivas stated that the other thing that he had was that on opening day of baseball, after the parade and the opening ceremony he did his opening day speech as fast as he possibly could and one of the things that he mentioned was that inside the field work hard and challenge each other to win but outside the field remember that we are all friends and neighbors and he just wanted to say that and what he sees today with so much support for the police department and the fire department, everything that took place this was one small friendly community and God Bless them.

Council Member Diaz stated that she also wanted to thank the seniors, they stuffed 6000 eggs but didn't meet their quota this year, that last year they stuffed 6000 eggs in 45 minutes and this year it took 2 hours and 30 minutes because a lot of the seniors were

Page 13 – March 28, 2013

gone to Austin for the swearing in ceremony of Sylvia Garcia but the seniors that were there got more donuts.

Council Member Lee stated that he would like to say God bless all of them and have a wonderful weekend and a beautiful warm Easter and he appreciated all of them.

Council Member Garcia ask everyone to take out their three fingers, put the middle one down and say God of a second chance, God of the resurrection and God of a strong comeback and wished everyone a happy Easter.

Mayor Robinson wished everyone a safe Easter.

The meeting was adjourned at 7:10 p.m..

Respectfully submitted,

Joyce Raines
City Secretary