

COUNCIL MEETING, THURSDAY, MARCH 14, 2013, 6:00 P.M.

The Mayor and City Council met in regular session on Thursday, March 14, 2013 at 6:00 p.m. with the following members present: Mayor Robinson, Council Members Rivas, Council Member Diaz, Council Member Lee and Council Member 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 Lee and seconded by Council Member Garcia to approve the minutes as presented. Vote: 4 For 0 Against

DEPARTMENT HEAD REPORTS:

Chief Ayala advised the Mayor and Council that everything was going fine, they had been very busy and everyone was doing a good job.

Chief Squyres stated that since it was a long agenda, he would pass.

Kyle Reed, Public Works Director, announced that they had a rabies clinic coming up April 13th at the Public Works Facility and they would be advertising as they did every year. He stated that our sludge press at the sewer plant, which was almost a two million dollar job, was started and running now that Council Member Garcia, City Manager Maner and Lon Squyres had visited and it was going to be a big addition, it was going to make our operation at the sewer plant a lot better and save the city some money, he was thankful that we had it and it was paid for by a grant from the Texas General Land Office, he advised the other council members that it was in full swing now if they wanted to see it operating. He advised that the tall building next to PD was going to come down next week and advised people that lived right around PD to take things off shelves and sit them on floor because when they started busting that slab out, it was going to be a job, they didn't make concrete like that anymore.

Ivan Rojas, Parks and Recreation, reminded everyone that on March 23rd we were having the baseball and softball parade and also on Sunday they were having the Easter Egg hunt which would start around 2:00 p.m. and ask everyone to come out and get some eggs.

Cindy Miller, Heritage Hall Director, advised that their St. Patrick's day party was Friday at 10:00 a.m., Monday night was game night from 4:00 until 7:00 p.m. and Thursday they were going to be stuffing all those eggs and she would let Council Member Diaz tell them about the other event this week.

Stephanie Orr, Jacinto City Library, advised that the library had been busy this week with Spring Brake, that they had computer games for the kids and had very good turn outs both days.

Mayor Robinson stated the Mayor's report was going to be short tonight, he recognized Constable Chris Diaz and thanked him for being with us.

Council Member Garcia recognized various members from the City Boards and thanked them for being there.

City Manager Maner stated that he always says things are going fine and if they are not please let us know. He stated that a new addition of our newsletter would be mailed out tomorrow so they should be getting it over the weekend or first part of the week and ask that they please read them.

There was no Unfinished Business.

NEW BUSINESS:

1. Ms. Stephanie Harris with Belt Harris Pechacek Auditing Firm presented the city Audit for FY 2011/2012, stating it was her pleasure to be here tonight to present the city's annual financial statements for the year ending September 30, 2012. She stated that for any of them who would like to following she would reference a few pages that she was going to keep her remarks brief, that Page 1 was their official report and they were very pleased to tell them that they were issuing a clean unqualified opinion on the city's Financial statements and again this was the highest level of assurance that they could provide the city that the financial statements are materially correct and that all disclosures required by generally accept accounting practices are included. Ms. Harris stated that page 21 was an income statement for the cities governmental funds which included the General and Debt Service Fund and for the twelve months ended September 30, 2012 the city recognized 5.5 million in total revenue with expenses of 4 million and after inter fund transfers there was an overall increase in the ending fund balance for the year of \$818.000 leaving them with an ending fund balance of 9.1 million and 8.5 of that was sitting in the city's general fund. She stated that it was a very healthy ending fund balance to have and the general rule of thumb or recommendation would be three months or 25% of your annual operating expenditures for the year and the city had 4.4 million so they well in excess of that bench mark.

Ms. Harris called attention to Page 27 of the Income Statement of the Enterprise Fund which provides water, sewer and sanitation services and for the year recognizes 2.7 million in total revenues, 2.9 million in operating expenses for a loss of \$200,000.00,

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however, the city did receive a Community Block Grant for the year and as a result, there was an overall increase in that asset balance of 2.6 million.

She stated that was all she had, that she would be more than happy to take questions if they had any.

City Manager Maner stated that Stephanie and the auditors would be available in the future if any questions arise, they had always been very good about communicating with council.

2. City Attorney DeFoyd read Ordinance 2013-2 Amending the Jacinto city Code of Ordinances Ch. 2, Animal Control, Sec 3 Dogs by adding Sub. Sec. 3M Animal Waste.

A Motion was made by Council Member Garcia and seconded by Council Member Lee to approve the first reading of Ordinance 2013-2. Vote: 4 for 0 Against

3. City Attorney DeFoyd read Ordinance 2013-3 Amending Ch. 4, Business Regulation by adding Sec. 15, "Shopping Carts".

A motion was made by Council Member Garcia and seconded by Council Member Rivas to approve the first reading of Ordinance 2013-3. Vote: 4 For 0 Against

4. City Attorney DeFoyd read 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 an effective date.

A motion was made by Council Member Rivas and seconded by Council Member Garcia to approve the first reading of Ordinance 2013-4. Vote: 4 For 0 Against

5. City Attorney DeFoyd read Ordinance 2013-5 to consider and adopt an ordinance Authorizing the issuance of City of Jacinto City, Texas, General Obligation Refunding Bonds Series 2013 and setting certain parameters for the bonds.

City Manager Maner stated that before Council took any action on this, he would like to make some statements if he could, that first of all that at the last council meeting and he was sure the council recalled but not everyone in the audience was here for that meeting, the Council renewed our contract with Coastal Securities, who was the long time financial advisor for our city and our representative with Coastal Securities, Mr. Jim Gilley was in the audience tonight and will speak in a moment. Mr. Maner stated that several weeks ago

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City Attorney DeFoyd, Lon and himself met with Mr. Gilley about the refunding issue and as they could see by the City Attorney reading it by caption, this was a 24 page ordinance, very

long and very complicated but basically what it was a refinancing just as if you refinanced the mortgage on your home. He stated the city, back in 2002, when we did the big sewer line, 7.25 million he thought when the city issued these certificates of obligation and have been paying for them ever since and they mature in 2024 and as we are all very keenly aware the economic situation has changed a great deal since 2002 and now the interest rates are so low that we are making any money on the money we have invested, instead of paying the high interest rate that we are paying on the others, which was low at the time we did them of course but now we can do much better, we can save the city considerable money over the term of the bonds by doing this and the City of Galena Park had already done this and several cities were doing it and he recommends, if it suites the Mayor and Council, to let Mr. Gilley give a very short presentation and of course he was here available to answer any questions council might have.

Mr. Gilley introduced himself, stating that he was with Coastal Securities and had been working with Jacinto city for more years than he would probably like to admit but just as Jack said, this was an opportunity to refinance the city's outstanding debt at a lower rate. He stated that their outstanding debt for the 2002 bonds, he thought, was about 4.86 million and they bear about an average rate of about 3.05% and based upon todays recent rates this week we could expect to refinance those at about 1.9% interest rate and that would save them north of a million dollars under this scenario that was on their table would be about 1.3 million and translated to about \$115,000. To \$120,000 a year. He stated that one of the transactions assumes contributing a fund balance of about 1 million dollars and that money they would be putting in to reduce the bonds, they would end up with about 3.8 million dollars of outstanding debt, partly because of that contributed contribution and that was like earning the 3.05% on the outstanding bonds, that we were not changing the structure of the debt as it stands, the average life is virtually unchanged so we are not extending the debt, adding more interest, it was virtually the same as we had now but we would be paying less debt service and these savings were after all estimated expenses really what it is, is like money laying on the ground for you to pick up, like Jack said about refinancing a mortgage. Mr. Gilley thanked them for the opportunity to serve the city.

Mayor Robinson advised the Council that this only required one reading and ask for a motion.

A motion was made by Council Member Garcia and seconded by Council Member Rivas to accept Ordinance 2013-5. Vote: 4 For 0 Against

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6. Mayor Robinson advised that Ms. Jones was not present to address the Mayor and Council so we would pass on this item.

7. Mr. Schion stated that he would pass on the agenda item and speak under

Comments from the public.

8. Mayor Robinson advised that Flo Davis was here to address the Mayor and council regarding Helping Hands Food Pantry.

Ms. Flo Davis, 11606 Seagram in Jacinto Oaks stated she was a volunteer at Helping Hands Food Pantry here in Jacinto City and they serve only people who live in Jacinto City and she had their President Mercedes Eastep and Secretary-Treasurer Kay Howard here and they had all the information they wanted to relate to the council

Ms. Howard thanked the Mayor and Council for having them tonight, stating that she would like to give them a little of the background on Helping Hands of Jacinto city, that they were founded in 1988 and that same year they were able to get their 501C showing that they were an exempt facility. She stated they were completely housed in the Jacinto City First Methodist Church, they used a portion of that building and all of the people that work for helping hands are volunteers, they receive no compensation of any type, they rely on financial gifts to be able to continue and they did get a couple of grants, that they receive a \$750.00 grant from Walmart every other year and they did receive a fairly sizeable grant from the Community Hospital Foundation but it looks like it would not be available this year. She stated that the people are able to come for help provided they show need, that first of all they live in Jacinto City, they have identification to show they are who they say they are and also show what their income is and that it meets the poverty level. She stated that they were able to serve only once a month and when they came, they were able to provide enough food for three to five days and that was the summary of what they were right now and unfortunately, like she said, they were in Jacinto City First Methodist Church and they had been told that this would no longer be available to them, they would have to find some other place to go and they had made efforts to do that without success and as of this very moment they were anticipating closing as of March 31st of this year which means that more than a 1000 families, representing more than 4000 mouths from infants to the elderly would not be able to come anywhere in Jacinto City to get food, she was sorry but as of March 31st they would have no other choice but to close their doors and if they had questions, she would be happy to answer what she could.

Council Member Diaz stated that she would hate to see them go that she knew they provided for a lot of our citizens that she did this only once a year, that they worked together, that whatever she had left over went to them and it was going to hurt.

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Ms. Howard stated that she could not tell her it won't that she worked at the Baptist church across the street and even now she had lots of people who came to her door because helping hands is only open two days a week, 10:00 a.m. until 1:00 p.m. Tuesdays and Thursdays.

Council Member Diaz said she had people coming to her house or calling and she and her husband Chris use their own personal fund and the good thing about it was she had the police department calling her and asking if she could help a family and she does ask the council to help but the majority of the time she just goes herself and buys whatever she can and she knew it was going to affect a lot of people with them not being there.

Ms. Howard stated that they had looked at her church, First Baptist, to see if they could find room and unfortunately, in the past when everybody was young they built a lot of stuff on the second floor and we could not ask people coming for help to come to a second floor and with that and no access to anything else they had found up to this time, their only choice was to close their doors.

Council Member Diaz said so basically they were needing a space to stay open.

Ms. Howard said that if anyone could provide space, that the only thing that they pay Jacinto City First Methodist is a third of the portion of the utilities and as she said, they have very little money to work with, basically volunteers, donations and gifts.

Council Member Diaz stated that she had volunteered at Helping Hands before and donated food and cloths and people did come in there just to get the cloths.

Ms. Howard said the gifts of the cloths are what they receive and they put them out on the table for whoever wants them, and as she said, due to the lack of space we can only provide enough food for them to come once a month, that they keep track and if they come on the first of the month then they are ready to come the next month on the first but if they don't come until the 25th of the month, they can't come on the first, they have to wait until the 25th because they just can't over serve or they won't have anything left.

Council Member Diaz ask how big of space did they need.

Ms. Howard advised that they presently had three rooms which probably would be the equivalent of three bedrooms but they would have to have it on the ground floor, they would have to have parking space and whoever was willing to give them that space would have to understand that there was some trash that would be found and she was not talking about people but stuff that would be on the ground.

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There was a question ask from the public that was not picked up by the sound system and Ms. Howard answered by saying that they use electricity, they had a phone, a computer and they have one large commercial freezer/refrigerator and two other refrigerators.

Council Member Diaz stated that she had talked to Ms. Mercie about knowing Mr. Bevo in Galena Park and he had a church and she knew that he was willing to rent a space there but it was in Galena Park.

Ms. Howard stated that right now, their anticipation was that they would contact North Channel Ministry and tell them we would give them our food and the people of Jacinto City would have to get there and that was a problem, some of their people come bringing baby strollers and they are talking food home on the strollers.

Council Member Diaz stated that she had dealt with North Channel Ministry and they helped her out a lot during their food baskets, they need toys and she needs food so whatever extra toys she has she donates to them and they donate food to her for the food baskets and what food they have left over they send to them at Helping Hands.

Ms. Howard said that if anyone could come up with a really fast decision on trying to help, their volunteers would help to do whatever they could but as they could probably pickup, their volunteers were mostly those that have retired from other jobs and are over the age of 65, that they don't have a whole lot of young people, the only time they see young people was when they were doing community service.

Council Member Diaz stated that she hated to see them go, that they helped her during the holidays when she needed to go with Mercie to the food bank and get a pallet and without them she would be losing as well because without them around she would not be able to get those pallets.

Ms. Howard stated it was a problem and they saw a larger number of people coming during the summer when school was not open because a lot those kids get food for their breakfast and lunch and when that is not available through the schools because they are not going to school then they get socked because there is more need and right now they can't provide any need unless somebody can come up basically with something in 16 days they were out.

Council Member Diaz stated maybe we could get our heads together and see what they could do and did they want her to get hold of Bevo in Galena Park to see if they wanted to go and look at what he has.

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She was advised that this program was set up through the Food Bank for Jacinto City and the people who come have to have to show that they were within the city limits of Jacinto City and if they are not, they could not feed them.

There was general discussion concerning the Helping Hands Food Pantry.

Mayor Robinson stated that we would have to see what we could come up with.

Council Member Rivas stated that it saddened him to hear that but if anyone comes up with anything to let us know.

Roy Moreno ask about the building behind the fire station that used to be the preschool.

City Manger Maner stated that first of all everybody knew where the old library building was by the gym and that was where we had been storing all the Christmas decorations that goes throughout the city each year and that is going to be refurbished inside, that it was a very historic building, it served as the first city hall in Jacinto City, it was not going to be a museum but it was a historic building and there were organizations in the city such as the Little League and things that sometimes need a place to hold their meetings and that was the purpose of that building and that in turn means we have already spent a couple of thousand dollars on the pre-school building and they could see that it had some tarps on the roof and in a very short time it was going to have a new roof on it and it was not very stable inside, we have to do a lot of repair work inside also but that was going to be turned into the storage area for the things that were taken out of the building down by the gym and also part of it would be a workshop for the maintenance department of parks and recreation and it was only not being used now because of the condition of the roof but it would very soon be put to use that we had already redone the wood foundation and the simple fact was the city just doesn't have facilities that he was aware of.

COMMENTS FROM MEMBERS OF THE PUBLIC:

Council Member Diaz stated that her son Nicholas wanted to talk, he was a little shy but he could do it.

Nicholas stated that he was selling Bar-b-que tickets for his baseball team and one ticket was \$7.00 and if you wanted three \$21.00, his dad Chris ask him what day he was having it on and he said Saturday at 12:00 o'clock, it was on the corner of Munn and Holland. His Mon Council Member Diaz stated that he was selling Bar-b-que for \$7.00 for this Saturday on the corner of Munn and Holland in front of the Well Care Clinic and she was sorry he was shy.

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Constable Chris Diaz stated that many of the leagues were going to be out raising money for the cause to be able to buy uniforms and whatever they need to make their team successful this year so if you see them out there trying to raise money try to support your local little leagues, we need to keep these leagues going and he would like to thank the City of Jacinto City for all their hard work in supporting these teams and helping these kids to get out there and focus on something besides getting out on the streets.

Mayor Robinson stated that we had a Boy Scout in the audience and ask if he would like to introduce himself.

He stated that he was Jason Brodreux and that he was here to observe, he was working on his merit badge.

Mayor Robinson advised everyone to bring their money on March 28th, the Scouts would be to sell their coupon books.

Larry Schion, 506 Hare Cook Road, stated that he was a little confused, that he raised over 250 pit bulls and sold them too and he was just curious on their new dog law, didn't they think there needed to be like a picture or a camera because his dogs used to go poop in peoples yards and if people gets mad at someone they could just say his dog so he thought that there needed to be a video tape or a picture of the dog so that we can go find who owns this dog and say there is your dog and there is your poop and then you could charge \$100.00 to \$500.00 but just by somebody saying that how do you tell whose is whose.

Council Member Rivas ask how many people had cell phones here with cameras.

Larry stated that he was just curious, something should be documented where they take a picture of it, that way when your officers go see it, they don't make an idiot out of themselves because he would question it, how did they know it was his dog and if he didn't have a picture, then how did you tell.

City Manager Maner stated go to court, testify in court.

Donna Dailey, 1701 Chazen, stated that she just wanted to add something to this little league , that this year the little league started with basically 0 in their account. She stated that in the past, coaches and managers have had to go out and buy their own equipment, that last year her daughter spend almost \$800.00 out of her own pocket to do this and back a few years ago, her son was forty-six, and back when they did it, they had princesses

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and queens and she went and talked to the president the other day and they discussed how they could do some fund raising and that came back, they are doing the princesses and queens so they were in competition, they were all working for the league until opening day and after opening day, the teams will be working for the team, for their party, etc. but as of right now they were all working for the league and although they were in competition you were going to see a lot of money being exchanged because they buy from each other, it was all for the kids but they were in competition and that was where the banana bread came in and she wanted to thank them for buying the banana bread.

Mary Stiles, 10706 Oswego, stated as she mentioned before, she works for TCEQ and she was listing to them about the ordinance on the dog waste and she brought a box of 100 containers with doggie bags for the council to distribute, they were very useful , they were

free and she could also get more if anybody would like some more and what it was is just a container and it contained doggy bags, it was a good invention and it was good to distribute because she thought that by distributing these and anything you distribute for free, it would get the message along with food but you don't want to eat and walk your dog at the same time, she didn't think that was very appealing, she just wanted to let the council know that she brought a box of 100 and if anyone cared to grab one they were more than welcomed to do so and she could also get some more and maybe this would help a little bit.

The Mayor and Council thanked Ms. Stiles for the containers.

Robert Hernandez, 10245 Chadwick, a long time member in good standing with the girls softball league and there was no one here to question that so anyway everybody please support your local little league, your softball, girl scouts, boy scouts and please support youth in general and the softball league was also going to have bar-b-que plates they would be selling on opening day March 23rd and they were doing a pre-sale, \$7.00 per ticket with brisket and all the trimmings.

Dee Owens, stated that she would be really fast, that first of all her great grand daughter was the princess for Donnas' team, her name was Sophia Garza and please buy a lot of banana bread. She stated that what she wanted to do was thank our Department Heads and Jack Maner for that fantastic report, she thought it went over everybody head here. She stated that she knew for a fact, because her daughter Kim was Parks and Recreation Director, how hard these department heads worked on that budget, they worked and they co-operated and they worked together, no department head was selfish when it came to making the budget and for the cities that we see all the way across the united states that are in trouble, she wanted to thank our department heads and especially Jack Maner, some people wondered what he did but at budget time all weekends, all nights, all the minutes

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he is home he sets in his little office where he can work without being disturbed, working on that budget and thanked him for the financial responsibility of our budget .

Council Member Diaz stated that she just wanted to mention that Monday she took the seniors out to lunch at Salt Grass and they had about 15 or 16 and they enjoyed it and before they left, they wanted to go to the Potato Patch next month so they have already ask to go to the Potato Patch next month. She stated that they went through lunch and they had a senior menu and they really enjoyed it and that she also wanted to mention Sunday, the Easter Egg Hunt and she wanted to thank Peanut and Gregg for donating some candy and if she wasn't mistaken they had over 6000 eggs they had to stuff. She ask if anyone knew of a Easter Bunny costume, that we used to have Mr. Wooten's daughter be our Easter Bunny and this year she was not up too it so if anybody had a costume they would like to lend us or wanted to dress up as a Easter Bunny that would be great.

There was discussion about the seniors stuffing the eggs and Ms. Diaz stated she thought that was next Thursday and they did an excellent job and she thanked them so much and the reason they were doing Easter on Sunday this year was the parade and opening day for baseball and she was doing it after 2:00 p.m. so it would be after church and Schmidt and Sons was providing the hot dogs this year for the kids.

Council Member Garcia stated that she wanted to thank all of the department heads for doing a good job and if they wanted to see the sludge press get with Kyle and check out the poop smasher.

Council Member Rivas stated that he would like to say thank you so much to Kyle and Ivan for all that they do over there, he was Parks and Recreation and people wanted to pat him on the back and he says not me, it is those two guys over there and that guy over in the corner there too and thank you so much, that it all worked kind of in conjunction if you thought about it, starting with Ana, the seniors who were parents, have kids, roads to get to, public works to take care of stuff, police to police the area, it all works together you know and he thanked everyone so much.

There were comments made from the audience that was not picked up by the sound system.

City Manager Maner stated that it occurred to him, talking about the Easter bunny costume and the Helping Hands situation, he was an old timer so he was not familiar with it but he wondered about going on the social media and letting the need be known, there was a face book that was friends of Jacinto city and if someone who knew how, not him,

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put something on there that you were looking, that you were in dire need of a location, that the Easter Egg Hunt would love to have a volunteer who had an Easter bunny suit, who knows.

There was discussion on what was needed for Helping Hands and could it be in a residential areas and it was the consensus that there would be a problem with parking, etc.

Mary Stiles stated that she brought the box of poop containers and she knew the 23rd was a busy weekend for everyone and she was having a Trash Bash and what it was is that she has lots of boy scouts and girl scouts and volunteers, students from 1st grade to junior high and this was a once a year event, they go out to different areas and clean and pick up trash in those area and her areas this year was Mason Park and they provided lunch, T-shirts, door prizes, etc. and their sponsor was HGAC. Ms. Stiles stated that she would like to see about including Jacinto City in one of these events and was advised by the City Manager that the

city was a member of HGAC and that Council Member Garcia was the city's representative to that organization.

Mayor Robinson adjourned the meeting at 7:15 p.m..

Respectfully submitted,

Joyce Raines
City Secretary