

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

The Mayor and City Council met in Regular Session on Thursday, February 23, 2012 at 6:00 p.m. with the following members present: Mayor Nunez, Council Members Ochoa, Diaz, 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 Diaz to approve the minutes as presented. Vote: 5 For 0 Against

REPORTS OF DEPARTMENT HEADS:

Chief Ayala stated that he would pass on his report.

Chief Squyres advised that he would pass at this time.

Kyle Reed, Public Works Director, advised that he was very happy to announce that today we issued the notice to proceed on the water line project across the tracks in the 300 and 400 blocks and hopefully, they would be starting on March 12th if the weather co-operates and hopefully it will, that it had been a long time coming and also our water plant project was going to be starting probably in a couple of weeks so we will have a lot of work going on in the city, about 4 million dollars of stuff going on and a lot of this was grant money that Lon and the City Manager got so it was not costing the tax payers too much money and that was a good thing.

Mayor Nunez stated that was a good thing, it wasn't costing the tax payers, it was grant money.

Mr. Reed stated that mosquitoes were bad and they were going to start spraying this weekend.

Kim Bellotte, Parks and Recreation Director, advised that everything was going great with Parks and Recreation, they were getting ready for baseball season and she had a meeting with the softball president before the council meeting and she wanted to say that they have about 180 girls signed up for girls softball so that is a little bit up from last year. She stated that the boys baseball league would probably be here later to report on their league and she also knows they have a lot of kids and they are actually practicing today and if you want a good time, go watch the kids.

Cindy Miller, Heritage Hall Director, advised that everything was going fine and Saturday they would be going to the rodeo parade so everybody get up early and look for them, they always have a good time and this year they were taking the bus and a car. She advised that copies of the March Calendar should be on their desk, city hall and the web.

Kim stated that she had spoken to several people at the funeral home last night at Mr. Wooten's viewing and that if anybody wanted to donate money, they ask that they donate and she could pick it up and give it to Tina to keep the Opry going for a little bit longer.

Mayor Nunez stated that she thought that was a good idea.

A representative from Jacinto City Library stated they just wanted to advise everyone that the library was open, to please come and take advantage of it, they had about 20 desktop computers available and about a dozen laptops and they had computer classes every day of the week so please come and take advantage, everything was free.

Mayor Nunez presented the library with a book on voting and elections.

MAYOR'S REPORT:

Mayor Nunez advised that February had been a sad month for us in Jacinto City, we lost Debbie, Ms. Raines and Jean Garey's sister, we lost Sammy Reyna, Mr. Wooten and Jeannie Richards. These people have been pillars of the community, that she knew Sammy coached the girls team and what could you say about Mr. Wooten, he did everything, he would come to the meetings, he had his opry which was going good and that was really a sad loss because we won't see him sitting there and he was always polite and very respectful and never had nothing ugly to say about anybody and Ms. Richards lived here probably 35 or 40 years or longer and they lived on Lane Street. She stated that we had a Proclamation that they were going to read at the Opry. There was discussion on the time and date. Ms. Nunez stated that we needed to remember him for his Kindness and all he did for Jacinto City, he was the Assistant Chief for many years, worked with former Chief Speaks and Chief Ayala and all our Prayers goes to these people here.

Mayor Nunez advised that Cindy forgot to mention that on March 1st., the seniors that help us stuff the stockings will get a treat, they are going to Texas Grill and eat fish and shrimp. She stated that we have about thirty seniors that will be joining us along with some other people have helped us this year.

She advised Kyle that she was glad to see that we were moving on with those grants and stated that she was sure that Lon was moving on with the 1.5 million from Commissioner Morman and she knew he was trying to get a variance committee as soon as possible for that fence on Holland.

City Manager Maner stated that he would pass, everything was doing well.

UNFINISHED BUSINESS:

1. A motion was made by Council Member Gonzales and seconded by Council Member Ochoa to approve Ordinance 2012-1 granting a pipeline permit to Magellan Pipeline Holdings L.P. on the second and final reading. Vote: 5 For 0 Against

NEW BUSINESS:

1. A Motion was made by Council Member Ochoa and seconded by Council Member Garcia to approve Resolution 2012-1R Setting the General City Election and Charter Amendment Election for May 12, 2012 and naming the Precinct Judge and Alternates as follows:

Precinct Judge #163 – Wayne Nichols

Alternate Judge #163 – Alicia Hinojosa

Precinct Judge #229 - Scott Dowlearn
Alternate Judge #229 - Ruben Hinojosa

Vote: 5 For 0 Against

2. A motion was made by Council Member Lee and Seconded by Council Member Ochoa to approve Resolution 2012-2R Creating Early Voting Ballot Board for May 12, 2012 Election as follows:

Judge - Wayne Nichols
Member - Scott Dowlearn
Member - Alicia Hinojosa

Vote: 5 For 0 Against

3. A motion was made by Council Member Garcia and seconded by Council Member Diaz to approve Ordinance 2012-2 Amending Chapter 4 – Business Regulations at Gasoline Delivery Regulations on the first reading.

Vote: 5 For 0 Against

Mayor Nunez advised that on Items 4 and 5, she had certain Council Members asking that we table this as they have several people and they want to come together and decide what person they want to appoint to these two boards. She stated that the Variance Board meets more often than the other ones but every committee is very important to the city so she would like to table this until our next council meeting so they could come up with a name for each committee.

A motion was made by Council Member Ochoa and seconded by Council Member Lee to table the appointment of a member to the Dangerous Building Board until the next council meeting.

Vote: 4 For 1 Against (Garcia voting Against)

There was discussion on getting together and deciding on individuals to serve on the board.

City Manager Maner cautioned them that they couldn't come together and decide on that, they would violate the open meetings act so be careful of that.

Council Member Lee ask if we could call an executive meeting to discuss it if they needed to and was advised that did not come under what is allowed in an executive session. There was general discussion on what could be done and Council Member Lee stated that for himself, he would just like to be more familiar with the names that had been suggested, that he only knew one personally.

Council Member Diaz ask if anybody had someone they recommend.

Council Member Garcia stated that she had a couple names to submit and she did her homework, spent a lot of time and thought about it carefully, that when she was elected, she was elected to do what is in the best interest of the community so she did have a couple of names and it was not that she was selecting these names because she knows them, there are many people she knows and there are many good people in this community but there has to be reasons as to why we are selecting people, we can't just put anybody in these positions and that is just her opinion, that is how she feel about it and she had done her home work and done deep consideration to the two people she had selected and she would like to share that if she was allowed to, she didn't know how the rest of the council feels.

Council Member Ochoa stated that he would like to know about the people, their resume or what ever, just not their names and if she could submit that to him in writing he would appreciate that.

Council Member Garcia stated that she would read the resumes but would not mention the names and proceeded to read the resumes for the two individuals.

Council Member Gonzales stated that his phone rang all day today to find out who we really want on this position and he heard a lot of names and there was only one name that he really recognized and like Mr. Lee says he didn't want to put somebody on there that we really don't know who it is, we need to know who we are putting in there and he was sure that the candidates that we nominate would do a great job but this is something that need to be taken care of, it is an important job but not a high profile job so none the less, we still need to make sure we have the right person for these jobs because the need to be able to work with other people and that is why we tabled it to make sure we know who we are selecting.

Council Member Ochoa advised the Mayor that he wanted to make a comment, stating that maybe Ms. Garcia would like to forward those names to him so that he could know who they were prior to the next meeting so he could ask around about these people and maybe he could attribute some of those in their favor.

A motion was made by Council Member Ochoa and seconded by Council Member Gonzales to Table Item No. 5, appoint a member to serve on the Variance Board, until the next Council Meeting. Vote: 4 For 1 Against (Garcia Against)

6. Jim Moore, 4400 Sherry Ln., Crosby, Texas, stated that he was an ex employee of the city and he said the last time he was here that he wasn't going to come back and talk but the day after the meeting he got several calls from the citizens and they said, Jim don't give up on us, we need you and I thought about it and said you know you are probably right, I do need to come back here, I do need to address some issues that can help the citizens, especially the citizens because they are the power out there, you'll are the people that can control everything in this city, they have everything at stake, they have everything to lose, they live here, these people are just appointed they can come and go but you live here you have got a stake in this place, it comes down to money, it comes down to everything else. He stated that he wanted to go back to a statement then he was going to come back to this because on his discharge and let him tell them

why he was here, why he started, why he came back well you say he is a disgruntled employee and that is not so, why he came back was because he was 65 years old and never been fired from a job in his life, came here to this city and gave them his life and for an argument or disagreement you get fired that is pretty sorry but anyway that is here or there, that is fine. Now with his knowledge and all the stuff he had been behind, with all the different places he had worked, he could pass on some knowledge to them and he wanted to respond to somebody that said some stuff about me at the last meeting, it has to do with fishing trips, yes he was on fishing trips, did he pay for any of them, no, he didn't know why they would want to bring that up, he can't speak about it because it was in somebody else hands, motorcycle rides, absolutely been on motorcycle rides, enjoyed them, thought he had friends but he did know that you have to work to keep a friend and obviously he didn't have no friends in that bunch. Bucket truck was brought up but nothing goes out of that public works without being given the permission to take it out by the director, nothing. House cleaning, he didn't know why that came up, he guessed because and he had people ask him saying they didn't understand all this stuff, what does all this mean, what did that come up for, well he guessed they either felt sorry for him or his family and they gave them some jobs, he didn't know, they could take it for whatever they want, his wife cleaned houses for several of the bosses out here. He stated that his daughter cleaned pools, she started when she was real young in this city cleaning pools and when she graduated and was going to college she still cleaned pools for a contractor then she was hired on by the city as a PD dispatcher and two years ago, he saw something happening to him out at this city and he told his daughter she needed to find her another job because he didn't know how long her father was going to be working for this city, he could feel it coming, he could see it coming, he kept seeing himself getting cut out of things and displaced here and there and not part of decisions going on and he saw all this, he knew what was coming, either he was a threat to somebody or something but it happened. He stated that he was going to get off that, that was pretty enough of that. He stated there was one more that he wanted to talk about because there was not any one person that was in here that doesn't know, that has worked with him in public works that can say that he took care of certain people out in that city for public works, no way, he took care of everybody, he took care of people that had done drugs, could have fired for himself, turned around and gave them a chance because he believed in second chances. He stated that he could have been insubordinate but he took it because he believed in doing it. He stated others out there, you always have bad apples in a bunch no doubt about, we got bad apples in public works, we got bad apples in the management, he could have been a bad apple, you got bad apples in a bunch, you know what, all bad apples ought to have a second chance and if they don't then he can't help them and you could see them ones turning on you in here ok, well let him give you a suggestion, he looked at an awful lot of things and one of the things he could do for this city and the city could do for themselves is we need a town house meeting about ever quarter to look and see what is actually going on in this city instead of waiting until the last minute to have to decide on what you have to do, by then you don't have everything and they are pushing through what they want, you have, if I put them on one hand, ten people in this city that runs this city and the others are sitting back and don't know what to do because they are not educated in it. Well you know what, I'm here to educate you in it, I'm willing to work with you, I'm willing to come out here, I'm willing to set up that town house meeting, I'm willing to take care of the issues with the city proposal and the charter, educate you on it so you can come back and help the council because the council is new, their good, they will

do everything in the world but they need help, they can't do it by themselves, you are the strength of this city. Now you probably wonder, he didn't call people to come in here, he didn't call no Ramon to come in here, he didn't call anybody in here, he was doing this himself but if people want to get up to the plate then come because it is your lively hood out here, it is your kids future, its your savings out here and everything you can do in this city but you got to step up to the plate with it. He stated that he had seen an awful lot things going on and he had been union all his life and he had been on both sides of the field and he understood why sometimes the union destroyed a lot things but he also sees on the other side where it got destroyed the other way once it got rid of people and they could just say I can fire you, I can do whatever I want to do, I can violate any charter, I can violate any proposal, city proposal, I can do whatever I want because you know why, were not educated, we don't have anybody speaking up for us out there, what have we got Hispanic, 80% to 90% Hispanic in Jacinto City, what do we have in gringos, white race, black, come on, who is running it, he stated he would give you that ten right there and you put it where you want, that is who is running this city so he was going to not come out here and cause any problems for anyone one of them up there, he was going to work and help them up here, he was to help them out here, we were going to get it together out here and we were going to get this city on the map because when he went to TML, he said this city right here and this work crew right here is better than any work crew in the State of Texas and he still believes it and it isn't because of the director, it is because of the people and he rests it with that.

7. Chief Ayala stated that he was asking for approval to purchase this vehicle to replace the old unit used by Captain Demont and that the vehicle would be paid for from Federal Drug Seizure Funds at no expense to the tax payers and also asking for permission to sell the old unit to a salvage yard due to the condition and that the new unit would not cost more than \$15,000.00 which would include setting up the emergency equipment, etc. in the unit.

Mayor Nunez stated that he was asking for two things, the purchase of a new vehicle to be paid for from Federal Drug Seizure funds and to sell the old unit to a salvage yard.

City Manager Maner ask the City Attorney if we could do that without doing anything.

City Attorney Defoyd advised that if it was truly salvage, in other words, if it was worthless or worth very little money, it is just junk and we can dispose of junk without going out for bids on it.

City Manager Maner stated that he would like to tell the council and the public that Chief Ayala had this purchase of a vehicle in his proposed budget for this year but because of the nature of the budget, with his agreement, we weren't able to provide for it in the budget but this will take care of it without spending tax payer money.

Mayor Nunez ask Chief Ayala what he would do with the money that he got from the salvage and he advised that it would be deposited into the general revenue of the city. Mayor Nunez questioned if Captain Demont drove the vehicle to and from work and was advised that he did not.

A motion was made by Council Member Garcia and seconded by Council Member Lee to approve the purchase of a new vehicle from Federal Drug Seizure Fund and to sell the old unit to a salvage yard. Vote: 5 For 0 Against

Mayor Nunez stated that she didn't know who got the impression that employees of the city could not come up here and talk, you are off your working hours and you have the right to come up to the podium and talk as long as you are not insulting anybody.

COMMENTS FROM MEMBERS OF THE PUBLIC:

Raul Rodriguez, 1410 Jennifer, Vice President of LULAC 4703 advised they handled Jacinto City and Galena Park and on March 10th from 11:00 a.m. to 2:00 p.m., at the American Legion, they were having a BBQ which would be going for scholarships and since they got started they had gathered more than \$50,000.00 for helping our youth and they want to continue. Mr. Rodriguez passed around a flyer about the event. He stated that if anyone wanted to donate anything for the event it would all go for the scholarship. He stated that they had a lot of people up here helping them out from Councilmen and Mayor and they appreciated their support and also from the police department and a lot of people up here. He stated they appreciated every ones help and God bless them.

Mayor Nunez ask Mr. Rodriguez how they selected the recipients of their scholarships and what schools did they give to.

Mr. Rodriguez advised that they had a committee that looked at the applications, income, grades, etc. and decides who to give the scholarship to and the majority goes to Galena Park but if they have some from Furr and Channelview and if we have two, we help them out.

Jean Garrett, Big Bass Resort Center, stated they have had several robberies in the last several months and one of the reasons was that they don't have enough lighting to come into our building and they would like to know if there was any way they could have a city light in front our their building.

Mayor Nunez advised that the City Manager said we could have our Chief of Police and our Public Works Director look into it. Mayor Nunez questioned where they would need the light if we were able to do this.

Ms. Garrett stated in front, that many times she had driven by the entrance because there was not enough light and they missed the entrance.

Joan Holmes stated that she was also from the Big Bass Resort Center and Ms. Garrett had brought up the lighting but she would like to have security within the complex, that she did not see well and they had a person that was staying on her floor which she didn't see, that actually her sister saw him when she came to pick her up. She stated that she didn't know to much about the city but would like to know if there was any way they could put up recycle bins like for bottles, paper, etc.

and it would be nice because there were things they could recycle within the area and maybe it could benefit them as far as paying for extra security, extra lighting or whatever and then they could protect themselves.

Mayor Nunez ask if they had talked with their manager about installing these, she advised that we had a paper bin over at the fire station but she thought if they talked to their manager in regard to the bottles and glass recycling and also in regard to the security, that they should be taking care of them. She ask Chief Ayala to comment.

Chief Ayala advised that they had their own security there, it was a DPS officer but that we did go through the apartment complex.

Mayor Nunez stated so they did have security there and Ms. Holmes stated yes they did and she wasn't denying that; she had never seen it simply because she didn't venture out because of her vision but what she saying was that she had spoken to the management before and she was told that there wasn't anything that could be done.

City Manager Maner advised Ms. Holmes we do have, as the Mayor mentioned, a paper recycling bin by the fire station and we had looked into recycling plastics and glass and it would cost the citizens just too much to do it at this point and time, however, what he wanted to say was that he had noticed that this little supermarket over here by City Hall has a recycle bin over by its front door that takes paper, glass and plastic, he was not suggesting that they bring theirs in there but maybe they could contact that supermarket and see who provides that and how it works. He stated that we are interested in recycling and there was general discussion on the subject.

Larry Schion stated that he took care of electronic gate at some of the complexes and there are people who will come and put those bins there for you, have their manager call some of the disposal places to see if they could bring them to them for free. He stated that Mr. Wooten had passed away and would be missed. He advised the ladies from Big Bass that they should be pleased to know that Jacinto City could make it there in 45 seconds, that anytime he had ever needed them they were at his house really quick. He stated that he didn't know if Jacinto city would be the one to put the lights there or not, that someone had to pay for those lights, approximately \$35.00 to \$40.00 per month, they should talk to their management and it was not the city that did it, it was the light company.

Council Member Diaz stated that she knew where they were coming from, that she was there a few days ago and a woman had her purse stolen.

Mayor Nunez ask Chief Ayala if his officers went in there and he advised they did and what he was going to do was get with her and discusses this to see what they could do to make it safer over there.

Issac Mendez, 10913 Munn, stated that he was here on behalf of Jacinto City Little League and he wanted to give them an update on the status of the league, that today was the last day of registration and they would be having try outs on Saturday from 7:00 a.m. until afternoon, He

advised that they have about 240 kids which is about 20 kids more than last year which was a great improvement and they were still registering at this time, they were really glad that the city worked with them on the signs and fields and just wanted to let everyone know that they were looking forward to a great season with their support and the community support, that they have a number of fund raisers coming and they have Capital Bank sponsoring them this year and they were looking for other community businesses to sponsor as well.

Council Member Diaz stated that she did want to mention something with the baseball, that she took her kids and registered them and this year they were selling cookie dough and Nicholas wanted to come to make sure they all bought from him and he would be here next council meeting and they were \$15.00. She stated that Mr. Wooten will really be missed, it was hard to sit here and not see him, that was his chair.

Council Member Ochoa thanked everyone for coming to city council, he was happy to see all of them.

Council Member Lee stated that he had something very positive to say that Officer Jose Hernandez was here with us, he was our K-9 Officer and Officer Kyra, our police dog went with Officer Hernandez to the NNDDA Region II competition and they received first place out of 35 different agencies. He displayed a very nice plaque they had received and stated that he would like to see them go all the way and be No. 1 in the nation.

Council Member Garcia thanked everyone for coming to today's meeting and expressing their comments and wished them a wonderful evening.

Council Member Gonzales thanked everyone for coming and advised that if they hadn't had a chance to look at the library, please do so, they had really done some good things down there and it really looked nice.

There was general discussion about the library and Office Kyra.

Mayor Nunez adjourned the meeting at 7:10 P.M..

Respectfully submitted,

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

Joyce Raines
City Secretary