

## COUNCIL MEETING , THURSDAY, JANUARY 10, 2013

The Mayor and City Council met in regular session on Thursday, January 10, 2013 at 6:00 p.m. with the following members present: Mayor Pro Tem Ana Diaz, Council Members Rivas, Lee, Garcia and Gonzales; City Manager Maner, City Attorney DeFoyd and City Secretary Raines.

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

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

Mayor Pro Tem Diaz ask for a moment of silence in memory of Mayor Nunez and her family, stating that she would be missed.

Mayor Pro Tem Diaz stated that it had not been an easy week for all of us and she would like to express her condolence and prayers to our late Mayor and her family, Mr. Felix and her two sons. She stated that Mayor Nunez dedicated her life to making sure her community was performing at its best and she knew her wishes for us as, a community, was to continue her legacy as true leaders, so tonight she ask that we conduct our council meeting with Mayor Nunez in our hearts and assure the one that has led our city for many years that we will continue her great service. She stated that she was sure that we all had memories of Ms. Nunez with us and she would be missed and let's do right for her, continuing everything and keep it the way she would want it by continuing her traditions, Programs and make her proud of us.

### DEPARTMENT HEAD REPORTS:

Chief Ayala expressed his condolences to the family of our Mayor Rachel Nunez, stating that we were all going to miss her, that she had a great concern about our community and a voice for the community and we were going to miss her.

Chief Ayala stated that he also wanted to pass the information that apparently there was a problem in Jacinto Oakes yesterday with a power outage and he was informed about the concern about the darkness and the security and he just wanted to let them know that they were there and Constable Christopher Diaz was there with officers from both departments and he just wanted to say that he did appreciate the call that they received from some of the residents about the security and as far as he knew, we didn't have any problems there throughout the night and he just wanted to let everybody know that they were there for them, just let them know their concerns.

Constable Chris Diaz expressed his condolence to late Mayor Rachel Nunez and her family, that he had a lot of great years working with Mayor Nunez on the City Council and as the Mayor he supported her very much and he supports her beliefs, she was a strong leader and she could get things done and as a part of this community and as a Constable of Pct. 2, he would like to commend her services to our city and to surrounding communities beyond us, she was community, she knew what community was about, she took care of our administration, our seniors, our youth and our City Council and everybody else with all of her programs and traditions that she was able to pick up from past administrations and go forward with them and we need to continue that. He stated that he was a true resident of this city and he wanted to continue to be a resident of this city and he wanted to make sure that we continued her services, dreams and beliefs.

Chief Squyres stated that like the other departments, we all have heavy hearts because of the loss and of course the police and fire department dealt with that loss first hand and it was extremely hard for those first responders as well so we have been giving them a little TLC. He stated that many citizens had ask about picking up hazardous waste for households and we do that every couple of years at least and we would be doing this on March 23<sup>rd</sup> and we wanted to give everybody as much notice as possible and it would be held at our fire department. He cautions everyone to be careful and make sure their heaters were safe to avoid fires and if they had any concerns at all to call the fire department and they would come out.

Kyle Reed, Public Works Director, stated that he would like to offer his condolences for himself and the public works department, that Rachel was very well loved at public works as she was throughout the city and it had been a pretty tough week for everybody , we would get through it but she would be greatly missed. He stated that he wanted to mention the rain fall yesterday, that we did well, he had not heard of any flooding and if anybody had any problems with flooding he would like to know after the meeting but he didn't think we did.

Kim Bellotte, Parks and Recreation Director, stated that she would also like to express condolences from the Parks and Recreation Department for Ms. Nunez and her family, that she did get a chance to have a great conversation with her the day before she passed. She stated that she wanted to introduce Ivan Rojas, who had been with us for about 12 or 14 years and he had been her assistant for that long and thanked him for all his help.

Cindy Miller, Heritage Hall Director, advised that this week had been absolutely horrible for them, that she had been employed by the city in March and Rachel was elected in May and she was her liaison on City Council for about 11 years and she would be greatly missed by her and the seniors, the seniors loved her, she did a lot for them and their

program and it was very sad but hopefully they would be involved in the community programs the seniors have always been involved in.

Mayor Pro Tem Diaz advised that we would keep them up and they would always be there.

Stephanie Orr, Jacinto City Library, extended condolences from herself and the library staff, advising that they put a blog up on the library's web page in honor of her and the work that she had done in the city and posted the picture on the front door and everyone was asking about her.

#### MAYOR'S REPORT:

Mayor Pro Tem Diaz stated that she had already said what she had to say.

#### CITY MANAGER'S REPORT:

City Manager Maner stated that except for the great loss we were all talking about, Mayor Nunez, he would say his usual, the city was going well, that as Kyle had said, we had some rough weather last night as everybody knew and we have had a lot of rain and the system had held up well and if they knew of any problems to be sure and let us know.

There was no Unfinished Business.

#### NEW BUSINESS:

1. City Manager Maner advised that the board met on the request for a change to the setback line at 1215 Akron on Tuesday night and the board split, voting 2 to 2, there were four members present so it was a tie and it was up to the council and he didn't know if the council was ready to act on that tonight or wanted to table it.

Council Member Garcia stated that due to all that was going on with Mayor Nunez passing they had talked and decided that it might be best to table it and choose a future date to meet in a special meeting or wait until the next council meeting. Ms. Garcia stated that she would not be able to come to the next council meeting, that she had something scheduled at work.

Mayor Pro Tem Diaz stated that we could schedule it for next week if she was not going to be at the next meeting.

A motion was made by Council Member Gonzales to table action on the variance request for 1215 Akron and the motion was seconded by Council Member Rivas. Vote: 4 For 0 Against

2. City Manager Maner advised this was a request to allow an apartment project to be built at 10933 Lane and on this particular one, the Planning and Zoning Commission met on Tuesday night and it was an unanimous vote to deny the request but of course council can take any kind of action they like or table it.

A motion was made by Council Member Rivas and seconded by Council Member Lee to table the recommendation of the Planning and Zoning Board at 10933 Lane. Vote: 4 For 0 Against

3. City Manager Maner advised that the law required each year that the city approve The Investment Policy and they had it before them, it was the same Investment Policy that we have had for several years, there were no proposed changes and he had just returned last month from a training session on the Texas Public Funds Investment Act and he didn't recommend any changes at this time and that we adopt the same investment policy that we have had for several years.

A motion was made by Council Member Gonzales and seconded by Council Member Garcia to approve the city's investment policy. Vote: 4 For 0 Against

#### COMMENTS FROM THE PUBLIC:

Debbie Morlock, 11509 Celtis, expressed her condolence to the Mayor's family. She stated that she would like to thank the Jacinto city Police and the Constables, that during the power outage, they came running out of the house because they didn't know what was going on, that they were patrolling so much with lights shining everywhere and checking on every senior and she just wanted to say thank them very much for that. She advised that with the no smoking policy she got to sit in the front at JC Café and at Chili's and didn't even have an allergy attack and she thanked them very much.

There was general conversation about the smoking ordinance.

City Manager Maner expressed his thanks to not only the citizens but especially the businesses who had given their total cooperation with the ordinance.

Mayor Pro Tem Diaz stated that some of the businesses even said it was about time and they were not concerned about losing any business.

Larry Schion, 506 Hair-Cook Rd., stated that in 1999 and 2000 when she first ran, they were looking for someone good that would run and Chris said if they could get Rachel Nunez to run she would make a great council woman so he went to see her and spent two hours on her porch talking to her and she didn't really want to run and her husband Felix worked too much and didn't have time for signs and everything that went with it and he wanted to let them know that he financed her signs and walked for her under the reference of Chris that she would be a good council woman, eleven years went and she was a council woman and then we needed a Mayor and he went to her again and she didn't want Mayor, she was sick and didn't have it in her so she said she needed help with her signs etc. so a lot of people bound together and she won Mayor and the short time she was Mayor so there was a touch in his heart for her. He stated that he was well liked by some people here and not so much by others but Ms. Rachel always shook his hand and hugged his neck every meeting and so with that said, he didn't get up and talk about people like that but not many goes like that, it was unexpected, he didn't get to say by and he just wanted to say in front of everyone that he wanted to say by to her now.

Dale Polleck, 10325 S. Oswego, stated that he just wanted say that when he found out about Mayor Nunez he was totally in shock and he really missed her.

Mayor Pro Tem Diaz advised that Rachel's viewing would be tomorrow at the Jacinto City Town Center from 4:00 p.m. to 9:00 p.m. and would be having the service Saturday with a small viewing from 9:00 a.m. to 11:00 a.m. at the Compean Funeral Home on Broadway and would have a Mass from 11:00 a.m. to 12:00 noon and return back to the Town Center from 1:00 p.m. until 3:00 p.m. and if anyone would like to send flowers, they were ask to have them sent to Jacinto City Town Center.

Council Member Rivas stated she was the first Mayor he ever worked with and there were good memories and he would miss her.

Council Member Lee stated that she was a unique person, a bridge between people of all backgrounds and a great and caring person and we were going to miss her and he would like to say that he was called over to her house within his services as a chaplain and he would just like to say that our police and our emergency medical team and our fire chief and police chief did their usual efficient job but they were really working from their hearts and he thought they went way beyond the call of duty and he appreciated it.

Council Member Garcia stated that she had known Rachel for a long time and just sitting up here on council with her, she respected her, she was all about community, always felt very strongly about the projects we had going on in the city and she agreed that we should continue that, she had so much respect for her, she was a true leader, got things done, she

respected her for that and she would be missed, there was no other Rachel, her personality was just different and she learned a lot from her.

Council Member Garcia ask if it would be possible for them to set up a date for the special meeting today because we had postponed it.

City Manager Maner advised that next Thursday was Harris County Mayors' and Councils' Association meeting but they could meet next Tuesday night if they posted it tomorrow.

Chief Squyres advised that in the meeting the other night they anticipated this might happen and there was some question for many that attended, that both of the decisions were pretty controversial , there was a lot of give and take on both of those and many ask if we could mail them a written notice of the meeting prior to it.

City Manager Maner ask if he had a list.

Lon stated that he did and what he announced to the group there that we would do it to those that had already received the mailers and the petitioners and we ask that if anyone else wanted to be notified to let us know before they left but he was a little fearful that if we tried to do that, they might not get it in time for a Tuesday meeting.

City Manager Maner stated that was a possibility.

Ms. Gosney stated that she would be glad to donate her services to deliver each envelope to each person in order to expedite this so the applicants did not have to wait.

City Manager Maner stated that he would suggestion that since next Thursday was not a good date to go with Tuesday night and get the mail out tomorrow as early as we could but also take advantage of Ms. Gosney's offer. Lon advised that we had phone number on the petitioners and we could call them as well.

City Manager stated that he did tend to agree that he would like to give these people their hearing and news as soon as possible instead of putting it off a couple of weeks and he thought that would work for everybody.

Mayor Pro Tem Diaz ask if everyone could be there Tuesday and Council Member Lee advised that he could not but that wouldn't matter, they didn't have to worry about a tie.

City Manager Maner advised that with Council Member Diaz being Mayor Pro Tem they were down to four council members and ask if the other three could make it and was advised they could.

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Mayor Pro Tem Diaz advised that we would post the meeting for next Tuesday at 6:00 p.m. and thanked Ms. Gosney for volunteering to deliver the letters.

Council Member Gonzales stated that one thing he admired about Ms. Nunez was that she gave all of her heart to this city, she really wanted to help everybody she could and if you ever had to call her she gave you an answer and she was there for you and no matter how sick she was she was determined to stay strong to serve the people of Jacinto city and she did that well and she will be missed.

Mayor Pro Tem Diaz adjourned the meeting at 6:30 p.m..

Respectfully submitted,

A handwritten signature in black ink that reads "Joyce Raines". The signature is written in a cursive, flowing style.

Joyce Raines  
City Secretary