

SPECIAL SESSION, THURSDAY, AUGUST 23, 2012, 5:30 P.M.

Mayor Nunez called the meeting to order for the Public Hearing on the proposed Budget for FY 2012/2013, stating that a quorum was present, Mayor Nunez, Council Member Gonzales, Council Member Lee and Council Member Rivas, Assistant City Manager Squyres and City Secretary Raines.

Mayor Nunez advised that the Public Hearing would need to be rescheduled to revise Budget and ask for a motion.

A motion was made by Council Member Gonzales and seconded by Council Member Lee to reschedule the Public Hearing on the proposed Budget for FY 2012/2013 in order to revise the budget. Vote: 3 For 0 Against

Assistant City Manager Squyres stated that for the record, the reason we were doing this, as they were aware, the City Manager had made some modifications to the budget and he is asking that we wait and we were going to be scheduling a budget workshop on August 28th at 7:00 p.m. and prior too the next two council meeting we would have the Public Hearings.

Mayor Nunez adjourned the special session at 5:40 p.m..

COUNCIL MEETING, THURSDAY, AUGUST 23, 2012, 6:00 P.M.

The Mayor and City Council met in regular session on Thursday, August 23, 2012 at 6:00 p.m. with the following members present: Mayor Nunez, Council Members Rivas, Diaz, Lee and Gonzales; Assistant City Manager Squyres, City Attorney DeFoyd and City Secretary Raines. Council Member Garcia arrived after roll call.

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

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

DEPARTMENT HEAD REPORTS:

Chief Ayala stated that he would pass on his report.

Kyle Reed, Public Works Director, advised that the projects at the Water Plant and Sewer Plant was going very well and the main thing he wanted to mention tonight and assure the citizens that we have the mosquito truck on the street and everybody had heard about the West Nile virus, that he didn't want to sound like a smart aleck but the way to prevent the West Nile virus was to stay out of mosquitoes, stay indoors as much as possible after 6:00

p.m. and if you have mosquitoes around your house at 5:00 p.m. you needed to stay in then too. He stated that we were doing all at we could and Harris county was helping us, they sprayed two nights this week and had done aerial spraying in parts of Harris county but it didn't include us and advised that if you did have to go out to use lots of Off or something with the chemical Deet in it, that this was serious and precautions need to be taken.

Kim Bellotte, Parks and Receptions, advised that the summer was coming to an end, that most of the kids go back to school next week as well as the teachers, so the programs were winding down. Kim advised that they would start pre-school the day after Labor Day and they had over 70 students enrolled right now and there was word that Galena Park Recreation has cancelled their pre-school program so we are getting a lot of people from Galena Park and everything was going great.

Cindy Miller, Heritage Hall Director, stated that Wednesday, August 29th, they were having a back to school party and all the seniors were suppose to bring pictures of them selves when they were in school and they would have a guessing game to see how many they could recognize. She announced that on August 31st they had their monthly birthday party and that the calendar for September was out and they have a lot of activities.

Stephanie Orr, Jacinto City Library, stated that they were winding down for the summer as well, the summer reading program ended on August 11th and they had 51 adults sign up for the summer reading program, which was the highest amount since they started the adult program and this summer they were one of the branches that had the grand prize winner and the customer won a Kindle Fire.

Mayor Nunez ask Lon Squyres for the Assistant City Manager, Fire Chief, EMS and grant writer report all together.

Lon stated that he would skip on everything but Assistant City Manager and just wanted to make a notation that Jack was recovering and the reason he was not here was that he had a little minor eye surgery, is recovering well from that and should be back on Monday morning.

He stated that the one thing that we continue to get a lot of calls on at city hall was the Gateway Project, also known as the albatross of the city lately. He stated that if they recalled, we got a grant to build Gateways as you come into the city, one at I-10 and Holland and the other was at I-10 and Mercury Drive. He advised that we went out for bids and the low bid got the job and did a deplorable job on it, they were told to correct it, they attempted to do so and it was worse than it was before so with Mr. DeFoyd's help we were able to cancel the contract and we just hired a new contractor and we did a little

redesign on it and it was going to look a little different than originally planned, trying to make it a little bit more eye friendly, they were working on it now and we are hearing that this is going to be done in the next three or four weeks and we hope everybody is going to be happy with it. He stated that one thing he would like to remind everyone, that even though it had been an eyesore, it was free so there was no waste of tax money.

MAYOR'S REPORT:

Mayor Nunez recognized former Council Member Clyde Ochoa and Mr. Childress from Big Bass.

She stated that she had a letter here that concerned Cindy Miller and Albert and the letter came from Lynette Owens, Director of Marketing and Physical Therapist for IPR Health Care, a Medicare approved Home Health Agency. Ms. Nunez stated it was a long letter and in every sentence it had to do with the work that Cindy and Albert do, they are praising both of them for the way they handle the place, they were rated A+, they love the way they treat the seniors, that they are so close to the seniors, she stated that she didn't want to read it all because she didn't them to get to big, that she would give her a copy and ask her to give Albert a copy and ask the audience to give them a round of applause.

There was no Unfinished Business.

NEW BUSINESS:

1. Lon Squyres stated that the Variance Board met Tuesday evening, with five members present and they were considering the proposal at 10309 Market Street which was the property in front of EJ Malt and Burger and what this company would like to do is put one of these ice machines, which is rather large, about the size of a very small mobile home or large travel trailer and what they do is supply ice and water and the problem the owner of the business had with it was that our ordinance read that it would have to be 25 ft. back offset from the property line and he thought that was to far out of the field of vision for traffic and they were asking to move it up by about 8 ft.. He stated that the Variance Board and the owner finally came to terms to use a 20 ft. setback rather than a 25 ft. and the vote on that was four to one to allow him to build utilizing a 20 ft. setback from the property line on Market Street. Lon advised that the property owner and owner of the business was here and he would like to point out that there was nobody here from the public or other businesses here. Lon stated that he had talked to both owners of EJ and they had no opposition to this. He stated that he understood there were a few other concerns and he had heard a couple of council concerns about it.

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Council Member Lee stated there was some concern about the appearance of the proposed building and he was concerned about it also, no offence to the Variance Board but he was just wondering if we had to make a decision on this now,

Mayor Nunez advised that the Variance Board had already met and they voted four to one to allowed this, she ask City Attorney for an opinion.

City Attorney DeFoyd stated they could vote any way they wanted.

Council Member Garcia stated she was present and listened to that meeting and she liked the idea of having an ice machine but when you look out, that is what you see, it's a box car.

Council Member Diaz ask if the businesses around here were ok with it.

Chief Squyres stated that no one from any businesses were represented and they did get letters, sent to them ahead of time, advising them that if they had an opinion, they should be here and voice it.

Council Member Diaz said apparently they were ok with it and what were they talking about when they said a box, was it going to be an eye sore.

Assistant City Manager Squyres stated the gentleman was here and he might have pictures.

The picture was passed to the council and Lon ask the owner if there was any way they could be dressed up.

The Gentleman stated that they come from the factory looking pretty much like the picture shows but he was sure there were creative ways to dress it up.

Council Member Diaz ask if this would affect the parking on any of the businesses or would it affect the parking here on us for council meeting, would it take away the parking on the side.

Lon advised that it would, there were probably cars parked there now but what we have to remember is that can't weigh into this decision because that is not the city's property, it is private property owned by the owner of the three businesses over there so actually, we are sort of using his parking lot as it is.

Mayor Nunez ask for a motion.

A motion was made by Council Member Gonzales and seconded by Council Member Diaz to approve the recommendation of the Variance Board to allow the business at 10309 Market Street. Vote: 2 For 3 Against (Rivas, Lee & Garcia)

2. Assistant city Manager Squyres stated they actually saw these two addresses several weeks ago; the previous owner had come to the Zoning Board and to council with a proposal to do a car lot and they wanted to use the lot that is current zoned for commercial to have the car lot and expand it into the lot next door that is currently residential and they were turned down by both the Zoning Board and the Council. He stated they had since sold that property and the owner of what most people know as the little blue taco house, had since bought that property and they are now asking to build a restaurant on the commercial site, located at 11102 Invierno and fencing the lot that is residential at 11106 Invierno and use that for a commercial parking lot for the restaurant. He stated that the case was brought to the committee and by a vote of 3 against and 2 abstentions it was voted down and the reason being was the resident behind what would be the parking lot expressed some concern about having a garbage dumpster there and having that volume of traffic and the general concerns you would have with something commercial behind you lot and they were the only residents that attended the meeting.

Mayor Nunez ask for a motion on the recommendation of the Zoning Board.

A motion was made by Council Member Lee and seconded by Council Member Garcia to accept the recommendation of the Zoning Board at 11102 and 11106 Invierno. Vote: 5 For 0 Against\

3. A motion was made by Council Member Garcia and seconded by Council Member Rivas to approve the following over budget items for the Police Department; 16-6711 Auto Tires/Tubes in the amount of \$1,347.75, 16-6799 Maintenance/repairs auto in the amount of \$182.88, 16-6810 Medical Exams/Drug Screens in the amount of \$223.00 and 16-6860 Telephone/Telegram in the amount of \$5,035.97. Vote: 5 For 0 Against

4. Mayor Nunez stated that she had ask the City Attorney to come up with a Resolution because of the exchange that happened at our last council meeting because some Council Members were concerned because of what Mr. Schion was addressing during his ten minutes that he had on the agenda. She stated that her concern was that we need to do what is right and that is why she ask our City Attorney to draw up a Resolution but now the council would like to table this and go into discussion to see what they can come up with and meet with the City Attorney to discuss what he thinks the procedures should be. She stated that her opinion was that our city business should be conducted first, that

all city business should be conducted so that the audience and the council members be able to ask questions and conduct the city business and then we have comments from the public. She stated that all five council members would like to table this and ask for a motion to table the Resolution so that there can be further discussion on it.

Council Member Garcia stated that before she made the motion; that under Section G. No. 3, where it says by three council members, she would just like to suggest the wording of a quorum, because what if in the case that all five member were not present and also on the second page

Mayor Nunez advised that was what they were going to be discussing, that it was being tabled and they would be able to discuss everything that was on the resolution and it would be up to the council to determine what they want to do, if they want to do the city business first, then comments from the public or have public comments first, etc.. She stated that to just remember that when you come up to the podium you had to be respectful to the people that you are addressing, that you can't be disrespectful to any of the council members sitting here and you have to respect our city employees because once you get up there and start talking about a city employee that becomes a personnel issue and she had gone through this with our city attorney and she knew that there were some people who felt their constitutional amendment to speak was being taken away but it was not, you did have to understand that our city employees are our dedicated people that take care of the city for us and they have to be able to take up for themselves if you are going to point a finger at them and they are not here and that becomes a personnel matter that should first go through the department head, city manager and then the council.

City Attorney DeFoyd stated that first of all, the city council, so that everybody understands, the legal position the council find themselves in is this, the way the City Charter is written the City Manager has to deal with the employees of the city, a citizen can make complaints to the city manager, to any of the council members here but once you get in public and you start talking about a specific employee that is a different matter, the council can't respond to that, either way they go, if they respond favorably or unfavorably, the city may be looking at an EEOC complaint, litigation from that employee and not being able to fend for himself, that employee may or may not want issues to be made public has every right to that, it was just like any other place of employment, nobody that has a job wants to gather up all the employees and some person who doesn't like and employee gets up and berates him in front of everybody and that is what we were talking about here. He stated that if you have a complaint about an employee, you should follow procedures, the council has no right actually to terminate an employee, they have the right to direct the City Manager too or they can fire the city Manager if he doesn't follow what they want him to do and we were talking about employees., rights of privacy

and often the complaint is about a civil matter between an individual and an employee, the city has nothing to do with that civil matter, that is something else and it just shouldn't be discussed and that was just plain old common sense and nobody is saying that if you have a legitimate complaint or even an illegitimate complaint or even if you just think something, talk to the city manager, talk to these council members about it, you don't have to do it in public, they will look into it, that is what their job is and if there is a problem, they will take care of it in the proper channels and in accordance with law and to be fair to everybody including our own employees, good employees are hard to find, especially public employees because they are on the firing line every day, they enjoy their work but it doesn't take long, if they get enough badgering and complaints you are going to lose them and you are going to lose good employees and we don't need to do that and that is what his opinion is.

A motion was made by Council Member Rivas and seconded by Council Member Garcia to table Resolution 2012-10R Establishing and approving an order to conduct regular council meetings and request the City Attorney to prepare an Ordinance adopting official rules of procedures or conduct of official business during meetings of city council. Vote: 5 For 0 Against

5. City Attorney DeFoyd read a Proclamation declaring September 19, 2012 as "Texting & Driving – It Can Wait Day" and encouraging all citizens to commit to refraining from texting while driving.

Mayor Nunez stated this was a good proclamation.

6. Larry Schion, 506 Hare-Cook Road, stated this thing that Ms. Mayor just read off was kinda Hitler and he would tell them why, they want us to speak three minutes at the end but they don't want them to speak ten minutes so you won't really be able to get on the agenda anymore.

Mayor Nunez advised Mr. Schion that item was tabled for council to make a decision.

Mr. Schion stated he knew that but it was still there, could he not talk about it, it would be taking away ten minutes from them.

Mayor Nunez stated no, that would be up to the council to decide.

Mr. Schion stated he knew but if it passed it would be right.

Mayor Nunez stated that it didn't pass, it was tabled.

Mr. Schion stated but if it did would they get to speak three minutes and take away ten minutes. Mr. Schion stated it would do that if they passed it, basically not letting us talk for the ten minutes and get three and talk about what they wanted too but whatever. He stated that he came tonight, that he didn't say some of the things he wanted too and he wasn't going to say some of the things he still wanted to, that he was going to take it up with the Mayor and council that it was quite a long two page typed item but one of the things he wanted to speak about was that it said talking about employees and well you know he didn't ask for the letter, he didn't ask for Mr. Walker to send him the letter, that Ms. Gosney could vouch for that, he had stopped and he sent him the letter anyhow and he had given him an opportunity and he would like for him to come here and talk in front of them, it just flatter him to death but he won't come.

City Attorney DeFoyd ask Mr. Schion to let him stop him right there and advised him this was a civil matter between him and an employee of the city and it had nothing to do with this city council and he was going to tell the city council again not to comment on any issue between you and the city employee.

Mr. Schion stated they didn't have to comment.

Mr. DeFoyd advised he was telling them that (Mr. Schion interrupted saying they didn't have to comment, he wasn't asking them to comment). Mr. DeFoyd stated that he just wanted the public to know what he was talking about was a vendetta between him and a city employee which he wanted to discuss in public (both gentlemen were talking at the same time) Mr. Schion stated no he was talking about somebody who wrote a nasty letter and they just sat up there and didn't do anything about it, that he sent it first so why couldn't he fire back, that he had every opportunity, right.

Mr. DeFoyd again advised Mr. Schion that was a civil matter between him and whoever it was.

Mr. Schion stated that was fine and it was probably going to involve him and the city too.

Mr. DeFoyd stated that it had nothing to do with the city and Mr. Schion stated he was probably right. Mr. Schion stated they could talk all night about it but you know if you'll don't listen to people talk about the employees how were they going to know because they didn't know everything that goes on in this city, they might think they do but they don't.

Mr. DeFoyd advised that they had a procedure. Mr. Schion stated that he talked about it and he retaliated and so when he retaliates why can't he retaliate back.

Mr. DeFoyd advised Mr. Schion that he could do anything he wanted to and Mr. Schion stated that was what he was trying to do. Mr. DeFoyd advised that we were here to discuss city business, not his personal problems with a city employee. Mr. Schion stated he was a city employee and that would make it city business

Mr. DeFoyd again stated that it was a problem between him and an employee that this council has nothing to do with and this public had nothing to do with it.

Mr. Schion stated that was fine then, he would talk and they could just listen, he stated that he normally didn't get on people cases until his was gotten on first and that had been one of his rules for many years and so he got on his first so he started doing some digging too and he was not real proud of what he came up with and sometimes there is not even a document showing that it happened although it happened and on Mr. Walker, he took a city car home and we had talked about this two years ago with some of the other people and he was driving that car home like it was his own to do other businesses and to do other things and so what he would like to do was get the council to look into that and let the people here see how their city dollars are being spent and nobody wants to do anything about it, that they did take the car away from him (Mayor Nunez advised Mr. Schion his time was up) Mr. Schion stated that he just had one more minutes and they could ask Joe Ayala because there was activity going on that wasn't supposed to be and they needed to understand that their tax dollars were being spent wrong and something needed to be done about it and he would shut up and sit down because they didn't want him to tell them about it.

COMMENTS FROM MEMBERS OF THE PUBLIC:

Donna Dailey, 1701 Chazen, stated that she realized this item had been tabled but she would like to talk in general on her opinion on something, did she think that any employee should be talked about from up here, no she agreed with that and she agreed that there should be steps that they would go through and she was all for that but the elected officials up here she thinks are fair game, if they have a problem with them, they should have time to come up here, did she think they should be limited to three minutes, no, they should have their ten minutes, it had already been dropped from 15 to 10. She stated that she wanted them to remember where we would be if we weren't allowed to have these 10 minutes, who would still be sitting on the council, would it be the correct person because we were limited to 3 minutes or did the people you work for have the right to speak up about who was on the council and who isn't and why they believe that person shouldn't be on there, don't limit the public because one person or two persons, because some people are upset with the things that she says but she didn't think she had ever said anything about

an employee, she had said things about elected officials and they elected them, the council works for them, don't limit or tie their hand on what they have to say about them, if they were doing a good job they would praise them and if she thinks they are doing something underhanded she would be the first one to come up here and point it out, so all they had to do was do their job, do what the people want them to do, do the best for the majority of the people, don't tie their hands and say they only have 3 minutes, they want their 10 minutes or 15 whatever it takes to get their views out because they worked for them, don't limit them because she would tell them one thing, and that was to everyone one up there, if they started voting them to not having anything she would work just as hard to get them out of office as she did to get them in office and that was her promise, she was all for everyone sitting up here that they have the freedom of speech to the elected person, now if she says something about an employee and it was not true, have them file on her for slander because if you are talking in public about a person and you are saying things that are not true, that is slander and you should be able to be filed on. She stated if somebody from up here is talking about an employee, gavel them down, we have police officers here that can escort them out, people have been escorted out of here for a lot less but if somebody thinks they have the right, keep the doors open so you can listen.

Mayor Nunez advised that was the reason this was tabled.

Robert Hernandez, 10245 Chadwick, stated that on the issues being tabled, he had faith and confidence that they would do the best to make this a win win situation. He stated that the purpose of him speaking tonight was traffic, he would like to see if they could resynchronize the lights at Mercury and Market. He stated that on different occasions he was traveling north on Mercury at 5:15 and approximately 6:00 o'clock and both time the traffic heading south on Mercury was backed up to the gym and he just found that incredible and today, before he came to the council meeting, he was third in line, two cars made it and he didn't, that there was a problem with the lights.

Assistant City Manager Squyres ask if this was something that happened recently.

Mr. Hernandez advised that ever since the County came and worked on the lights five or six years ago there has been problems and he complained about this before to no avail so he was doing it again.

Public Works Director, Kyle Reed, ask to address the complaint, advised Mr. Hernandez that he appreciate him telling the council this but all he had to do was call him, Kyle advised that when Harris County funded that traffic light, it had three different settings and if you would notice that 99% of the time that was not going to happen, it happens during heavy traffic and there was no other setting that we could do for it, that he could call the traffic engineers out but there is three settings for the light.

Mr. Hernandez stated that he had been all over Houston in high traffic area and you expected to have those problems but not in Jacinto City, that it just didn't make sense.

Mr. Reed advised that 99% of the time you get through the traffic lights with no problems, usually it happens between 3:30 and 5:00 p.m. and that was when the heavy traffic comes through here and a lot of the time the train causes it but he would check into it and call Precinct 2 out here and we would get an engineer to check it out but it was not going to change when we have a lot of traffic come down Mercury and in addition to the train, it causes a pretty good back up.

Deborah Morlock, 11509 Celtis, stated that she just wanted to tell a little story that happened at school today. She stated that she was working downstairs at school and she heard these people talking about an excellent pre-school program that they ought to take their kids too and she wondered where that was so she started listing and it was Jacinto City so she just wanted to give a head up to the pre-school.

Brenda DeLeon stated that she was here on Tuesday during the variance request for the little blue taco house, 11102 and 11106 Inverino and her request was to put an additional parking lot on a residential zoned area. She stated that it happened so fast and she believed it was denied, was that correct. She stated that she just wanted confirm that 11106 was residential zoned property and she was advised that it was. She stated that their plans were to construct on the commercial zone property and they were counting on 11106 for additional parking space but in their design they had still included parking space for 11102.

Assistant city Manager Squyres advised that the lot on the corner, the 11102 address is zoned for commercial and it had to be listed as a Holland Avenue address and they talked about the setback which had to be from Holland not from Inverano so in theory she could submit plans tomorrow to build a restaurant on the Holland Avenue address and if it has the proper setback and everything else is right, she could build on that if she didn't do anything on the residential zoned lot beside it, the 11106 address, with no problem at all. He stated that she was going to have to meet all the requirements the building inspector was going to talk to her about and one of those requirements was parking and as they talked to her about the other night, she could use her existing site parking at her current restaurant to accommodate parking needs and he was sure the city would be willing to work with her on that. He advised there was nothing done tonight that prohibited her from building or seeking permits to build would be a better way to say it, on the commercially zoned property on Holland Avenue.

Ms DeLeon thanked them, stating that she just wanted to clarify that.

There was general discussion on what could be done to accomplish this building project.

Nancy Gosney, 1726 Belin, stated that her question to what was tabled tonight was what does City of Houston, Baytown, Pasadena and all the surrounding cities do, do they shut the people up or do they let them come up and talk. She stated that Mr. Schion had a burr in his side with a city employee right now, there were procedures and stuff like Mr. DeFoyd said but her question was if you had a problem with the department head, with the city manager where did you go next, to the council and there were a lot of people in our city that want to know if we have a problem so they come to the council meeting so this was a very fine line of taking away from the people who are your boss, they were liaison for the people. She stated that as Mr. Ochoa knew from the time they had battled back and forth. She stated that actually if they would just let Schion talk he would go away, quit arguing with him.

Mayor Nunez ask Ms. Gosney if she was saying they should just let him get up there and talk and point fingers.

Mr. Gosney said let him talk, if he was not belittling somebody or cussing, apparently there was a problem here and hopefully it was going to get resolved one day but them arguing with him was not getting anywhere, she was sitting in the corner laughing at them.

Mayor Nunez stated that at our last council meeting when Mr. Schion was at the podium, there were some council members that were a little disturbed at what he was saying and they wanted him to follow the procedures so that was the reason why they were trying to establish procedures so as to not have that happen again and have someone say they rather you sat down we want to make sure that every person gets a chance to get up here and be able to express a concern or complaint but a lot of times she thinks Larry has already gone to Chief Ayala, maybe Jack Maner and the liaison with the police department, he has come up here and we have let him talk but there are time when we have to keep order and have respect for the people that you elected, you elected all of them because you felt we would be fair and honest with the public and make sure we would hear their concerns and she knew that a lot of them were upset, there was a lot of phone calling going on with this, the council was concerned about it and that is the reason they ask that it be tabled for discussion and find out what was the best thing they could do for the citizens and like Donna said, you'll elected us and you could get us out.

Mr. Gosney stated that was right and she would be on her team and for those of them that didn't know, they make \$525.00 a month, \$300.00 a month in salary and \$225.00 car

allowance for those who didn't know that they needed to know that. She stated that also to Robert Hernandez, if he would quit text messaging at the red lights he wouldn't miss the light. Nancy advised Brenda that as far as restaurant, she loved their plans and she would really like to see who ever owned the corner lot where they put the political signs, the corner lot where the produce place use to be, the plans that they have would be great on that corner, it was a shame they couldn't buy that property. She said she felt sorry for the people that lived around them because they did have a very valid point, about not having a dumpster in their back yard.

Mayor Nunez stated they were going to get on to her because she let her go over her minutes. Nancy replied that she didn't talk every meeting so she could have an extra minute.

Luisa Prez, 1506 Cheston, stated that she was still upset, that it had been a week or so since she got pulled over and locked up. She stated that like everybody knew, she used to come here about every meeting but she had been really sick, in and out of the hospital so when she got pulled over and locked up she was got really sick in there because it was not very clean, it was not sanitary, that she was not saying that jail was supposed to be really perfect. She stated the paramedics were called out and they said there was nothing wrong with her and she felt very upset because she had always tried to help everybody out in the city council as much as she could and tried to be very involved in everything so she felt like the paramedics didn't care about her situation so one of the officers told her that if she wanted him to, he would take her and since it was a capias warrant somebody had to go with her and sit there and she thinks that if you were not sick, you wouldn't get on heart monitors and everything as soon as you pulled into the ER. She stated that she stayed there overnight and, of course, they brought her back after she got over with it and this kind of upset her because paramedics were called, it felt like they said there is nothing wrong with you, that one thing was you looking at her and saying nothing was wrong and her knowing how she felt, that she had chest pains very bad and her blood pressure was up.

Mayor Nunez ask her if she had medicine with her.

Ms. Perez stated that she had partial medication with her and thanks to Mayor Nunez , the following day she got her medication. Ms. Perez stated that she had really bad asthma, that she could smell someone pass gas and it would make her sick and that smell in there, she didn't know if they had just dropped a whole gallon of bleach in the toilet or what it was but it just got to her chest and made her cough. But the way the paramedics acted really upset her and she wanted to ask the Chief if he would permit her to voluntarily clean those cells, that she know they say they clean in there but she continued to describe the condition of the cells, it was nasty. She stated that she got transferred from here to

Mikawa and they were super clean in there and she thinks us being a small city we should be a little cleaner.

Mayor Nunez ask Ms. Perez if she could have Chief Squyers address the concern about the paramedics.

Chief Squyres stated that he obviously wasn't there and he can't talk about patient treatment of care at an open meeting, that we have hippa laws that they absolutely have to comply with as it is both state and federal law. He advised Ms. Perez that he would like for her to contact him at city hall, they would pull up the record and see exactly what happened and they also have a great association with the hospital and we would find out what they found when you got there and they would sit down and discusses it and if there were any correction needed we would make sure we took care of that.

Chief Ayala advised that they did have a janitorial service that comes twice a week on Wednesdays and Fridays, they did clean out all of the cells and disinfect and he would tell them to double check the walls, however, they did have quite a few people come in and out at any given time and it would be hard for his officers to go in and scrub after each person left. He stated that he could ask the court for community service workers and they would get them to scrub the walls.

Mayor Nunez stated that she thought they needed something clean.

There was general discussion keeping the jail cleaner and how it could be done.

Larry Schion, 506 Hare-Cooke Rd., stated that he had been coming here for 35 years, he had been the cause of police chiefs being gone, helping some city manager and helped some of them get their seats up there and he was really a little pissed off right now because when you come up here and try to tell them the things that are going on in the city and you don't want to listen and you want to take away from people. He stated that he moved to Crosby but he still loved this city, that he still gave thousands of dollars a year to this city and tried to do the right thing. He stated that he would make them a deal right here, if they didn't want to see him anymore to raise their hand and he would stay in Crosby and he didn't even have to come here anymore and it was all because of the statement that Mr. DeFoyd said. Mr. Schion stated that the people should be able get up here and talk about the concerns in the city and if it happens to be a police officer, so what, there are bad police officers too. He stated that he sees kids that are beat all day long by police officers and the police officers lie. He stated that somebody needed to take up for those people. He talked about what all the police had done since he had been here 45 years, he would make them cry and he was trying to do the right thing on one officer that did him wrong and Mr. DeFoyd says it is a civil issue , well you know what, he was in

uniform when he filed that letter on him so it becomes a city issue and if they wanted him to put it there he would sure put it there and we would let it fall where it may but there was another letter out that they were going to be forced to take issue with because Ms.

Garcia said there was a way to do it so he had two letters, two pages of stuff on Walker that they were going to be forced to look at because his lawyer was in on it too so if they didn't look at it, there was going to be different ways so he would handle it their way but if they didn't want him here anymore, just raise your hand, he stated that he didn't care about the public, just raise their hand up there and he wouldn't come anymore.

City Attorney DeFoyd advised Larry that they weren't going to comment and they weren't going to raise their hand because it was about a city employee and he was not going to let them.

Mr. Schion said it was because they were afraid, why can't people just be themselves.

Mr. DeFoyd stated that his job was to protect the city and these tax payers and to let him tell him what the harm was, that he was talking about (Mr. Schion started talking at the same time) and City Attorney DeFoyd ask him if he was going to listen so he could explain to him or did he just want to talk. Mr. DeFoyd advised that he couldn't ask anyone of the council members to comment on a personnel matter in this public because that employee has a right to have his issues discussed in private and not in public. Mr. Schion stated that it just sounded like they didn't want anybody to talk. Mr. DeFoyd stated that he just had a vendetta against the guy (Mr. DeFoyd and Mr. Schion were both talking at the same time and the comments couldn't be distinguished. Mr. DeFoyd stated that he had advised him before that this was a civil matter between him and the guy and had nothing to do with the city. Mr. Schion stated that it shocked him after being in this city for 45 years, he stated that the other city council that used to be up there use to be a little different but they would speak out, it seem like that just about everybody on this council is afraid to speak out along with the police chief, that when people ask you something couldn't you just say yes or no but everybody is just afraid that somebody is going to sue somebody, the table and chair crap, it just amazed him.

Mayor Nunez advised Mr. Schion that his time was up and he continued to talk stating that if Mr. Walker wanted to take him to civil court to have at it, he hadn't said anything that was a lie, he had his proof on everything. Mayor Nunez gavelled again.

A lady came to the podium and gave her name as Mary Goodell, stating that she had many names and went over them stating that her friends call her Jessie and she was here to

tell them she was going to be the next president of the United States of America and if they were an honest person to get out of this building.

Donna Dailey stated that she was shocked to learn the jail was only cleaned twice a week, that with all the diseases we needed a clean jail.

Chief Ayala advised that his officer do clean the cells, that after each prisoner leaves, they check the cells, sweep and make sure there are no objects in there.

Council Member Rivas ask if there was a way that we put the phrase from the Proclamation, Texting & Driving – It Can Wait on the marquee.

Assistant City Manager Squyres stated that we could, that it would be a nice filler message from time to time.

Council Member Diaz announced that her son, Christopher was in the Martial Arts Studio across the street and on Saturday, they would be having a fund raiser, BBQ plates at \$7.00 and it would be from 12:00 noon to 4:00 p.m. and they had tickets if anyone would like to purchase one.

Mayor Nunez ask that everyone please support this group.

Council Member Lee advised that school would be starting on Monday and to please watch out for the children, thanked everyone for coming out and they were going to do what was right.

Council Member Garcia reminded everyone to remember the four D to protect your self from the West Nile virus, dusk and dawn, stay indoors at this time this was the time most mosquitoes were active, dress in long sleeves and defend yourself from mosquitoes by using an insect repellent that contains deet, etc. and drain standing water in your yard and any thing that could be a breeding ground for mosquitoes. She stated this was provided by Harris County Public Health. She stated that she would like to encourage everyone, that one of the privileges that she had being on council, was that she had opportunities to network with other cities and she had visited several cities and watched how they run city business and she would like to give them a homework assignment, she would like for them to take the time to visit other cities, go on their websites, maybe met with their Mayor or be present in the meetings because everyone that she has visited the public had been allowed to speak but there was a time limit on each one and that was for them to find out, that was their homework for the next council meeting.

Council Member Gonzales stated that he would just like to thank the public for their input on the items on the agenda because they didn't really know these things until they let them know, that someone said they worked for them and that was a true statement and always would be.

Mayor Nunez adjourned the meeting at 7:10 p.m..

Respectfully,

A handwritten signature in cursive script that reads "Joyce Raines". The signature is written in black ink and is positioned above the typed name.

Joyce Raines
City Secretary