

COUNCIL MEETING, THURSDAY, MARCH 24, 2011, 6:00 P.M.

The Mayor and City Council met in regular session on Thursday, March 24, 2011 at 6:00 p.m. with the following members present: Mayor Diaz, Council Members Claudio Ochoa, Rachel Nunez, J. Ramon, Christopher Ochoa and Mario Gonzales; City Manager Maner, City Attorney DeFoyd and City Secretary Raines.

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

REPORTS OF OFFICERS, EMPLOYEES AND COMMITTEES:

There was no report from Chief Ayala.

There was no report from Chief Squyres.

Kyle Reed, Public Works Director, stated that the contractor should be starting on the pipe bursting project on Monday and to please call public works if there are any problems.

Kim Bellotte, Parks and Recreation Director stated that all was going well, that Saturday was opening day for the leagues, the parade would start at 10:00 p.m. and advised the Mayor and Council to meet Kyle at the fire station at 9:30 p.m.. She stated she would like to introduce Mario Cuellar, President of the baseball league who had a statement he would like to read.

Mr. Cuellar stated that he had been here four years with the baseball league, at Smith Park for two years and now at the big field for two years. He stated that he knew there were a lot of bill boards going up, campaigning and stuff and on behalf of the little league, they could not be involved with any kind of political at the park and ask that they keep the campaigning away from the park. He stated they would have their DA out here opening day and if they see any of that stuff going on, campaigning, etc., they could lose their charter. That the little league was not affiliated with any kind of political and they ask everyone to respect this, that they had been with little league for over 50 years and they couldn't afford to lose their charter. He discussed the improvements they had made at the fields, to come out and support all the kids, they would be having games all day long and a lot of food.

Councilman Ramon stated that he had a question for the gentleman and asked Ms. Raines if that was going to be included in the minutes because he didn't know if he was aware but by doing that he was violating the first amendment, the park was a public place and if any candidate, he wasn't running this year, but he did have that problem and he saw a problem with that, if the candidates wanted to pass, that was a public place and they had the right to do so and it was a violation of the rights and he would hate to see the league in litigation. Mr. Cuellar stated that he understood his point clearly, he was asking them, on behalf of the league, they couldn't afford to lose their charter, little league can't be politically involved with this. Councilman Ramon stated that he understood that and he was not asking for vehicles carrying signs but if somebody wants to pass in

the park, it was a public park and they have the right to do so, he didn't know, we might want the opinion of the city attorney on that, that we didn't have anything on the city ordinance or city charter that he knew that prohibits that or the penal code or any election codes as far as he knew, that we might want to ask the attorney, they didn't want to be liable.

City Attorney DeFoyd stated that the little league was simply requesting the candidates and people involved in this political campaign to respect their charter, that was all they were talking about here, it had nothing to do with his rights, if he felt like his rights were being violated, there is an appropriate way to make sure that they are not and that applied not only to him, but any candidate.

Councilman Ramon stated that he realized that and his question to him was if a candidate decided to pass anything out was he going to be stopped by the police department or anybody. The City Attorney stated the police department was not going to stop any candidate from doing anything. Councilman Ramon thanked him.

Mayor Diaz stated that he would just like to thank Mario for all of the service he had done for the city with going out and participating with our leagues, that he knew it could be overwhelming but he really appreciated him taking on this chore, it was crazy but the kids out there needed him and he would like to thank all the volunteers and coaches, they do an excellent job every year and for the past ten years the league had grown tremendously, we have run out of practice area and what we want to do is keep those kids focused on these events and programs and he was going to leave a legacy when he left us so please hang around a few more years and keep up the good work.

Cindy Miller, Heritage Hall Director, reported that they have had spring bingo, St Patrick's Day party, game night, breakfast and tomorrow was their birthday party and also their go western wear contest that Mayor Diaz and Ana has donated a gift certificate for and she stated this was her first experience to send their calendar e-mail and she didn't know if they got it or not and she encouraged anyone 60 years or older to come out and join them at the center.

Stephanie Orr, Jacinto City Library, stated she had been busy at the library and after spring break, they were back to normal hours, that during March they had their patron count and believe it or not, our small library had 826 people come through the library and even though we are one of the smaller branches we do have a lot of people coming in for their services as well as checking out and a lot of the people are using the computers.

Mayor Diaz stated that he would like to introduce County Commissioner Liason Dawn Harris .

Councilwoman Nunez stated that evidently Ms. Harris was doing a good job for Commissioner Morman to have kept her as our liason and we were happy to see that she was still here with us, She was doing a good job and we were very happy to see her.

Mayor Diaz stated that she was doing an excellent job, to keep up the good work.

MAYOR'S REPORT:

Mayor Diaz stated that he would just like to say that everything was going well and he would like to thank all our department heads for doing a fantastic job and also last Friday night, we hosted our second annual employee's appreciation dinner just to recognize our employees for the great job they are doing and he knew this was going to be his last few weeks as the mayor but he would like to see the next mayor carry on this tradition in recognition of our employees. He stated that we also had a landmark that was being demoed over on Market Street, the Texas Rice Mill, which had been there for many many years. He stated that he went by and spoke to the demolition company the other day and he informed him that they were only going to demo half, not all of it, but they are going to develop that land with storage warehouses so it will be a better tax base for our city. He advised that last Monday, he had the honor to go in and meet our new Commissioner Jack Morman, he is willing to work with us, they had a productive meeting, himself and our city manager sat down with him and went over some issues that we do have in the city and he had also mentioned to him that he would like to get with Mayor Bobby Barrett and set a meet and greet for him to come into the city because there were a lot of citizens and constituents here in the city and in the surrounding areas that haven't met our new commissioner so he was going to give them that chance to come in and met with him but when he did come up with a date, he would let them know.

CITY MANAGER'S REPORT:

City Manager Maner stated that he had a slight follow up on his comments about the meeting with Commissioner Morman, that his Road and Bridge Assistant, who was in that same meeting, came out to day to meet with him and they drove around the city and they were exploring the possibility of a joint project between the County and the City to do a sidewalk down Holland Avenue, the deal had not been made yet or anything but it was in the formative process and he was going to send Harris County Engineering out to look at it and talk about what can be done and cost and all so we are looking forward to working with him. He stated the Mayor and him were both impressed with Commissioner Morman, he was new on the job and nobody knew him before this, we certainly didn't but we were impressed with the way he approached us with the meeting and he looked forward to working with him and were certainly going to give him a chance to prove himself and he also wanted to mention, relating to something Stephanie said about how many people went through the library that Harris County was going to enlarge and improve the library this summer, probably beginning in May was his understanding and so it would be even a better facility.

Mayor Dias stated that he would also like to mention that we do have a new add on in our city, that most of them know Anthony Carrion, he was known as DJ Porkchop, that he had a new baby girl.

There was no unfinished business.

NEW BUSINESS:

Mayor Diaz stated that under new business, he was going down to Item 2, Council action on Variance Boards recommendation at 1624 Mercury.

City Manager stated that as they knew, he was out of town last week when the Variance Board met So he didn't attend the meeting, Chief Squyres attended it and he would like him to report on it.

Chief Squyres stated the board did meet and the gentleman was there and presented his case and as a reminder, this was the gentleman that runs McCarty's Quick Stop, a little grocery store and they wanted to run their 8 liners and it was a unanimous decision to recommend to council to not allow this variance.

A motion was made by Councilman Mario Gonzales to not allow the coin operated machines to be allowed at 1624 Mercury. The motion was seconded by Councilman Claudio Ochoa, who stated he hoped that we got rid of all of them.

Councilman Ramon stated that like Councilman Ochoa said, he would like to get rid of all of them and stop this selective enforcement that we only allow certain people to have illegal operations or illegal machines and other people not.

Vote: 5 For 0 Against

Mayor Diaz stated that we would move on to Item No. 3, Council approval of agreement with Propertyroom. Com.

3. City Manager stated just a little background for this, that he thought Jim had the agreement. He stated that at the last meeting Councilman Ochoa had suggested that we look into this and this was a method for selling surplus property basically over the internet but they also had a live auction here in town and since he was out of town, Chief Squyres also attended that meeting with City Attorney DeFoyd and they came to the conclusion that this was a wise thing to do and Jim cleared all the legal problems that we might have thought about and so it was their recommendation that we enter into this agreement for, not only this auction but future auctions and that will effect another item on the agenda about the vehicles which we will talk about them because we need to set another date for that but at any rate, they recommend that the council approve entering into an agreement with Propertyroom.com to handle our auctions, for the time being, surplus vehicles and hopefully sometime in the future all surplus material.

Mayor Diaz ask if they went through and see what Propertyroom.com had to offer as far as municipalities, were they real efficient. City Manager Maner ask that Lon comment on this since he attended the meeting.

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Chief Squyres stated that it was extremely efficient, that the way this was going to be done would actually be a live auction in the greater Houston area, that it would still be advertised in the Chronicle to meet the needs of our charter and individual can either go in person to bid or bid over the

internet. He stated that he talked to four different municipalities and various police departments and they are all extremely satisfied with it both on the small personal properties confiscated from the police department and from the larger fleets and things like that. He stated that it was not just situations for police departments to get rid of confiscated property, that many large departments use it, in fact, the City of Houston was using them to manage their fleet as they get rid of vehicles.

A motion was made by Councilwoman Nunez that we approve the agreement with Propertyroom.com.

Councilman Christopher Ochoa stated that he was going to allow the motion to carry so that he could bring it up in discussion but he had talked just briefly now to Councilman Gonzales and Mr. Ramon about this and he thinks it is an excellent opportunity to advertise for propertyroom.com and he thought we had done a lot of homework on it and he appreciated Chief Squyres doing the work on that as well. He stated that he had actually mentioned Publicsurplus.com and it just dawned on him that a lot of times when we get competitive, when we go out and seek the same services from different companies we may find a better rate and he was not saying that would be the case this time but he did get in touch with publicsurplus.com and he would like to table this, If council would allow, and bring it up in the future to see exactly what publicsurplus.com has to offer. He stated that he saw here that 12.5% would be the asking fee for propertyroom.com which leaves the client at 87.5% and he was not saying that publicsurplus could beat that or match it but he thought it would be a great opportunity to see where they came in at and if we can get the council to approve the tabling of this agenda item and also if within that item, if we can authorize city administration, City Manager Jack Maner and Chief Squyres to take a look at publicsurplus.com to see what they can offer us as to the rate, he thought we could possibly compare the two and find out at that point which option is better for the citizens in the city.

City Manager Maner stated that he thought that was a fine idea, he stated that the only thing he would bring up, and Jim might correct him, that this would not be an exclusive agreement, it didn't mean that we couldn't use another service also. Mr. DeFoyd stated that was correct, it was non exclusive, that it was going to apply to the vehicles right now, that was all we were going to be doing, that you could set your minimum bid. Councilman Claudio Ochoa stated that he hadn't gone through the contract, was it in the contract that said we could fire them at anytime or was there a clause where we had to stay with them for a period of time. City Attorney DeFoyd stated that we didn't have to use them at all, there was nothing that obligated us to use them unless we want to, we can use several vendors. Mr. DeFoyd stated that this particular one we were talking about right now was the motor vehicles, we were not thinking about the property room, that he had some real questions about that and we were not going to do that right now, this would only address the vehicles that we are trying to sell which is surplus property.

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Chief Squyres stated that one of the reasons that we did agree to this, that we didn't initially think we would be able to do it but in meeting with the City Attorney and the gentleman from the corporation that does it, is the fact that they have the live auction that individual can go out and bid on, that if they had not done that we would have been in violation of the city charter. He apologized to Councilman Ochoa, stating that he wasn't at that council meeting and did not realize that was his recommendation. Chief Squyres ask the city attorney if he was correct in saying that without the live

auction we could not be able to do this unless there was a charter change and the city attorney advised that he was correct since they were having an open auction that our citizens could attend and we can have a specific date and set our own bottom line we could go through with this type of sale for the vehicles, as far as other property room and surplus items the city may want to sell in the future, we may have a real problem, he thought, with the charter when it comes to auctioning off property that belongs to the city and police department.

Councilman Christopher Ochoa stated again, he thinks it is definitely important that we abide by our city charter obviously and live auctions was something that we need to supplement when we consider putting this on line, we need to make sure that we are fair to those citizens and others outside our community that they have an opportunity to bid on this surplus as well and again, he would like to table the agenda item and he sees no wrong in looking over the agreement and possibly even consider having council entering into an agreement with whatever vendor we choose to. He stated that a lot of times they can offer us better rates when we talk about a year agreement, that might be something that we could consider and negotiate and again, he was just looking at what was best for city and what gives us our most attainable amount of money that we can get for the auction of surplus, so he would like to make that motion to table this agenda item for the council approval of agreement with Propertyroom.com and he would like to add on to that motion that we authorize City Manager Maner, Chief Squyres as well as City Attorney Jim DeFoyd to look into the possibility of Publicsurplus.com and see if they meet the qualification of our city to advertise for bids for surplus, as well as consider the opportunity of entering into an agreement with whichever vendor we so choose to see if it provides us with a better rate.

City Attorney DeFoyd advised them that they had a motion on the floor now and they had to dispose of that motion and then take up his motion.

Councilwoman Nunez stated that she felt that so much work was involved in checking this property room.com and it was only for a one time deal having to do with the cars she thought we should go ahead and approve it.

Councilman Mario Gonzales stated that he did speak with Mr. Ochoa about the percentage that we were allowing them to keep and he did agree with Mr. Ochoa that we want to get the best deal we can because when you are talking about \$20,000.00 vehicles, 12% is a lot of money but knowing what we know now about this, we don't have to use them if we don't want to, we can always go for a better deal and the thing that he was getting at was he didn't think we ought to table it because it was something else that we had to vote on later, just go ahead and take care of it now Since we don't have to use them because Mr. Ochoa did have some good points about exploring other options as far as better rates.

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Mayor Diaz stated that Councilwoman Nunez's motion was declined due to lack of a second.

Councilman Claudio Ochoa stated that he just wanted to point out that the contract was for six months with an automatic renewal after that and it did have a 30 day cancellation by either party just for their information.

Councilman Christopher Ochoa stated that he did appreciate Ms. Nunez's comments about the work that was involved in researching this particular vendor and, by all means, if the city manager Like, he could also come in and review, in fact, he had already made some calls to public surplus, that he hadn't spoken to anyone but he thinks the work is probably minimal at best, maybe an hour or two and he didn't really see an issue. City Manager Maner stated that it wouldn't be a problem.

Councilwoman Nunez ask how long would this be table, for the next council meeting.

Mayor Diaz stated that he guessed until the council had enough time to do their research as needed and then we would put it back on the agenda.

Councilman Christopher Ochoa stated that he would like to request publicly with Chief Squypres and Mr. Maner and Mr. DeFoyd, that if he could, he would like to sit in on some of the discussion on this particular agenda item and see where we can go and hopefully we can expedite the placing of this agenda item back on the agenda at the next council meeting.

The Mayor passed on Item No. 4 on the agenda.

5. City Attorney DeFoyd read Resolution 2011-4R entering into an agreement with TXDOT for the Mercury Drive Gateway Project.

A motion was made by Councilman Christopher Ochoa and seconded by Councilman Jose Ramon to approve Resolution 2011-4R entering into an agreement with TXDOT for the Mercury Drive Gateway Project.

Councilman Christopher Ochoa stated that he would like to ask some questions about Section 3, responsibilities of the parties, subsection A, the local entity agrees to and under that subsection 2 where it talks about furnish, erect and maintain any barricade, signs and traffic handling devices in accordance with the latest Texas Manuel of Uniform Traffic Code, etc., Would he foresee that we would have to do that. City Manager Maner stated that basically meant putting up barriers up close to it but no traffic would really be affected in the project, that we didn't foresee the lanes being shut down or anything, the only thing might be if something happened with the boring at some point. Chief Squyres stated that the only thing that would even touch that, you know that they control the TXDOT intersection so all the lighting is controlled by that and there is a control box down in the ground that they may have to put a riser on to meet that qualification so there was really nothing that hasn't already been clarified, the architect has already look at that and doesn't feel it will be a problem.

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Councilman Claudio Ochoa ask if the one that was going up on Mercury , we have our flag there, was it still going to remain. He was advised that it was and he ask if we could get a light to shine on that at night. Chief Squyres stated that actually one of the things we were trying to accomplish in this, because there should be a little bit of swag money in this, is to bore and run power, and since we are dealing with TXDOT, this might be a blessing because they have power there and also to provide water for the landscaping.

Councilman Christopher Ochoa called attention again to Section 3, responsibility of parties, conduct periodic inspections of Gateway Monument as deemed necessary and he ask if this was going to be something that the contracted company to construct the Gateway Monument, were they going to do that or was that in conjunction with the city. City Manager Maner stated that he didn't know exactly where he was and Councilman Ochoa advised him where it was on the page.

City Manager Maner stated that was our responsibility but those are building inspections just to see that the project is according to specifications. Councilman Ochoa ask if that would be done during normal business hours and he was advised it would. Councilman Christopher Ochoa stated he noticed that when we were talking about the Gateway Project, when Mr. Chad Burke was here with Economic Alliance, we had talked about some art that was going to be considered and he thought we even approved that for being on the Gateway Monument, it talks about containing any displays of any sort, advertising, decorative banners, flags or flag poles on the monument and ask if this would be in conflict with what we were trying to do. Chief Squyres stated that after TXDOT looked at our plans, they said the only point of contention they had so far is the letters JC and we have two sets of letters on them so what we are doing is that we are asking them to waive that, to let us go ahead and put the JC on them as is and they are not saying we can't do that as of they are saying that if we keep the letter on it, it has to go to Austin for review and it is going to be a lengthy review and it may be a problem, if it goes to Austin for review, they may find something else and want us to alter just a little bit, in fact he talked with TXDOT just a while ago and their fear is they are going to find something with the Mercury Drive one if they do that micro management review and then we would have two different monuments so everybody is sort of on hold waiting for this agreement and as soon as we hand this agreement to TXDOT they are supposed to give us an answer whether or not we can forgo the JC situation and just go ahead and put it up as it but the epic art was not an issue. Councilman Ochoa stated so the JC would simply be an advertising issue and Chief Squyres stated that they see it as signage and we have even ask them if we can build it and leave the JC off and let them do their review once it is built and us add it later because he knew they would like to see it put up. Councilman Ochoa stated he just wanted to make sure we were in compliance with the contract and we were not going to be held up, so again he was in support of this.

Vote: 5 For 0 Against

6. City Manager Maner stated that we had talked about this at the last council meeting and Kyle had gone forward with it and ask Kyle to report on it.

Mr. Reed stated we had talked about this like the city manager said and this sidewalk would go from Holland to Kerby on both Wiggins and Burman and it would also, on Burman, enclose 175

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foot of ditch with reinforced concrete pipe put in there for additional parking, that the street was horrible, that they get complaints all the time, citizens dropping their kids off or trying to pick them up, us trying to get equipment down through there. He stated that Councilman Claudio Ochoa went to day and he thought it would be a good start to our sidewalk project, it was a safety concern for the kids and he had talked to Councilman Gonzales quite some time ago when we discussed this project and he would like to get the engineers stated on doing plans and specs.

A motion was made by Councilman Gonzales to authorize the engineer to prepare plans and specs and to advertise for bids on sidewalks on Burman and Wiggins. The motion was seconded by Councilwoman Nunez.

Councilman Claudio Ochoa stated that he spoke with Mr. Gonzales before the meeting and he was aware that we have some problems on Holland that need to be addressed, five small patches and he ask him if he could amend his motion to include those five patches and Mr. Gonzales was graceful enough to allow me to do that so he would like to amend the motion to include those five patches on Holland Avenue from Wiggins to Lane.

Mayor Diaz stated that we need to amend Councilman Gonzales's motion to fix repairs on Holland and Lane and ask if that was correct. Councilman Ochoa advised that was correct. Mayor Diaz called for a second. Councilman Ochoa stated that was five small patches between the streets of Wiggins and Lane on Holland Avenue

Councilman Ramon ask if we knew who the engineer was on this. Mr. Reed stated it was LJA, that was our engineers.

City Attorney DeFoyd ask that they wait a minute that this was not on the agenda, that the agenda item say authorize an engineer to prepare plans and specs and advertise for sidewalks on Burman and Wiggins. Councilman Ochoa stated that he understood that but he was amending the motion to add the five. City Attorney DeFoyd stated that it was not on the agenda, in other words, It was not in here and he was talking about two separate things. Councilman Ochoa stated it was five more patches and he was telling him that he couldn't add it, was that what he was saying. Mr. DeFoyd stated that was correct, what were we doing here, this says we are going to authorize an engineer to do plans and specs and he was saying he wanted to do something else. Mr. Ochoa said he was saying that we do that and add five more point repairs that are located on Holland between Wiggins and Lane, can he amend the motion, it would be council to authorize engineers to prepare plans and specs and to advertise for bids on sidewalks on Burman and Wiggins and to also include five spot repairs on Holland. City Attorney DeFoyd stated no, because it was not on the agenda.

Councilman Ramon stated you could table it maybe.

The City Attorney stated the thing to do was just put it on the next agenda. Councilman Ochoa stated that he could do that, he was trying to get this put in one by making a motion, that he thinks we can do that but he is saying we can't, was he absolutely sure we can't amend the motion.

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Mayor Diaz stated that basically what he could do was go ahead and pass this and we could go to Kyle and tell him what we need done and they can engineer it to have those fixed.

City Attorney DeFoyd stated that was what he was saying, that once you put something like that on your agenda, it is on the agenda and it can't be changed and he wasn't even sure it needed to be on the agenda, he is not sure that the City Manager can't do it himself.

Councilman Ochoa stated to just let him say this, that if he could ask Kyle to fix those five spots on Holland then he won't need to put it on the agenda next week, if he can't put it on this agenda then he won't need to put it on any agenda if we can get a speedy repair on that.

City Manager Maner ask to be allowed to suggest this, go ahead and authorize engineering and advertising for bids for this project and we will ask our engineers under completely separate umbrella to give us a price on those repairs and then if we have budgeted money for that, we can do that without going over it again. Councilman Ochoa stated well we have \$154,000. for repairs, and ask if that was correct. Kyle advised that it was \$150,000.. Mr. Ochoa stated that he rode with Kyle today and saw some preliminary figures which totaled out to about \$90,000. so He thinks we do have enough. City Manager Maner stated that what he was saying was if the council does this and the bids come back in and they are below that \$150,000 and there is enough money left in the budget then we don't really need council action or anything, we can just do those. Councilman Ochoa stated so he was telling him those streets would be addressed by public work or by this contractor if the bid comes in lower. City Manager replied exactly. Councilman Ochoa stated so those would be addressed, if it doesn't come in lower and at any rate, we have the funds to get those repairs done so he would say let's include them and get them done. City Manager Maner stated that we need to wait and get our bids in and after that, he agreed.

Councilman Christopher Ochoa stated he had a couple of things and the first thing he wanted to point out with our city attorney said about not being sure if this had to be on the agenda and it got him thinking and this was a question that he would like to pose to City Manager Maner, has the city attorney ever drew up specs for us for any type of project without council action. City Attorney DeFoyd stated that he didn't do the specs. City Manager Maner stated the way this works is governed by state law and basically it worked like this, as he knew, the council passes the budget every year and as long as there are budgeted funds in the budget for any project we can do it but the state law requires that if that project exceeds \$50,000., you have to go through the bid process. Councilman Christopher Ochoa stated absolutely and that would be the second part of this agenda item so what he proposed to do would be to inquire to see if the engineer would willing to, as it says here, to prepare plans and specs, which was something that we didn't necessarily do and vote on as a council, the only part of this agenda item that we have to vote on would be advertise for bids on sidewalks on Burman and Wiggins. City Manager Maner stated but we wanted specs drawn up and Councilman Ochoa stated absolutely, we do want specs and he saw the efficiency of having it in there but just taking that portion of the agenda item off, we could still have the

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engineer create specs and plans for these specific sidewalks on Burman and Wiggins without having it voted on by council correct. City Manager Maner stated that was just a part of the whole project is the engineering on the project and the project was going to exceed \$50,000. Councilman Ochoa stated that he would like for council to consider and the engineers to also consider providing specifications and plans for the additional sidewalks and at that time we can look at that. City Manager Maner stated they were talking the same thing . Councilman Ochoa stated then we could possibly put that on for bids. City Manager Maner stated the first part needed to stay on there for the bid project. Councilman Claudio Ochoa stated absolutely, he agreed with that. City Attorney DeFoyd stated how could they bid on something without the plans, engineering was part of the project.

Councilman Claudio Ochoa stated so what he understood here was the engineer will come out and do the specs for the Burman and the Wiggins and we would ask him to do specs for Holland also and then the second part of the advertising we are tabling for now. City Manager Maner stated no, we were doing it all, we were authorizing the engineer to draw up specs for the projects on Burman and Wiggins and we were going to advertise for bids, so that project will be advertised to go out for bids. Councilman Ochoa stated that what he was trying to do was not have an extra expense of him coming out and doing the five patches of engineering. City Manager Maner stated that we did not have to enter into a contract with them, we would just have them do it, it was really no problem, they would do it at the same time as far as the study was concerned.

City Manager Maner stated that we did need a date for the bids to come back in and ask Kyle for a date. Mr. Reed stated it would take them until the next council meeting, that it would be at least two weeks before they would get the plans and specs ready. City Manager Maner ask if he thought four week and he replied yes.

Councilman Christopher Ochoa stated that we talked about the agenda items not being amended and he just wanted to point out that we were amending the agenda item as its stands right now weren't we by adding the date and time. City Manager Maner stated the agenda said projects on Burman and Wiggins and if he wanted to do a project on Holland, that just wasn't on the agenda so that was not an amendment of any kind.

Councilman Claudio Ochoa stated let's just cut to the chase and put on the agenda to fix those on Holland on the next agenda.

Councilman Claudio Ochoa seconded Councilman Gonzales motion to authorize the engineer to prepare plans and specs and to advertise for bids on sidewalks on Burman and Wiggins.

Councilman Christopher Ochoa stated his discussion would be this, he thought it was very important that we discuss what goes on in our city especially when it pertains to city business in these council chambers so he was sorry that we took so long on this agenda item but this was their tax payer money at times when we talk and discuss items, so personally, in his opinion, he thought it was important that we do discuss this and so he appreciated their time, he knew they took a little bit longer on this agenda item but he did feel it was needed.

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Councilman Ramon stated that place on Holland needed to be fixed.

Councilman Christopher Ochoa stated absolutely, that was a very bad place, holes all over that area so he was glad we were going to put it on the next agenda.

Vote: 5 For 0 Against

1. Nancy Gosney, 1726 Belin, advised Mayor Diaz that she wanted to ask the attorney a Question about the charter for the little league, what would happen in the event they lost their charter due to politics going on, what would happen to the little league. City Attorney DeFoyd stated that we wouldn't have a little league charter any longer. Ms. Gosney ask what happened at

that point. City Attorney DeFoyd stated it would be a difficult situation that what they would have to do was reform another little league charter. Councilman Gonzales stated they would still be allowed to play, they just couldn't be included in All Star play with other leagues and they couldn't go outside the city. Ms. Gosney stated so we would be jeopardizing the future of the children. She stated the council approval agreement with propertyroom.com, exactly how long had they been working on this, she was advised since last council meeting. City Manager Maner stated he was out of town and Chief Squyres did most all the work on this, she could ask him. Chief Squyres stated about a week to a week and a half. Ms. Gosney stated that she would just assume that Councilman Ochoa would get with them, that we were tabling too much stuff. City business needs to be handled instead of tabled.

Councilman Christopher Ochoa stated that he would just like to clarify something and advised Ms. Gosney that item wasn't tabled, it was disposed of. Ms. Gosney questioned which one and he advised agenda item No. 3 was disposed of for lack of a second, it wasn't tabled.

7. Mr. Antonio Reynoso, stated that he had a few items that he wanted to discuss and bring up and hopefully also a few questions that the city council would answer. He stated that he would begin with a lot that was on Munn Street, not too far from his house, not too far from the Mayor and Councilman Ramon also, on Munn Street and Kerby there was an empty lot there and he thought a couple of houses down from that corner, in front of a church, and he had seen this yard a couple of weeks ago and the grass was up to waist high, if not higher than that and he had pictures of before and he knew recently also after talking to the neighbors there, it had been mowed down and he didn't know if it was the city or the property owner and again from talking to the neighbors, they are saying this has been ongoing for at least six months, if not nine months, prior to this mowing that it has been that way so it was absolutely a nuisance and an eye sore to all of them that drive through there and he is sure the people in front of that church is affected also so his question is was it the city that mowed that lot down. Chief Ayala stated that he made a call to the owner of the lot and informed him and he came during the weekend and took care of it, Mr. Salinas. Mr. Reynoso stated he guessed that Mr. Salinas lived in Jacinto city, he was just curious. Chief Ayala stated it was Mr. Oscar Salinas and he had a business in the city. Mr. Reynoso stated that his other question from that Chief or anybody who could answer it, was that in January, he knew was talks of citations that were issued to some citizens, he forgot what the actual term was

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called, he didn't know if Fire Chief Squyres could help him with that but he knew it was close to 200 citations issued in the city, if he was correct. Chief Squyres advised Mr. Reynoso that he didn't believe those were citations, they were door knockers, courtesy door knockers to let them know that the code enforcement officer as seen a concern, it was a chance to avoid issuing a citation. Mr. Reynoso stated ok, so they were door knockers and after that there were some citations issued or no. Chief Squyres stated he would have to turn that over to Chief Ayala. Chief Ayala stated that there were some citations issued, there was quite a few warning citations and he believe there were actually five regular citations that were issued out of that. Mr. Reynoso Stated he was here when it was brought up and his question here was, if he remembered correctly, It was two or three people driving the whole city, taking pictures, taking evidence he guessed and was this just not seen, he didn't know who drove that street or block. Chief Squyres ask if he was talking about the day they went through the city from one end to the other looking at every

structure in the city and to be honest out of 3000 homes, they may well have missed one and their focus was primarily on structures, we were looking for structures that could be considered dangerous buildings, he stated that he thought there was a 153 that they saw things, it was sort of Kill two birds with one stone to be honest, it wasn't their intent to go out there and get this list, but once they got stated, they kept seeing things so they kept the list to save some trouble for other people. Mr. Reynoso stated that he certainly knew that could have been overlooked and again, talking to the neighbors, they were very concerned because they say the owner comes by from time to time and mows it down but then it will go that way for a long time so he hopes that Mr. Salinas will know this time to keep it below whatever that restriction is. Mr. Reynoso stated that he would move on to something that he just brought up, dilapidated structures, 10734 Pillot Street, which is also just around the corner from that empty lot and his question there was he understood there was a home there that burned down, he thought it had been close to 10 years, and there was a structure currently there and a couple of weeks ago, he thought March 8th or so that it was finally ticketed. Chief Squyres stated that if he was correct, just this afternoon, we were told there had been a permit for demo pulled on that, there had been a lot of back channel thing on this, letters, etc., trying to get them to move on it and as we have talked about before, our ultimate goal is to get these properties down and the way to do it, hopefully, is without city expense, either torn down or remodeled and another one, he didn't know if it was on his list or not and he was going to let the council know and just forgot about it, that we had put a lot of pressure on the owner at 1812 Kilroy, a storage building that used to be an upholstery shop years ago and the owner is finishing it up and it is beautiful now, it actually looks like a new facility so that was going to be tax dollars we would get. Mr. Reynoso stated that was great and he was in agreement with hopefully pushing them or getting them to do the work themselves without it being a burden on us, that was the way to go. Mr. Reynoso stated to come back to the same structure, it was ticketed, or at least he sees a ticket there right now, he thinks it was March 8th so there had been a lot of work that has been done in the past, letter mailed out or work that has been done and asked if the ticket would normally come first or would the mailing to the owner come first or how. Chief Squyres stated that several of us approached them from different avenues, we try basically to pester them to death, the code enforcement officer will put door knockers and at some point, with that not resolving it, we go to PD, PD will issue warnings and issue tickets and he thinks what he is seeing on it, and ask if it was a red tag, Mr. Reynoso responded that it was and Mr. Squyres stated

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that was the official name for that, Red Tag which basically says that if they are working on it, they are to stop work because of problems or concerns with it and if they are not working on it, it means a code violation or serious problems with it, danger, etc. and it gets things moving a little bit more, it ultimately get to the point where we have an evaluation form, which the city attorney helped us to develop that meets state laws and the inspector actually has to go out and say it does it do this, or does it do that, etc., and if it meets all the requirements to be torn down as far as the safety factor, then we do the title searches and all the serious things to make sure we are not tearing down a house without appropriate notice, he stated that it was just a very lengthy process, that we go at it in so many directions and not having the file in front of him, he can't tell him specifically what was done with that one but he could tell him, if it was the one he thinks it is, the demo permit was issued today, he believed. Mr. Reynoso stated that it had been 10 years since that house burned down and he didn't think the remaining structure has progressed to the point it is today in the last six month or

so, it had been a long time now and it had taken a long time. Mr. Reynoso thanked Chief Squyres for the information.

Mr. Reynos stated the other item here, and he just had a couple more and would try to be quick here because he knew we might be making record time here for a council meeting in a long time maybe so he would like to contribute to that. He stated that he knew that our taxes were raised in 2011, that he was here for some of the budget meetings and there was a motion to pass that by the city council so he would like to know what the actual percentage rate increase if anybody here could answer that question for him. City Manager Maner addressed Mr. Reynoso, asking him to please pardon him for this, that like he had told him many times, he didn't think anybody had those numbers in their head but if he would call city hall, he would give it to him exactly. He ask Mr. Reynoso to let him address his point though, the tax rate did go up slightly but that did not result in an increase in the taxes that people pay because the tax rate was set at the effective tax rate which the definition is made by the state and that is that it is the rate that will generate the same amount of taxes on the same properties as the previous year and of course this is a city wide tax rate and Harris County Appraisal District is the one that sets the values and the values on some properties in the city went up so those people did pay more taxes and the values of other properties went down and those people paid less taxes. He stated that the amount of taxes that would be paid overall to the city by the citizens and property owners of Jacinto City for 2011 will be the same as 2010. Mr. Reynoso stated that with all due respect, he did understand the mathematics involved and he believed that quite a few homes in Harris County have been lowered in value, that he didn't have the number here off the top of his head either but certainly if his house is valued at a lesser amount he would expect to pay less taxes and in this case we did have an increase in our taxes that we are paying because his house was valued less but he was going to be paying the same dollar amount. City Manager Maner stated that he as an individual certainly may be, that he couldn't argue with that but he was going to tell him, that the city as a whole, will have the same tax income in 2011 as it had in 2010. Mr. Reynoso stated that he would take him up on the offer, that he would call city hall to get the exact percentage of the increase. Mr. Maner advised him that if he didn't happen to be there, Kathy Griner, the bookkeeper would have the figure.

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Mr. Reynoso stated one last item here or almost the last, he stated that at the corner of Akron and I-10 there was a leaning pole there and he had a couple of picture and it looked like it was the result of an accident at one time or another he assumed because the thick wires that hold them up and he was not familiar with the exact term when he was advised that they were guide wires but the wires are still there, it is torn up and it is still there and he assumed that we were not normally in the business of taking care of those or putting them up but he just wanted to make somebody aware to make the utility company aware if it needs to be, he stated it could be hazardous, at least to somebody walking by, it looks like it could be dangerous and of course if he lived nearby and it would affect his home and he would lose power, he would rather we be proactive and act on it as soon as possible. City Manager Maner thanked him for reporting it, to his knowledge it hadn't been reported before. Mayor Diaz stated that we would have to distinguish this and see exactly who it belongs to, whether it be the telephone company or whatever utility company. Mr. Reed was ask to check into this and advised whatever utility company it belonged to.

Mr. Reynoso stated that the last question or comment was that he heard Mayor Diaz about the meeting with Commissioner Morman and he said there were issues discussed that were important to the city and could he ask what those issues were other than the sidewalks.

Mayor Diaz stated that he had actually had a few complaints from concerned citizens and also people who are not from this city, complaints on not having a shoulder out here on Market Street, explaining the reason for their concern, and that he had ask Commissioner Morman if he would actually send out his road and bridge guy to talk to us about that and also a few other things in the city, like some of the pot holes on Market, Big Bass Resort has request that maybe we can get some help with some sidewalks from the gated community to the city where the stores are at so they would have a safe way to walk. Commissioner Morman stated that he didn't know if he could help us with that but he did say that he would try and there might also be some concerns that City Manager Maner had.

City Manager Maner stated that when Jack Rodriguez came out today, that he drove him around and he actually put an eye on all things, he stated that Mr. Rodriguez had quite a history, he actually, years ago, worked for Commissioner Jim Fontino out here so he was familiar with the area and he was encouraging but he didn't want to make this sound to rosy for our citizens because the first thing they both impressed upon us, at the meeting and again today, was that they were out of money, money was tight but he did think we were going to get the best cooperation they can do for us and we are certainly going to try.

Mayor Diaz advised Mr. Reynoso that if he had any questions, he lived two houses down from him and he was welcome to come by anytime.

Councilman Ramon stated that he would like to make a comment about some of the things that he brought up like when we have employees in the city, like in the case of the fire chief, the park director and Kyle when they are driving around the city, these people making over \$80,000 a year, \$50,000 a year, that was three people, all these problems should have been noticed by these

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employees, we don't need citizens to go to our houses to let us know, it was pretty obvious that we have a lot of problems in the city and these people are getting paid on a day to day basis to report how to take care of that.

Someone was coughing in the audience and Mr. Ramon ask Ms. Diaz if she was ok.

COMMENTS FROM MEMBERS OF THE PUBLIC:

Larry Schion, 1430 Sheryl, Jacinto City, stated that he did know Mr. Morman and who he worked for, that he was married to an Hispanic woman, his father-in-law owned a tire company and he was a good man, it was not racial in anyway, if you needed him, he would help you. He stated that we can't fix everything in this city and you talk about our \$80,000 guys over there but we had five of them up there that made the decisions, not them, why didn't they go look at them, why didn't they see the pole, Mr. Reynoso found the pole. Why didn't all five of them get in the same car and drive the city

and find every little thing that need to be fixed and turn it in all at one time and we could get it all fixed at one time. He didn't think they were going to do it but don't talk about our \$80,000 guys, let's talk about Position 1, Position 2, 3, 4 and 5, they got paid by this city to run it, why didn't they go look at it and see what was wrong and then come back up and then when people like Jack Maner is finding this whatever to get rid of things, he was here, he heard them ask why can't we do these things and when he does these things you come up and say well that wasn't what I really had in mind, it really didn't matter who was in mind because all you are looking at is percentage rates with them, you are not going to be more than 1% or 2% on anything and if you are not looking at more than \$20,000 you are looking at \$20 or \$30 percentage wise. Mr. Schion stated that he understood that Position No. 4 was talking to them and he should already know that percentage rate what they have here. Position No.4 stated that he hadn't talked to them. Mr. Schion stated that he heard him say that he was talking to them but whatever, just find a percentage rate of 4 or 5 but next time when they come, try 4 or 5 places don't get just 2, not the ones they looked at, what we are going on is the lowest percentage rate of what they sell and go with the lowest bidder, all of them are good if the police departments sell their stuff through them. Mr. Schion stated that he hears people talk about the city, if you are concerned about it, go out and find the things, that Mr. Reynoso talked about the yard and he agreed that if it was too high. He stated that he also head Keep Jacinto City Clean, Position 1, Position 3, Position 4, Position 5 also along with Allan Jamail, go mow it for them because he heard them say that if you ever needed help, just ask, go mow it for them, then we wouldn't be up here talking, if they were that concerned, go out and mow it for them, then we wouldn't be up here talking.

Councilman Ramon stated that actually he thought all the city council belong to the Keep Jacinto City Clean, everybody on the council belonged to that.

Mr. Sameer Jalal from the McCarty Food Store, stated that he agreed with their decision about not having the vending machines but he would like to be fair, he just wanted every single business that is in Jacinto city treated the same, that his customers are saying that the location on Mercury has a game room but it is a private club and a lot of people can't get in there because they have to be a

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Member and he doesn't know why people are not coming forward, either they don't want to discuss it or just don't want to be a part of it but just to be fair for all the businesses, don't have machines at all and at the variance meeting they talked about having Jacinto City clean because of the machine they have a lot of crime which he understands and if you really wanted to clean up the crime, the best thing to do is just say no to everyone.

Mayor Diaz ask Chief Ayala what we needed to do to fix this problem.

Chief Ayala stated that he couldn't discuss it at this time but he could assure them that they were working on keeping Jacinto City cleared of all 8 liners and he could assure him of that.

Councilman Ramon stated that as Mr. Sameer knew, he went to his hearing and that had been his position all along that if we allow one person, we should allow everyone or nobody, that he was not the first customer or the first hearing he had been to he was absolutely right, he had only been elected one year and that has been one of the problems he see with the administration, selective

enforcement and he wanted them to allow people to do something or stop them and he could identify with him.

Mr. Sameer stated that he was here because he was the one that reported it, that was why he was here and he had yet to see the report. Councilman Ochoa ask him what report was he talking about. Mr. Sameer stated that they said he was giving cash out to the customers and he had not see that report yet.

Mayor Diaz ask Chief Ayala if someone filed a complaint on him.

Chief Ayala advised him that he could come by the police station and pick up a report.

Mr. Hagan stated that he was not going to get all uptight like he did the last time but he would like to ask a question that when we talking about yards needing to be mowed, about vehicles and tagging and citations, he would like to ask who was responsible when something was tagged or cited, who was responsible to take action on that, say like it was a vehicle and it was cited, who is responsible to get that fixed. City Manager Maner advised him that it was the property owner and Mr. Hagan said the reason he was bringing this up was because we have had all this discussion and he thinks one of the suggestions that he would like to see happen is when these things happen, especially when it is against the city ordinance, the ordinance should be brought to the attention of the property owner showing them what the city ordinance says because he looked into it this week, the ordinance says the vehicle is fine if it is operable, so there are variances and different minds and thoughts, his idea of operable and inoperable might be a little different from what the council people think so he thinks it is important that this is brought to the attention of that homeowner, that he didn't know if that could be done or not but it was a suggestion.

Mayor Diaz ask Chief Ayala if we actually contacted the people before we tag the cars just to find out some information on that vehicle. Chief Ayala stated they did attempt to make contact with

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the home owner, if the home owner is not there, they will place a red tag on the vehicle and the red tag will tell them what they need to do and to call the police department if they need any additional information and if nothing is done, then they will go back after ten days and many times we give a warning citation, if there is a problem with the vehicle and they are working on it and they have proof that they are working on it, we provide extensions but if it just sits there and nothing is done that is when they would give a citation and they would have to explain it to the judge.

Mayor Diaz ask if when the officer actually went to the residence, did he actually take notes whether he had contact with the owner or not. Chief Ayala stated that yes, they make a miscellaneous report and the complaint may not have been initiated by the officer, it could have been a complaint by a resident.

Councilman Christopher Ochoa stated that he knew that it was not going to solve the problem but he did agree with what Mr. Hagan was saying and officers and the administration, council members and citizens that are aware of the ordinance, maybe we should try to educate each other on that. He stated that part of the website actually is required by state and federal law that we publish what is

call the Municipal Code and the Charter so it will be visible to those who have a computer and he understood that we are a low income community and many of us don't have computers but he thought that would solve part of that problem.

Mr. H. G. Wooten stated that he was on the variance board and was the chairman this last committee meeting and we did not approve this 8 liner request that if they had, everybody and their brother would have been up here to get a license. He stated that all these folks that are talking about well they have these places and each one of those people have to get a license renewal once a year, why do we approve them if they have these 8 liners, that we had heard about this place down the street across from Pizzini owned by Duncan McCoy and he would love to go in there but he wouldn't let him but he has to have a license of some kind to be in there, Why is it approved.

Councilman Claudio Ochoa stated he thought the license came from city hall.

City Manager Maner stated business licenses are issued and when you first apply for a business license in any business there are inspections that have to be made by all the inspectors to see that it is safe, in good condition and safe for the public and when they are renewed there is no inspection that goes with them and he used a convenience store as an example, stating that he was licensed as a convenience store and once he renews that, there is no annual inspection of any sort, the inspection is just to do that business in the city. He stated they could be inspected by the fire marshal if there is a probable cause or reason to do so but once you have a business, it is just a renewal process but if something illegal is being done in any business, upon proper police procedure, so they can investigate it and at some point it needs to be addressed but hearing it, knowing it and proving it, as the chief well knows, is sometimes difficult.

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Mr. Wooten ask a question which was not picked up by the sound system and was answered by the City Attorney who stated that it was not the machines which was illegal, it was the way it was operated that made it illegal and he couldn't say any more than that, it was just a machine, just a device.

Mayor Diaz stated that in other words, we could go down and buy the machines and put them in a Store or whatever we wanted to put them in.

City Attorney DeFoyd stated that you could legally have these machines, you couldn't operate them illegally and operating them illegally is defined by the statute, if you are using it as a gambling device it is illegal and they are going to come and get you.

City Manager Maner stated that he thought everybody agrees that the ideal situation and I think what the Chief, the police department and all of us are striving for is just eliminating 8 liner gambling machine in Jacinto City period.

Councilman Claudio Ochoa ask if there was a possibility that we could pass something to prohibit 8 liners in the city limits.

City Attorney DeFoyd stated that what they had done in the past or what is being done, that these things have become a problem when they become a game room and you have like 50 or 60 of these machines and it presents a problem as far as the zoning and the type of business it is and the city has a zoning ordinance and it can regulate through that zoning ordinance the type of business it is going to allow and right now you have the authority to basically outlaw anything that would be in violation of the zoning board.

Mayor Diaz ask what the definition of a game room was, what defines a game room, one machine, 50 machines. City Attorney DeFoyd stated that it could be one machine but it was more than 5 or 10 machines, you just had to use your common sense, if the guy opens his doors, you walk in there and you see nothing but machines, that's a game room and if he has nothing else in there, that certainly a game room and you can regulate it and they were doing that.

Mayor Diaz ask what if they have a mixture of 8 line machine and pin ball machines.

City Attorney DeFoyd stated there was nothing illegal about having one of those machine, you could it and the city has no authority over it at all, that he would have to look into it .

Councilman Gonzales ask if they didn't become illegal when they paid out in cash and the City Attorney replied absolutely, that was what he meant by how they were operated if they started paying cash, it was a gambling device and frankly he didn't know of any of those machines that were used for any other purpose.

Councilman Christopher Ochoa stated he would venture to say that the common senses of the public is that we don't have these 8 liners, which can be both legal and illegal and he would also
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venture to say that we can enforce to prohibit those 8 liners if council so chose to consider that and that was something that council would have to bring up though and he ask the city attorney if this was correct and the city attorney replied yes but we already had a state law they could enforce.

Councilman Ramon ask if this private club ever went to the board. City Manager Maner stated that he didn't recall and ask the chief if he knew. Chief Ayala stated no sir it hadn't. City Attorney DeFoyd stated that he didn't know it was a private club until they told him about it.
Councilman Ramon stated the private club on Mercury, that was the one they were talking about.

There was a question ask from the audience and City Attorney DeFoyd stated that it didn't matter if it was private or public, if they were gambling it was illegal, you could not gamble.

There was general discussion on their being machines in there and cameras on the outside of the building.

Nick Castillo, 10229 Fairfax, stated that he was free to help the city, had lived here about seven years now and this was the first time he had been here and he wanted to say that when he had free time he would help out the city that he didn't know how city council worked, but pointing your fingers wasn't going to solve anything , he thought if they all worked together it would solve a lot of things

and not point fingers we all have different issues but we really have to be together to fix stuff, that he didn't know what they did but the only thing he knew was we should be united and he was here to help the city freely whenever he wasn't working.

Mayor Diaz ask Mr. Castillo what kind of work he did and he stated that he worked in industrial paint and scaffolding to so he was multi crafted. Mr. Castillo stated he was in shock, that he saw too much distance between everybody.

City Manager Maners advised Mr. Castillo that we welcome volunteers and the first thing that he might mention to him just as a suggestion, that he contact Kim Bellotte, who was the Parks and Recreation Director who had to leave to go to a meeting with the ball leagues, that her office was in the gym and that was the area where we used the most volunteers and there was never enough and thanked him for offering.

Mr. Castillo stated that he was going to try to be here more and watch what they do and what the city really does that he had never been to a city council meeting but hopefully whatever they did everybody was supposed to be united not pointing fingers, that was not right to him, it wasn't going to solve nothing, we needed to work together and be one team like the United States said united we stand divided we fall.

Mr. Reynoso stated that he would like to have his pictures back.

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Raul Rodrigues, 1410 Jennifer, stated that he was from LULAC Council 4703 and he just wanted to let them know that they did good on the BBQ benefit they had on Holland , they were going into their eleventh year and they had picked up \$62,000 all together in Jacinto city and Galena Park and they had given out a lot of scholarships and he wanted to thank the Mayor, Mr. Ochoa, Mr. Ramon, the chief and a lot of them that had been by there and helped them out with the scholarship in Galena Park and right now they didn't have anyone from Furr High School but if they knew somebody from Furr High School or Channelview they would be glad to help them out.

Rachel Munoz, 10434 Chadwick, stated that there had been two home demolished on her block and she just wanted to say thank you, that they did have to report and report but finally they were demolished, one she didn't think needed to be demolished, that all she was asking was for it to be boarded up and secured because they have a lot of children in their neighborhood and she always looks out for them and she just wanted to say thank you for doing that.

Councilman Christopher Ochoa advised Mr. Castillo that he really appreciated his willingness to volunteer here in this community and he would like to speak with him after the meeting. As Mr. Maner said, we do have a lot of volunteers that are needed in our parks and recreation department and he sits on a board, Keep Jacinto City Beautiful, it was a nonprofit organization that he started here along with his fiancé and a few others board members. He stated they had already rehabilitated a couple of home in the city, they had done a lot of exterior work, that Mr. Hagan was sitting down here today and his home was actually the last one we did, that they have about 60 to 70

volunteers that come to this event and they are mainly youth and Ms. Munoz was a supervisor on our last project and he wanted to let him know and let the public know that April 16th they were having another hands on housing event so he would like to speak with him about it afterwards.

Councilman Ramon thanked Mr. Castillo and Mr. Reynoso. He advised the City Attorney that he had a question before we closed the meeting, that he had talked to Police Chief Joe Ayala in regard to some illegal political signs in the city and he left some paper work for him and didn't know if he got it and ask if he did. City Attorney DeFoyd ask what was that and Mr. Ramon advised the paper he left for him about the political signs and the City Attorney stated that the Chief gave them to him, saying that Mr. Ramon had some questions. Mr. Ramon stated that he talked with someone in the Texas Ethics Commission and they said those signs were illegal and Chief said the city attorney disagreed with that . City Attorney DeFoyd stated yes and Mr. Ramon ask if he did disagree with that. Mr. DeFoyd stated yes, if he had a complaint and first of all, let him tell him that it was not a crime to not put the notice on there unless it interferes with a right of way, if he had a complaint as to what was on the sign then he made that complaint to the ethics commission under the election code and they would then take action. Mr. Ramon stated that he called them and they told him they were not political signs and he said they were, that is the question. City Attorney DeFoyd stated he guessed it depended on his definition of a political sign, that he thinks every sign out there is a political sign if he was asking his opinion and it should state on there that it is a political advertisement and it should have who is responsible for the sign. Mr.

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Ramon stated correct. Mr. DeFoyd stated that what Mr. Ramon was asking the chief to do was file criminal charges on somebody that was putting up a sign without that notice on it and the only criminal action that can be taken under the law is if it interfered with the Texas Department of Transportation, if it is within a certain distance of the state highway, then it becomes a misdemeanor not to have the notice sign on there. If this is on a right of way, it could be a crime, the chief, today, contacted TXDOT Legal Department, who quite frankly told him there was no way that would be a violation of the criminal statute because it was not close enough to I-10 or a state highway which is part of the requirement to that provision and that was basically the answer to his question. Mr. Ramon stated that was all, he just wanted to get him on record.

Councilman Claudio Ochoa stated that he had ten more tickets that he needed to sell for BBQ plates for Saturday's little league event and he would appreciate it if anyone who wanted some good BBQ on Saturday would purchase these tickets and they were \$7.00 each.

Mr. Schion stated that he would take all of them and Councilman Ochoa thanked him, stated that he was a good good man.

Mr. Schion stated that he would like for everyone to go look at those signs, and see that they were paid for by him, that he bought 100 and there was 300 more coming and that 300 would have it on there he promised. Councilman Ramon stated he wanted to thank him for his advertising that he got a lot of calls apparently someone told him about it and he wrote it with a marker, he saw that, but he had pictures where it wasn't. Mr. Schion stated that according to Mr. DeFoyd, they didn't have to be

there anyway but when he does something wrong he tries to correct it . Mr. Ramon stated that he didn't remember telling him about it so somebody must have tipped him.

Mr. Schion stated that he guessed that was what friends were for. Mr. Ramon stated that he only talked to the Chief of Police and he guessed he told the city attorney. Mr. Schion stated that it wasn't the chief.

Councilman Ochoa stated that he wanted to thank Mr. Schion again and the 10 tickets would be donated to the little league for some kids that would like to eat there and he would give them to the President of the Little League.

Councilwoman Nunez stated that she would like to thank Mr. Castillo for coming, that he told her this was his first time and she was very happy to see him and she could see that he was very interested in the city and volunteering and that was what it was going to take for us to be united and working together .

Mayor Diaz adjourned the meeting at 7:55 p.m.

Respectfully submitted,

Joyce Raines, City Secretary

