

COUNCIL MEETING, THURSDAY, FEBRUARY 10, 2011, 6:00 P.M.

The Mayor and City Council met in regular session on Thursday, February 10, 2011 at 6:00 p. m. with the following members present: Mayor Diaz, Council Members Claudio Ochoa, Rachel Nunez, Jose 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.

A motion was made by Council Member Nunez and seconded by Council Member Christopher Ochoa to approve the minutes as presented. Vote: 5 For 0 Against

Mayor Diaz moved Comments from Members of the Public to the end of the agenda.

Mayor Diaz called upon the Department Heads for their reports.

Chief Squyres cautioned everyone to be safe if using space heaters during this cold weather.

Captain Demont reported that all was well at the police department and that Chief Ayala was under the weather.

Public Works Director, Kyle Reed, stated that it had been very cold and cautioned everyone to be Sure and wrap their pipes and that we had helped a lot of people thaw out their frozen pipes during this freeze.

Kim Bellotte, Parks and Recreation Director, advised that baseball and softball was still signing up and they were busy getting the fields, press box etc., ready and were trying to get a concession stand at Smith Park.

Cindy Miller, Heritage Hall Director, advised that the senior's would be having their Valentine Party on Monday there was also a party at Grayson Center they were looking forward to. She announced that she had two new members on her staff now and invited everyone to come by and meet Rina and Debbie.

Stephanie Orr, Jacinto City Library advised they were busy with Black History Month.

#### MAYOR'S REPORT:

Mayor Diaz stated that we have a lot of senior citizens here in the city that live by themselves and if you know of any of these seniors, please check on them, be sure they have heat and they are Ok and if they need any assistance during these cold days because you can't ever tell what might happen during these cold days and reminded them to check heat exchangers on gas furnaces which could crack and produce carbon dioxide which could prove to be fatal. He stated that Monday was Valentine's day, be sure and buy your valentine some roses, candy or give them a hug and tell them you love them. The Mayor introduced Kathryn Zion and Debby Molina from Big Bass Resort and welcomed them to the meeting.

They thanked the Mayor and stated that if anyone was looking for a place to live, they would love to have them at Big Bass, the minimum age was 55 and they had a lot of programs going on.

Mayor Diaz announced that that Councilman Charles Garrison from Deer Park had passed away and gave information on the services.

He also announced that LULAC was having a BBQ fund raiser for scholarships on Saturday, March 12, 2011 from 11:00 a.m. to 2:00 p.m. at 1306 Holland Avenue.

#### CITY MANAGER'S REPORT:

City Manager Maner stated there was a pre construction meeting with the contractors today that were going to be building the Gateway Projects, the monuments at the entrances on Mercury and Holland, everything was looking great as we expected and some of them remembered, the bids came in lower than expected so we were exploring using the extra money to add water for landscaping, electrical, etc., and they expect, weather permitting, to begin construction in just a few weeks and it wouldn't be a long project. He stated that at the last bid opening he had a hard time opening the envelopes with the letter opener he had and one of our generous citizen in Jacinto City had provided him with a new one (which he displayed) and he would like to thank them.

Mayor Diaz stated we had no unfinished business on the agenda and the first item under new business was to request approval to advertise to sell surplus equipment in the Police and Fire Departments.

#### NEW BUSINESS:

1. There was general discussion on the vehicles to be sold, a 2001 Crown Victoria and 1999 Ford Taurus from the police department with a minimum bid of \$1,500.00 for each and a 1999 McCoy Miller Ambulance with a minimum bid of \$20,000.00.

A motion was made by Councilman Ramon and seconded by Councilman Christopher Ochoa to approve the sale of the equipment in the police and fire depart with bids due back on February 24, 2011. Vote: 5 For 0 Against

2. Nancy Gosney, 1726 Belin, stated that first of all she wanted everyone to recognize that Our city employees worked Friday, when the City of Houston completely shut down and she shut down as well, the whole city was up and running, was that not right. She was advised that it was. She stated that the last few council meeting we had two councilmen, that had been serving the city for eight months, stating that our charter hasn't been review, revised or amended, so she took the time out to pull this information because our city secretary has been servicing the city for thirty something years, Ms. Nunez has been serving our city for about eleven year and our city attorney has been with us about 46 years and they keep telling these councilmen and the people that we had an election back in 1998. She did a power point presentation, and read that the council was

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to appoint a charter review commission on August 14, 1997 and that on May 4, 1998, council

action on charter review commission proposed charter changes, May 4, 1998, Griggs presented the Mayor and Council with the review commissions proposed changes, May 4, 1998, Griggs said that if the council accepted the recommendations of the committee, it would need to be published in the paper, require public hearing and if we were able to get clearance, we would have the election in August. She stated the next slide was April 25, 1998, was the proposed Home Rule Charter changes and as they could see for themselves, and she read the names that were on the commission, Scarborough, Teri Key, Nichols and Attaway and Clyde Ochoa. She ask Mr. Ochoa if that was him and he replied that it was. She read that on August 14, 1997, Gongre read the names for the charter review and that May 14, 1998 was the first reading of the ordinance and council accepted it on the first reading. On August 13, 1998 there was a canvas of special charter amendment election, August 8, 1998 Special Election Results, voters with the majority voting unfavorable, We the people and as you can see people, the people voted this down in 1998 as the charter and she just wanted everybody here to see this, and she just wanted to clarify that what Ms. Raines, Ms. Nunez and our city attorney has been saying is correct information and therefore the charter has and was addressed at that time, if the people had wanted to have it revised and amended, it would have been passed and it would have been revised and amended at that point.

Ms. Gosney stated that also in a previous council meeting (that she wanted to play a little audio here and she had a question for Mr. Ochoa) the audio was of Mr. Ochoa stating that he did not want to sit next to someone who had violated our city charter but he was not in violation, Ms. Gosney stated that she had another one and played another recording where our city attorney was saying something and she just wanted this for the records. Mr. Ramon was saying on the recording that he talked with the attorney at the TML and they agreed with him and told him to, of Course, talk to his attorney. City Attorney DeFoyd stated they told him to talk to him didn't they. Mr. Ramon replied that yes they did and City Attorney DeFoyd stated and did you. Mr. Ramon stated he was talking to him right now. Mr. DeFoyd stated that he just made a whole lot of assumptions that he shouldn't be making about an employee of the city. Mr. Ramon stated this was not assumptions. Mr. DeFoyd stated yes that he made a gigantic assumption about an employee of the city and he was going to tell him that he was in violation of the charter. Ms. Gosney stated that she just wanted that for the record and she had heard in the last few council meetings that he has never never violated the city charter and she just wanted everybody that was not at that meeting to hear this.

3. Larry Schion, 506 Hare Cook Rd., Crosby, Texas stated he wanted to comment on Ms. Gosney's comments about the 1997/98 charter review, he had stated that he didn't see much wrong with our charter but when they tried to change it they tried to sneak stuff in on us and at that point, he didn't know that Claudio was part of that committee and when he ask that, Mr. Ochoa acted like he didn't know what I was talking about, but since she found it, it make me think, you know that people on the charter have to pass it and he was just wondering when you have people like Ms. Griggs, Mayor Gongre, our past city manager and mayor, they did things a little different in the city and they did it their way but he didn't know that Claudio was on that committee, he didn't know how they voted or anything but he thought he was going to check that out and see if he voted for those changes because they tried to sneak that in the back door and he

thinks that is very important for the people to know and understand, that he had know him a long time and he didn't know that and making five people on that committee to help shoot that out because they sneak it in on us, it seems like he would have know that but he didn't, he tanked Ms. Gosney for doing her homework and finding that because it was an important thing. He stated that the last time we were here, there was a gentleman here trying to find out about some paperwork or if he could build something and he heard people talk and he heard Mr. Ramon talk and say different things about what he thought the charter should say or do or just let it pass, he wasn't sure and that wasn't really what he was talking about, what amazes him is and the reason he gets up here and speaks is because every time Councilman 3 speaks, he just always seems to talk down to people, for example, what they were talking about was a charter that said they couldn't build or if they did, they had to be a certain kind of board on the outside, etc., which is all neat and it will all work but he heard the city manager say something to Mr. Ramon and Mr. Ramon talking and the city manager was trying to be helpful and said something and again, in the rude kind of way that I always see from him, he ask him if he had something to say, to him, that was rude, he didn't know if they say it that way or not, and it was that kind of attitude that offended him and if he could change his attitude toward other people but weeks and weeks go by and he still attacks the city manager and he doesn't know why, Jack was a good guy and he was trying very hard and if anyone in here could understand him, even Mr. Ramon, he would like to know why he attacks him so much, has he done something to you, something is not clicking here between the city manager and him and they should be working together. He didn't know if Mr. Ramon knew it or not, but we do have a strong city manager form of government, not strong mayor, he was kindly the boss man and sort of runs our city. There are two form of city government, strong mayor or strong city manager and our was strong city manager.

Mayor Diaz ask Mr. Schion if he had anything else he would like to say tonight and Mr. Schion stated that he did if he would answer him and Mayor Diaz advised him that he did not have to answer him, was there anything else that he would like to say about the city. Mr. Schion stated that he comes up here and listens to this and it was just that he downgrade everybody and doesn't give them the respect they need. Mayor Diaz stated that respect is earned and he had learned to Live with that. Mr. Schion ask the mayor if he thought he had earned his and he replied that he didn't know but lets move on.

Councilman Ramon thanked the Mayor.

4. Councilman Claudio Ochoa stated that he had a few items that he wanted to discuss, that he had been on city council since May 13<sup>th</sup> and he had enjoyed every minute of it, he was not going to resign but back on May 13<sup>th</sup> we talked about the water wise program, we talked about it again on August 26<sup>th</sup>, we talked about it again on August 31<sup>st</sup> when we were trying to prepare our budget, we talked about it again on November 11<sup>th</sup> and again on November 23<sup>rd</sup> and his question mayor, if he could answer that or anybody, Kyle or the city manager when are we going to stop talking about it and implement this program. Mayor Diaz ask Kyle if he would like to answer that and Mr. Reed stated that we have been moving on it and he had explained it to his boss, all of the council people are our boss but Chris Ochoa, is he liason in Public Works for water and he has told him that our engineers are working on it, this is a grant that we are going to have to have, that

is not going to cost the city any money, or very little. He stated that before we can make this thing work, before we can mix 50% ground water and 50% well water, we are going to have to have some construction done to the water plant and nobody is dragging their feet, there is a lot of red tape that is involved in this, not just the water line that we put in, that we put in very little money out of the general fund to improve water lines, which we should do more but we depend on grants and from application to construction is from five to seven years and he ask Lon to confirm this. He stated that we are not avoiding, believe him, it was not going to bother him to mix 50% well water with ground water and lower the water rates if possible, but we have to do it the right way so the citizens don't get sick, we want what is best for the citizens and so our engineers are working on it and that is all he can say, that he had talked to Councilman Ochoa and he thought that the information had been passed on from Mr. Squyres and City Manager Maner, we were waiting on the engineers.

City Manager Maner ask Mr. Squyres if he could address the process. Mr. Squyres advised that he could to some degree, he stated that we get quarterly reports from them on this project as far as the engineering status of it and the last time we talked to them, they were well into the engineering on it and the scope of the work we are talking about is all of the work behind the police station, tearing down the structure there, rerunning all the pipe work, putting in a different type of connection, the air gap connection and running it back where the tower is and installing pumps to kick it up to the tower, new pipe upon the tower and then pressure reducers for our water coming from out of the tower to gate it down to a manageable level so that it doesn't blow out our system and from everything they tell us, it is just a lot of engineering that goes into it and they had to wait for TDRA to give them the go ahead. He stated that we were at a little bit of a disadvantage on the TDRA Grant because the engineer doesn't work for us, they get paid directly from TDRA, we will manage and pay the contractor that actually does the work but the engineering portion of it works directly with the TDRA .

Councilman Christopher Ochoa stated just to clarify, was the engineer LJA Engineers and Lon stated it was and we deal with two people, Wallace and he couldn't pronounce the other name and of course we work with Ronnie Mckiney as well and we have all been very vocal and he thought Councilman Christopher Ochoa even spoke with LJA and he thinks they have all been very forceful, as much as they could, that of all the projects in that 3.4 million dollars , there was one that has our attention and we want it pushed to the front on this because we can't start the benefits of the water wise program until that goes to construction and we get that field line and even of that project when we go to construction we would like to see that things were going to need done to use well water first, things like the backup generator down there can wait, lets pump well water, that is the goal he hopes we are all seeing. He stated that if we don't see that in future quarterly reports, we are going to be kicking and screaming, but he doesn't know what else we can do, if any one has an suggestions he would be happy to hear them.

Councilman Claudio Ochoa stated that he didn't want him to scream and shout, they might get a little upset about that, he ask at what phase of the drawing was the engineer at, have they complete

that or not. Mr. Squyres replied that as he understood it, the preliminary is all done and they are moving on, they skipped the 30% completely, they cut down paperwork and they should be reporting 60% of total engineering in this next reporting period was what he was told and as soon as they have that in black and white, he will come and report that on the records for them. Councilman Claudio Ochoa asked what the next process would be when we get these engineering drawings. Mr. Squyres advised that we would bid, there was nothing that would keep us from doing it if there is no red tape, we already have the money appropriated. Councilman Ochoa stated so really what he was saying was the engineer was holding us up and Mr. Squyres stated that was right. Councilman Ochoa stated we needed to move as fast as we can, that he wasn't saying they were not but he thinks that before the May 13<sup>th</sup> election they were talking about this so it was probably about two years in the making. Mr. Squyres stated that he would have to look back, that once they discovered the water wise program, which was in Jack's absence, because he sat in on the meeting, City Manager Maner stated it was not quite a year yet. Mr. Squyres advise that Representative Ana Hernandez got us together with the Subsidence District and that was when we discovered the program. Councilman Ochoa stated that we were moving on and we wanted to get that as quickly as we can. Mr. Squyres stated it was a slow process because it was grant money and the wheels turn slowly and we were overly optimistic, I don't think we throughout a time line, we were very excited about this and still are and he apologized if that betrayed that it would start sooner than it is, sometimes these projects just take a little longer. Mr. Ochoa ask how many quarterly reports had he gotten since he made the application or since he had talked to the engineers and Mr. Squyres advised that they had submitted one quarterly report. Mr. Ochoa ask when did he actually talk to the engineers about these drawings. Mr. Squyres stated the day we got that was January 15<sup>th</sup> if he recalled right. Mr. Ochoa ask if it was 2009 or 2010 and Mr. Squyres stated this year, but they had been working on it three months prior to that but before that, we had to sign the TDRA contract and do all the pieces of the puzzle, we had to have a pre grant meeting with them, site visits and what we are doing and he guessed that we should tell them what was going right, paralleling all of the engineering, we talked the TDRA into coming out and they are also funding, not out of our pocket and in addition to the 3.4 million, all of the environmental work for these projects. He stated that what we did not want to happen is, ok here is engineering, you are good to go, then now we start doing environmental and get knocked down, so there is parallel routes going on where the environmental work is already underway while the engineering is so we don't want to be hampered by getting the engineering done and can't go to construction because we are waiting on environmental. Councilman Ochoa stated so we were about 60% on the good side. Mr. Squyres stated the next one they present should be 60%, then they wait for the TDRA engineers to give them feedback on what they are submitting and if all goes well they draw up the construction documents and as Kyle mentioned, TCEQ, the elephant in the room, gets to weigh in on it to and if they come up with anything they don't like, because it is a water project, it has to go back to the drawing board .

Councilman Christopher Ochoa stated to Mr. Squyres that it look like there was many moving parts to this process, you got the educational component for the water wise program, you also have the engineer component with the preliminary drawings being passed and you also have bidding and construction, it was his understanding that when they met with the Subsidence District

that we were going to be able to use B credits which would allow us to pump about 30% of our own well water and it was also his understanding that we could use those B credits whenever we wanted to, it would be a roll over every year. Mr. Squyres replied yes sir, that we could bank them. Councilman Christopher Ochoa stated that his biggest concern with this was it seem to him that we have gotten started on the engineering facet of the project but we could also start, as well, on the educational component, that he knew that we had school lined up and he would think that it would be in our best interest to educate our students and he wanted to ask him if he knew anything about the scheduling. Mr. Squyres replied that as of now, we were waiting to get somewhere near to the proximity of knowing when we are going to turn the switch to do the pumping and the rational is just dollars, he remembered how tight the budget was, he wasn't prepared to talk on this so please excuse him if he was wrong, but he thinks it was 35,000 to 38,000 or something like that which will have to go toward the materials for the education packet and there is 11,000 of those packets at \$34.50 each so it is going to be hard for us to pay the higher use dollar amount to pump water temporarily and pay \$34,000 more, if we have the money, he is all about it, yes we could go ahead and we would always have the credits in the bank, but we don't have to do that as long as we are one month ahead of the credits we are good to go. He stated that Mr. Maner had ask him the question about a week or so ago what this state budget deficit going to do, were they going to cancel this program and so we called and ask them about that because if not, lets go bank some credits real quick and the answer was no, it was a self supporting program, what we buy those kits for is the only real cost to the program. Councilman Christopher Ochoa ask if the kits that we were purchasing for the students were about \$35.00 was that correct. He was advised that they were \$34.50 each. Councilman Christopher Ochoa stated that each kit would provide us with about 84,000 gallons per student and he ask how many students were we look at. Mr. Squyres stated that to meet our quota on water it would take 10,095 so we rounded it up and said take 1100 students per year and Galena Park School District told us they could provide those students at any time, basically on demand. He stated the way we do it, according to the Subsidence District, is we get the credits when we buy the kits and make the commitment and identify the students.

Councilman Ramon stated that Mr. Squyres had mentioned a generator that we were going to need and ask if that was going to be a part of the grant. Mr. Squyres replied that it was and we were actually purchasing several generators with the grant money, one for each of the lift stations where we currently don't have generators, one at the well site on LaCrosse and then we will have a very large one out behind the police station which would run the water system. Councilman Ramon stated so this was not an additional expense, that it was all part of the grant and was advised that was correct.

Councilman Christopher Ochoa stated that he had a question about the pumpage for the Chief and Kyle, was the 30% credits on an annual per annum or was that a month to month and chief Squyres advised that it was per annum. Councilman Ochoa stated so we were looking at 92,400,000 gallons that we will be pumping roughly. Mr. Squyres stated in addition to the 20% that we are allowed by law to pump so it brings us to a total of 50% surface water and 50% well.

Mr. Squyres stated that Kyle was kicking him and saying that we had to be realistic and don't set it too high, that this year we were going to shoot for 45% and bank some of the credits and there were things about mixing water that he didn't begin to understand, that was Mr. Reed and there were a lot of processes that it had to go through.

Councilman Christopher Ochoa stated that he knew we talked about wrapping up our wells and pumps, so with that being said, from his understanding we were able to sell some of these credits and that might be something that we wanted to look to as a city, if we can pump 20% by law as it stands right now and then also the 30% given those credits, we may not want to pump 50% right away, we may either want to keep them in our bank or sell them and make some money off of them. Mr. Squyres stated that he did want to discuss this, that he had done some research on this and not many of those kits sold, he didn't know, it was hard to find a value for them because why would a community need to do that if they could go to the schools and say let's do this project or the Subsidence District will find you children even though they might not be in your area. Mr. Squyres went on to explain how the water wise program would work with GPISD kids.

Councilman Claudio Ochoa stated the next thing he would like to discuss was dangerous buildings, stating that we discussed those back on September 22<sup>nd</sup>, that he had a power point presentation showing the before and after of 10306 Wiggins, 10329 Pillot, 10225 Munn and 10114 Burman and they were gone and his question was what is going on with the rest of the ones we are targeting to demo.

Chief Squyres stated we were submitting them through the system and, in fact, Rick has kicked some of them back for a survey and the city attorney has developed a survey using our city ordinances and he has to go down the check list to determine if they meet the requirements to be demolished and so far he thinks there are two they have found that they are starting the process to demolish and we are still looking for more, that he submits them to the building official and he goes through and saying yes they are or no they aren't. Mr. Squyres stated that some of them that he really wanted to tear down, one on his own block, but it didn't meet the requirements to demo. Councilman Ochoa asked if that was one of the original 22 and Mr. Squyres stated he thought that it was, it wasn't bad enough last year and we were hoping it would be this year but it wasn't and there were three or four that had fallen into that trap that were not bad enough, by law, to demolish, we can board it up or make them board it up and pursue other avenues. He stated that we are going to be meeting with the school district and hopefully with the county, that we had some meetings with the school district several months ago about pursuing these for lack of payment of taxes, maybe we can't get them torn down but maybe we can get them sold for non payment of taxes and get them back on the tax roll, in fact, Mr. Maner and him had a meeting about that a couple of weeks ago and that was just one more avenue we could pursue and it was a little cheaper to do that than tear them down. Councilman Ochoa asked if he was saying that right now we had two that met the standard and Mr. Squyres stated two or three, he could not recall, that they were starting the letter process and the procedures following that and we should be well ahead of last year and hope to do this sometime in the summer.

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Councilman Claudio Ochoa stated that as usual, he had a little more to say, that he had a question for the Mayor, that we had a young man here talk about his sidewalk being really bad in front of his



house, he believed his first name was Dale and he believed he knew him and his question was that at that point he had said he would be talking to Commissioner Garcia, that was back quite a while and he wanted to get his input on what was going on with that. Mayor Diaz stated that he spoke to Dawn Harris and some of her people that are over the street department and ask them about repairing some sidewalks, however, they did respond by saying they could go in on a joint venture with the city because they do not fully fund sidewalk in the city and that is what we would have to do, go in and see if we can get some programs where the county can help us with our sidewalks. Councilman Ochoa ask if he was telling him that Jacinto city can't fix sidewalks. Mayor Diaz stated no, we can fix them but as far as the Commissioner's office, they don't come in and fund a sidewalk project in the city, now we can take citizens tax dollars and fix all the sidewalks that we need to fix if our council here approves it. Councilman Ochoa stated we have no money in our budget to fix sidewalks, was that what he was saying. Mayor Diaz stated no we can fix sidewalks, we do have money. Councilman Ochoa said we have money in the maintenance department to fix sidewalks. Mayor Diaz stated yes, did he want to fix sidewalks. Councilman Ochoa stated he certainly did and Mayor Diaz replied well lets get started, he was ready. Councilman Ochoa replied alright so lets get it going and ask Kyle when he could start fixing sidewalks. Mr. Reed stated that a lot of this stuff could be cleared up if the council would contact him because we were already working on it, that he had already called Councilman Mario about them, he wanted to get some direction from council on where we want to fix the sidewalks, we had talked about fixing them around the schools and if we did that, we would want to wait until school was out, he had been checking prices on concrete, because all the sidewalks when we pull them out, have to be ADA certified and they are expensive and we have \$150,000 in the budget and it was not going very far but regardless he had already been talking too different contractors and getting different prices and he would be glad to meet with any council person and show them what he had but he was going to get directions from council and stated that he and the mayor had talked about where we want to do this and Mayor Diaz stated that yes that they had sidewalks throughout this whole city that need to fixed and street that need to be paved but do we want to take the citizens tax dollars and raise our taxes, that he would like to try to get some grant money and full fill these needs of the citizens because time are tuff, but I mean that if we need to go in and do this, he wanted to do it and he needed the support of the council . He stated that we have departments heads over here, we have a city manager, a city attorney, we are here during the day, if we have concerns about it, we need to get to it and fix these things in the city, that he didn't like to go over to River Oaks, he liked Jacinto city, River Oaks was nice but they had a lot of money to spend and he wished everybody in this city has a lot of money to spend so we could fix this city up because he doesn't like to go anywhere else, this was his home and if we need to spend tax dollars to fix these street or these sidewalks he was for that but he wanted to make sure that each and every one of these council members up here approve that because you guys are the ones going to be footing the bill and I want to make sure that you agree with that because when he goes in and spends money out of his check book, he has a budget, and he wants to be sure that he is going to be able to go a long so he doesn't have to worry about tomorrow and he wants to make sure

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That each council person up here understand that too, he does balance his budget and balancing his budget is the same as balancing this city's budget, so if they want to do some projects, if they want to fix this city up, let's do it. Councilman Claudio Ochoa ask the Mayor if he could speak and the Mayor stated he could speak all he wanted.

Councilman Claudio Ochoa stated that Kyle mentioned we had a \$150,000 in the budget now to repair sidewalks, correct. Mr. Reed stated that we have \$150,000 in the street department budget to asphalt streets, drainage repair, which we have a lot of drainage issues, that he has people on him all the time about these dip gutters and he has people on him all the time about the streets, he has people on him all the time about the sidewalks but he gets no direction about what to do and a \$150,000 is not going to go far fixing sidewalks and asphalt, \$150,000 doing one or the other would be great. Councilman Ochoa stated so this was a budget issue then if we are just putting \$150,000 to do minimal, when we talk at budget time about sidewalks, water rate, as we tried to in August. Mr. Reed stated we did discuss, in fact, we cut money out of sidewalks, street repair and drainage repair, we had to do that when council approved that budget, there is only so much money that we have to spend, if the council tells him right now to replace the sidewalks, he has a plan down to replace the sidewalk around the school and that was about all \$150,000 would do. He stated that Councilman Ochoa mention around Dale and he went and looked over that and it is not as bad as it was in a lot of places, but what does he do, if I fix him, then I have this other person asking why did he fix that little spot and not fix his. Councilman Ochoa stated we just need to start fixing, that was all we needed to do, that he would like to get some sidewalks fixed. Mr. Reed said to make sure the citizens money is spent the best as possible, we need to do a lot, not spot pick. Councilman Ochoa stated that he didn't know if we had to fix all of them, Kyle stated he did not say all of them but not spot pick (can't pick up all of Mr. Reed Comments – no speaker on that side of the room). Councilman Ochoa stated that was what you had to do to please everybody, everybody wants their streets and sidewalks fixed and he was just saying that to do it you had to spend a lot of money, he stated that we have \$150,000. and he was making a request that we start fixing some sidewalks in the city, he stated to Councilman Gonzales that he had talked to Kyle and that was great. Councilman Gonzales stated that actually two or three weeks ago he and Kyle had taken a ride through the city looking at these sidewalks that need repair and we came up with the ones at the school that do need repairing because it is unsafe for these children to walk on uneven pavement and the thing was, they decided the best time to start that project would be when school lets out, that was why they hadn't done anything with it because that was another safety issue with the kids being in there with all the work going on. Councilman Claudio Ochoa ask where were these sidewalks he was talking about, were they on Wiggins and Mr. Gonzales stated yes, on both sides of the elementary. Councilman Ochoa ask how much footage there and Councilman Gonzales stated they looked at various parts and they didn't really measure by foot, they just looked at it, knowing that we did have \$150,000. budgeted for these repairs so when Kyle says it will cover that, I have to take his word for it, that is his specialty. Councilman Ochoa stated we know it will cover, but we need to start making some repairs. Mr. Reed stated that he had measured what they talked about and it was 6200 feet, a little better than a mile. Mr. Ochoa ask Mr. Reed what this would cost and Mr. Reed stated based on the prices that came from a contractor that just finished a job in the City of Houston, probably

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about \$140,000.. Councilman Ochoa questioned that 6200 feet would cost \$140,000. for 4 ft. sidewalk. Mr. Reed stated it was 4 ft. and 6 inches thick and you are going along side Holland and they have to meet ADA approval and you also have to meet Harris County specifications because Holland is a county road. Mr. Ochoa ask Mr. Reed what contractor he talked to and Mr. Reed stated two of them actually, T-Construction and he couldn't remember the other name. Mr. Ochoa ask him if he had those bids now. Mr. Reed stated that he had the footage he put together,

he didn't get bids from them, he call them and got prices from them. Mr. Ochoa stated that maybe what we needed to do was take the initiative to decide where we are going to fix these and put it on the agenda and get it done.

Mayor Diaz stated that what he recommended was that anyone of our council people up here, including himself, if we were going to get a project started, especially on a major project like this, our sidewalks, our streets, we need to make that initiative to go down and speak with our department heads, that was the first thing we needed to do, we need to go down there and talk to Kyle Reed and get with him if we want to do this and that way we can make a master plan of what we need to do. Councilman Claudio Ochoa advised the mayor that he talked to Mario Gonzales about two months ago about sidewalks and I'm glad he took the initiative to go down there. Mayor Diaz stated that he talked with him too and told him we needed some sidewalks, let's get this going. Councilman Ochoa stated that was great, he was glad he was doing it, he was just asking a question, was he asking him not to ask questions. Mayor Diaz stated no, he could ask all the questions he wanted to, that was his right. Councilman Ochoa stated that he didn't need to get directives, he just needed answers.

Councilwoman Nunez ask to be allowed to say something and directed her question to Mr. Reed, asking if he said the \$150,000 was for different projects, not only sidewalks, so are we willing to spend \$150,000. to fix sidewalks and let the other things that are needed to go astray when this money is not only for one project.

Mr. Reed stated that what we had been doing in the past, because of the roads, in his opinion and a lot of the citizens opinion as well, was worse than the sidewalks and they had been doing asphalt. Ms. Nunez stated yes, that she knew that. Mr. Reed stated that the budget item of \$150,000. covered sidewalks, streets and drainage ditch repair.

Councilman Claudio Ochoa ask Mr. Reed how much of that budgeted money had we already spent in streets. Mr. Reed replied none. Mr. Ochoa stated so we approved the budget in October and we haven't spent any money to repair anything. Mr. Reed stated that we were not going to until this summer. Mr. Ochoa ask how much of that money had we spent. Mr. Reed stated there was a \$150,000. In the budget that hadn't been spent. Mr. Ochoa stated and we haven't spent any, we could have fixed some sewers, we could have fixed some streets, we haven't fixed anything, we haven't used the money. Mr. Reed stated this was for Capital Outlay items, the repairs on storm drains that we do on a regular basis is done out of our materials and supplies budget, Mr. Ochoa said ok so that doesn't count on the \$150,000. and his question was how much of the \$150,000. have we spent on repairs since October and Mr. Reed replied none

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and Mr. Ochoa ask what were we waiting on. Mr. Reed stated he was waiting on the weather to be right, and Mr. Ochoa stated and we haven't had any good weather. Mr. Reed went on to say that if we were doing the sidewalk project, we would wait for school to be out, which happened to be in the summer, if you do overlay projects you wait until about the summer, the asphalt mill run during the winter but with asphalt you need at least 60 or 70 degree weather. Mr. Ochoa stated and we haven't had any 50 or 60 or 70 degree days since October. Mr. Reed stated that has to go out for bids. Mr. Ochoa stated he was bringing something for them to approve, right, he believes it is his

responsibility to bring it up to them. Mr. Reed stated his responsibility was to talk to the council and have the council contact me on their wishes, Mr. Ochoa stated on their wishes, he thought Mr. Reed should be going around the city and looking at what needs to be done also, Mr. Reed stated that he did. Mr. Ochoa said then he should report to them and say hey look, this needs to be done. Mr. Reed stated they fixed two streets last year, they only have so much money to, Mr. Ochoa interrupted to say that we have \$150,000 in the budget and we haven't used it at all and we need to start using it for something.

Councilwoman Nunez stated she thought it was not only Mr. Reed's responsibility to see what is wrong with the city, we as council people should be out there and bringing to Mr. Reed. She stated that she had a good relationship with all the department heads and we need to bring to Mr. Reed's attention, like she has many time, and she thinks that is the route we need to take, if we see something wrong in the city, we need to go to the department head and say look, this has been brought to my attention what can we do about it and she thinks that once you establish a good relationship with your department heads you are going to get a lot of work done, she can any of the department heads and that is the relationship, we can talk to them and we can bring to their attention what is wrong in the city, which she has done many time.

Councilman Claudio Ochoa stated that was good Rachel.

Councilman Christopher Ochoa ask to make a comment, stating that Kyle knew his schedule so that sometimes he can't reach out to him, he knew that they rode together last week, which was great and he really appreciated that but since he agreed with Ms. Nunez, that we need to communicate to him so this was a form also for communication, he just wanted to let him know and the public know a constituent reached out to him that lived right near by Whittier Elementary School and there was a sidewalk walk there, and he went by and saw it and it really needs to be looked at, and we need to consider also repairing that if we are talking about repairing some sidewalks near the school, she ended up tripping, she wasn't looking and she fell and broke her nose and she was an elderly woman so he was just raising that issue so when he took at that he could consider that and council could consider that when it came time to accept some bids.

Councilman Claudio Ochoa stated that he was not trying to be the bad guy here, he was just bringing it to up that he thinks if we have money in the budget he thinks it should be used as they always want to bring things they want to get done to them to get approved, he thinks they should consider streets, to consider sidewalks and sewers also. If they need to approve something, they need to consider that. He stated that he thinks we had talked about sidewalks before and he

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thought we needed to talk about it tonight and make it known that we needed to start spending some of that money on these sidewalks.

Councilman Ramon stated the reason being that Holland is a county road, was there probably a change (Mayor Diaz stated that was what he was talking about and he probably should have really detailed that. He stated that the county roads that were in Jacinto City, such as Market, Holland Ave., Mercury, that Holland did have a sidewalk and that is one of the sidewalks that Harris County

can come in on a joint venture with Jacinto City and repair or replace, but that was a program that we have to go to the county with and agree upon replacing that sidewalk.

Councilman Claudio Ochoa ask who had to take that initiative to do that, anyone of us could do that he guessed. Mayor Diaz stated yes, anybody can go down to the county office and get started on it. City Manager Maner stated there was a new County Commissioner, Mayor Diaz stated yes and his name was Jack Morman and also one of the councilmen, or City Manager Maner Councilman Claudio Ochoa stated that he would like to designate our city manager to try to get in touch with them and try to get the sidewalks on Holland Avenue.

City Manager Maner stated that he would make an effort to do that.

Councilman Claudio Ochoa thanked Kyle for all his comments and stated that he had one more issue to address. He stated that he got a call from a citizen about a ticket that he had received, a public nuisance ticket that he got at 10804 and ask Kyle if he knew anything about that. Kyle ask that he repeat the address and Mr. Ochoa stated 10804 Munn. Mr. Reed stated that he could get with Burley Francis, who was our humane officer who does the nuisance complains and ask what the complaint was. Mr. Ochoa stated that he had the ticket here and it said that he needed to clean up around back and side yard . Mr. Ochoa stated that the only thing he was concerned about on that, that he did go visit the citizen and another citizen who didn't actually get a citation or warning, whatever this is. H stated that both of these citizens, their front yard was not in any bad shape at all and he thought that Councilman Ramon also went to look at this and he urged the rest of the council people, if they wanted to, to drive by and look. He stated that he didn't know what address Mr. Jimenez was at and Councilman Ramon stated 10808, 10812 and he guessed 10804 Munn. Councilman Ochoa stated he thought the complaint against Mr. Jimenez was he had materials in his carport and he thinks he has a permit to repair his home and he was told that he needed to get rid of all that material and do something with it, it was a nuisance and they had 72 hours to do this and according to this citations, everyone that get one has 72 hours which is pretty normal but his real concern about it is this gentleman and ask Kyle who was the guy that was giving these out, Burly, told one of the people there that he was instructed by someone to go and do three houses in that area so somebody had to know that he was told and he supposed nobody here knows that and that was fine, that was part of his job he supposed and that was good, we had to have someone to go out and put these little notice out so we can clean up the neighborhood and all, but his concern with it was that it was put out on a day when it was raining, windy and 20 degree weather and they told him he had 72 hours to clean it up and he thought that was a little bit unreasonable, he thinks this officer could have waited maybe a couple of days for clear weather.

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He stated that when he went by, this gentleman was already cleaning up his property and this was not the front, but the side of his property in about 20 degree weather. He stated that he told him he was doing the right thing by cleaning up, that it didn't look that bad to him, but to go ahead and clean up what he could and he would talk to the city manager and the mayor about the possibility talking to the person giving these tickets out about 72 hours to get it done in freezing weather. Mr. Reed stated that he was saying ticket, was that a door knocker and Mr. Ochoa stated yes it was a warning. Mr. Reed stated that he could assure him that if he called Burley or him they could have

worked this out that they didn't expect anyone to clean up in 20 degrees and he would talk to Burley.

Councilman Ramon stated that actually none of these homes were really a nuisance, he didn't see anything in the front and advised the mayor that he knew Carlos's house and Felix and all of them were warned, Felix with a door knocker and Carlos by Burley and these properties didn't need to be cleaned from what he could see but he had a list that he stated was given to him.

Mayor Diaz stated that he understood that currently Mr. Carlos had purchased (City Manager Maner stated that Lon might have some information on this).

Mr. Squyres stated that he may be able to clarify that this wasn't something about getting these three guy, that may be derived from his second comment, looking for home to demolish, he stated that Kyle, Kim and he went out and they drove every single street in the city just to be sure that none slipped through the cracks when we start doing the demos and while they were out, whatever they saw that they thought might be code violations and he thought there were 136 of them on every part of the city and some that were questionable, that they didn't know if it was or not, even some that had permits in the window but were yellow and faded and it didn't look like any work was being done, they sent Burly by about 130 or so of these things and it really was his discretion and whether or not there was an error made on a particular one, the reason he went to those was that they keep a running list of those and threw them on a spread sheet and said go forth and check these out, if there was a problem, give them a reminder to take care of it and if not just report back to them and he mention a day or two ago that he finally made it through that long list and all he could offer was that probably where this came from.

Councilman Ochoa stated that was probably why he said he was ask to give these out and he can see what is going on there.

Mayor Diaz stated that he would like to finish, that Carlos had purchased the homes on each side of him so as far as he was concerned, he was in the middle of renovating these homes and maybe there is some barriers there such as weather but he was getting these homes fixed and he didn't know if they were rental properties but he has a good family and he was a tax payer here and he will get it done.

Councilman Ramon stated that what concerned him was there was no trash in the front yard as proposed to other houses in the city that are in clear violation of this ordinance, his house doesn't

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have anything you could call a violation, nor does Mr. Hernandez, even though his house is not in good shape but he doesn't own it, he is a renter.

Mr. Squyres went over various this that were wrong on the this they had complied to be checked out.

Councilman Claudio Ochoa advised Lon, Kyle and Kim that he appreciated them going by and looking at all these things, that shows him they are doing a great job when they do this because we

want to clean up the city and his only concern was, as he stressed, this gentleman was out there in the freezing cold cleaning his property and he thought he would address that, we can wait for another day on that.

City Manager Maner stated that he would just like to address the council as a whole and he would just like to say we are on the same team, the people have entrusted us and you have entrusted me to take care of them, to take care of the city. He stated that he thinks we have a communication problem and he doesn't know how else to address it, he would hope, he stated let him stop right now and comment both Chief Squyres and Kyle on their responses tonight, they are well prepared, they know what they are doing, they know what is going on but some of these items were so specific you couldn't expect them to have that information in their head. It would be so much helpful if council members, not the public, if council members would communicate some information they would like even if they want it at a council meeting, they could be prepared and have you that information. He stated this was put on the agenda Monday, he guessed that the Councilman knew what he was going to talk about. Councilman Ochoa stated that no he didn't. City Manager Maner stated that all he could say was that a phone call could have helped a lot of this and they could have been prepared to answer. Councilman Ochoa stated that he put this together today. City Manager stated that we have the information, we just don't always have it here. Councilman Claudio Ochoa stated just let him say they did a great job. City Manager Maner stated that he would be very much disappointed to think that any council member and he didn't, by the way Councilman Ochoa but he would be very disappointed to think that a council member would try to ambush a department head or city employee at a council meeting because he couldn't be prepared and make them look bad in the public. Councilman Ochoa stated that he Wouldn't ask them any questions that he didn't think he should know. City Manager Maner stated that in reference to 10804 to think that anyone know about that, he didn't. Councilman Ochoa stated that based on the information he got, he thought they had all the answers, he didn't think he was ambushing anybody, any questions he asked, they were professionals, they know how to answer as well as he did and City Manager Maner stated that he totally agreed, he was just saying we could be better prepared if we had a better idea of what information council wants. Councilman Ochoa stated he understood, he would try to do a better job. City Manager Maner stated that he was not criticizing him and he apologized if he took it that way, it was a request. Councilman Ochoa stated that he would take that into consideration.

Councilman Ramon stated the call to him came after the deadline for the agenda. City Manger Maner ask if it came after the deadline to make a phone call. Councilman Ramon stated no, he could always make a phone call but this was a form of communication as well.

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Councilman Ochoa ask Lon if he felt like he ambushed him. Mr. Squyres stated no but he would say that he was trying to rack his brain to remember which one was that because they had looked at so many. Councilman Ochoa stated that he had a good answer, they had look at so many and that might have been one of them.

Mayor Diaz stated that if anyone out there gets a citation or warning and they need longer than 72 hours to fix the problem to come to him and they would fix it, they would add another 72 hours and we had a lot of people in the city that would help them fix it too. We were a big family here, we all love each other.

Councilman Ramon stated that he would like to say something real quick before we closed, as far as answering some of the Mr. Schion comments, because the City Manager was just giving some recommendations, he just wanted to clarify something, the City Manager is not his boss, the boss is the voters, the citizens of the city and he wasn't his boss, the citizens of this city are really the ones that dictate what happens. City Manager Maner stated that correct, that he was exactly right.

Mayor Diaz stated that we would move on to comments from members of the public.

Carmela Garcia, 11010 Verano , stated that this question was for the Mayor, and ask how long does each person on this agenda item have to speak, just a brief answer. Mayor Diaz stated the public that puts something on the agenda has ten minutes. Ms. Garcia stated that was right, we took longer than ten minutes, we talked about wasting time, this was a lot of time that was wasted on just one agenda item, Item No. 4, he needed to make a decision as a council or whatever, we need to shorten this up. Mayor Diaz ask that she let him clarify something, Councilman Ochoa actually did not have to place discuss issues concerning our city on the agenda, if he wanted to, he could have just started talking and discussed issues of the city. Ms. Garcia ask if there was a point where you say council comments, maybe it needs to be put under that umbrella. Mayor Diaz stated that if our council had something they needed to address and speak to our department heads, they have that authority. Ms. Garcia stated ok, as Ms. Nunez had mentioned, there is a process which the councilmen take and it is in the charter, if there are things that need to be discussed, such as everything that was discussed like that, that could have gone directly to the councilman, she corrected that, stating she meant directly to the department head. Mayor Diaz stated that was something else and he didn't mention that tonight because he feels like there probably is a communication problem and that I would like to see our council visit their department heads and speak to them prior to coming to the council meetings but we would get there. Ms. Garcia stated that this question was for Position No. 1, did he before this council meeting speak to the director about these questions he had in mind, just a simple yes or no answer.

Councilman Ochoa stated that he didn't feel it necessary to speak to him, that he thought he would have all the answers he needed. Ms. Garcia stated second thing, you don't prepare the day of the meeting, you have to prepare in advance. Councilman Ochoa stated that she didn't tell him when to prepare. Ms. Garcia stated same thing happened, the way she understood on the comment here would he like to see the citizens taxes go up just to fix the sidewalks because she was trusting what our street department, water department, public works is suggesting, if they haven't spent the money, she is sure there is a purpose for that. She was not an expert on that, she trusts

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Councilman Ochoa ask her what she thought the purpose was for. Ms. Garcia stated he told him There was \$150.00 and was corrected to \$150,000. And there was a reason why he hadn't spent it, it was for streets, drainage an sidewalks, that is what she understood, the tax payer's dollars would probably have to be spent in order to fix it, from what she understood, that wouldn't be enough just to fix the schools so what you, and she ask him to clarify this for her, was he suggesting that it is ok for the citizens tax dollars to go up just so that we can get some street fixed.

Councilman Ochoa stated he was proposing that we put it in the budget next year and he was proposing that we spend \$150,000 that we have. Ms. Garcia stated \$150,000 but what about the citizens taxes going up. Mr. Ochoa stated that he was going to try to lower the taxes, he tried to



lower taxes last time. Ms. Garcia stated that the mayor brought that up that it might raise taxes and Mr. Ochoa stated that it way but she ask him a question and he said no, he wasn't proposing Ms. Garcia stated that was a risk that we were taking and Mr. Ochoa stated that she didn't know that. Ms. Garcia ask him if he had ever participated in a grant writing process and he stated no he had not and she stated ok because if he was really serious about getting a job done well maybe participating in a grant writing, that she participated in one and it takes time. Mayor Diaz advised that time was up and Councilman Ochoa ask if he could respond to that.

Councilman Ochoa stated Ms. Carmela if you would like to instruct me on my daily duties or everything that I do for the city, how I do it why doesn't she put that in a letter and he will consider it. There was discussion between Ms. Garcia and Mr. Ochoa and Mayor Diaz ask that we move on.

Debra Morlock, 11509 Celtis, stated that she just wanted to make an observation as a citizen sitting back here. Ms. Morlock stated that if he hadn't added the last part that he was not trying to attack, as a citizen sitting out here, it sounded like you were attacking them and luckily we have very good department heads that handle themselves well but to her, as a citizen, she was thinking oh my gosh, he is sitting here attaching them in front of everybody and this could have been talked about in private but she was glad that he added that and that he wasn't doing that. She stated that she felt a lot embarrassed for them. Councilman Ochoa stated that he thinks they are professional and they handled themselves well and he was not attacking them, he was inquiring so that he would know. Ms. Morlock stated but when Ms. Carmela was talking to him, he felt attacked and he stated that no he didn't. She stated she was sorry, that it sounded like he did. She stated that to her it sounded almost like he was reprimanding what if 137 of those people who got those notices had called you, would he have discussed all 137 of them. He stated that he thought he would just discuss the fact that it was 20 degrees outside and he got a call from a few of them because he didn't think a 20 degree with wind factors that anyone should be out there cleaning their yards because they are fearful that Mr. whoever is going to come over there and tell them to pay a fine because they haven't cleaned their yard. She stated that again she was glad that he added that because as a citizen sitting out there she had felt attacked and she was embarrassed for them.

Councilman Ramon stated that he would like to make a comment on that, that he didn't believe that Mr. Ochoa knew that these persons were doing inspections on houses so he didn't believe he

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felt they were responsible for that, as far as he knew, he thought it was the dog catcher that was issuing these citations.

Councilman Claudio Ochoa stated that his inquiry was because the citizen said that someone, that the person that gave him this notice, told him that someone that they had to put these notices on these houses and that is why he ask.

Councilman Ramon stated that he didn't believe they were attacking, the way he understood it, he didn't know they had anything to do with it.

Councilman Ochoa stated that he was just inquiring if they knew anything about it, not because he was attacking them no.

Mayor Diaz ask if we could move on please.

Councilman Ramon stated Mayor the thing is that if a council member goes and to talks to an employee we are not supposed to do that by the charter, we are supposed to address this with the city manager and that is what we are addressing right .

Mayor Diaz stated that if one of our council does have a problem, they do not address it with our City employees, they should address it with our city manager.

Councilman Ramon stated correct and all of these people over here saying well you should have discussed it with the employee well he didn't have the luxury, if he did, he would be violating the charter and he will be facing a recall.

Councilman Ochoa stated that he thinks he has a relationship with Kim and Kyle and he thinks he could go in their office and talk to them but again he didn't have the time, he was very very busy but when a citizen calls, he rushes over to try to see what the problem is and he was there last night at his home so he ask the question here. He stated that he apologized to them and maybe next time he would call them.

Nancy Gosney, 1726 Belin, stated that in regards to our city employees doing their jobs, she loves it, she was glad to see the city getting cleaned up because we do have a lot of problems with nuisances, that on almost every street, when they were doing the petition, they say it, it is in the back yard, the side and the front and it needs to be cleaned up. She stated now Mr. Ochoa, you were reprimanding them to get things done and spend \$150,000 in the next thirty days and have had bad weather. Mr. Ochoa stated that he was not reprimanding anybody. Ms. Gosney said ok, Mr. Ochoa stated that was her opinion right, and she replied yes that was her opinion and he stated she was spreading the rumor by the way. Ms. Gosney stated let the weather get better for these guys, men and women, here in Jacinto city to do their jobs and we have 11 more months to spend the money, w need to be cautious spending the money. She stated that she was talking to Mr. Demont and ask him if when they start fixing these sidewalks could they please cover every street in Jacinto city and start writing tickets because that was what was damaging our sidewalks in Jacinto City, she had talked to them before about this, pass an ordinance, get the cars out of the

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yards and get them off the sidewalks, they are damaging our sidewalks, she doesn't want to see any tax dollars spent until we get the cars out of the yard and off the sidewalks.

Councilman Ochoa stated so she would prefer that the old ladies would trip over and break their nose. Ms. Gosney stated nope, get the cars off the sidewalks. Ms. Ochoa stated then you have to fix the sidewalks. Ms. Gosney again said let's get the cars off the sidewalks, Mr. Ochoa ask did she not want to fix any sidewalks and Ms. Gosney stated she was not here to debate him. She stated an ordinance to quit driving on the sidewalks would help and the sidewalks would not be so damaged.

Larry Schion, 506 Hare-Cook Rd., stated that he had lived here since he was 11 years old, he had seen this city change, he had run up and down these streets and sidewalks and he had never tripped and fell on any sidewalks, he watches what is going on but as you get older that changes and yes the sidewalks do need fixing but what is the priority and from living here 41 years, he can tell you, w

have a very serious problem with our drainage, our sewage, which we have fixed and spent five to ten million dollars on and he could tell you he keeps tab on all this. He stated No. 1, our first priority is our drainage, because during the rainy season, if it backs up and floods everybody house, the drainage is most important, No. 2 is streets and No. 3 is sidewalks, he discussed what was involved in putting in new sidewalks and you could spend a lot of money on this and as you raise peoples taxes, if that was what they needed to do, take the priority and also put \$35,000 in the budget for sidewalks, put \$65,000 in the budget for roads etc., that way you have money prioritized for things and when it is gone, you don't dip into other things. He questioned how much it would cost to blacktop one street. City Manager Maner stated he would have to defer that to Kyle and Mr. Reed stated approximately \$45,000 for one block.

Councilman Ochoa stated that he just want to make a quick comment on this, if we all know that drainage is bad and we all know that streets are bad and we all know that sidewalks are bad, then we all have to do the budget, when it comes to Jack Maner he needs to talk about that and say we need to fix some sidewalks, we need to fix some roads and we need to fix some drains and then he prepares the budget, he stated he was new at this but he was getting real good real quick so he would be here the next budget and we are going to either make some concessions to put these things on the budget instead of making a budget and after the budget, we are amending the budget, we tried to put this repair for the gym in it, we couldn't do it, he didn't know why we couldn't do it but we couldn't but we really need to look at it real good and if we need to make some concessions because we got to have sidewalks fixed because we don't want to get sued by a little old lady that breaks her nose because we didn't fix the sidewalk.

Mr. Schion stated that he thought the little old lady should have been watching out some where she was going but he feels sorry for her.

Mayor Diaz advised Mr. Schion that he would have to disagree with him on the sidewalk being the third priority because, and he was right a little bit, but he thinks that the sidewalks and the reason he would pick the sidewalks over by the schools is because of children's safety and he thinks they are number one. If he could get everybody to agree on chartering these kids home on tax  
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Payers dollar, if he could get every tax payer in Jacinto City to do that, he would do that, that would be our priority because our children are number one in this community and that was what he was going to fight for, to keep our children safe.

Mr. Schion stated yes but you could spend it all on sidewalks and not have any for anything else. Mayor Diaz advised Mr. Schion that we would have another meeting in two weeks so put himself back on the agenda.

Councilman Ramon stated he had been here since 1990 and the only sidewalk that was built from 1990 to now he guessed was the one on Kirby, other than that, the existing sidewalks have not been maintained much less repaired so they failed in this repair, he didn't know, he wasn't involved with the city and he didn't know what was the cause or the reason but there are a lot of sidewalks in this city underground but he can't answer why that happened, we can't fix this problem in one year but we can start somewhere and the elementary school would be the place to do and we are not going to win anything by fighting over a \$150,000 because we know that is not going to get it accomplished but the fact of the matter is that the city has been neglected for a very long time for

whatever reason, we can't change the past but we can start right now looking toward the future and working and fighting is not going to solve it.

Mayor Diaz ask if everyone agreed with him on the children and could he get some feedback on that, weren't they the most important part of our city and didn't they need the head start, he stated that he as well as a number of the people here were from Jacinto city Elementary. Everyone agreed with the Mayor regarding sidewalks for the children.

Luisa Perez, 1506 Cheston, stated that she agreed with the sidewalk around the school at Jacinto City Elementary because when it rains, it floods, her kids used to go there and you couldn't ever go there on the back side on Burman and there was other sidewalks as well but just on her street alone, like Nancy said, people park and it drives her nuts because like right now, the weather, it is so muddy. She stated that right where she lived on Cheston and Sheryl, people pick up their kids and she understood the weather and all of that, but those yards nasty because of people parking and it does make the city look bad and if we would, like she said, crack down on people.

Mayor Diaz stated they would look into it, that when they constructed this city, they didn't realize that this city was going to have the population that it has today and they didn't realized that everybody in the family was going to have a car, they couldn't tell the future.

Councilman Gonzales stated that they also address that about parking on the sidewalks at the schools and if they noticed on Kirby, they had those big curb deal that keep people from parking on the sidewalks and he ask Kyle to correct him if he was wrong but wasn't that part of the budget also to put those curbs where people couldn't tear up the sidewalks by parking on them. Mr. Reed stated that they talked about putting those curbs when they replaced the sidewalks so that people could not park on them. Mr. Gonzales stated this might help out some.

City Manager Maner stated that for the Police Department, he would point out that it is illegal to park on a sidewalk and they do enforce that, they issue tickets, he sees the monthly reports but  
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before they issue tickets, they warn people, they aren't just trying to get people into trouble, but they are making an effort to keep them off the sidewalk, but of course it is an ongoing effort.

Councilwoman Nunez stated that she would like to say that under the present administration and She was talking about 2000 on, that on our infrastructure, our city has done a lot of improvements. That the first time we had a cave in on Hart and Fairfax, it was her first year on Council, we were spending a lot of money and she ask Mr. Reed to show her what we were going to do and she was amazed, we had nothing but dirt, no more pipe, so the city had been neglected for a long time but under this present administration we have done a lot, we have improved the city, we are really working hard, even though, like the Mayor said, the population, there is more people here in Jacinto City, which is a plus and I know that our department heads are trying to do their best and a lot of times, it depends on us, you have two council people, one on streets and one on sewers that can always go to Kyle and talk to Kyle and say, you know this needs to be done or we need to talk about this and that is the way she thinks we should look at it, that we should communicate with our department head and she is talking about everyone one of them that of course the fire department always gets praised for the good work they do with the ambulance service, the police department and everybody, she tries to have an open communication with them because she knows that she can

always go to them but anyway another thing she needs to let our citizens know and she apologized for her phone going off, that the mayor had ask them to turn their phones off but Joyce put her purse back there and she forgot to turn it off. Ms. Nunez announced that Mr. David Flores, a former resident of Jacinto City for many year, passed away on Monday, she didn't know when the funeral was but she would definitely our sympathy to the family on behalf of all of Jacinto City because he was well known. She stated that she would not take long, but she wanted to give a report on Santa on the Fire Truck, stating the balance forward as of 10/29/10, we had a balance of \$2,397.79, donations received in 2010 was \$1,935.00 with expenses of \$2,815.24 and our ending balance is \$1,517.00 which give us a good start on building up for next year. She stated that she couldn't go out this year and collect more money because of her sickness but she was kicking now so. She explained how the program worked, that we had a checking account that started the first day that she got a donation, which came from Larry Schion, and she thanked everyone who helped her on that.

Councilman Claudio Ochoa stated that he just wanted to wish everyone a happy valentine's day.

Councilman Christopher Ochoa stated that speaking about Valentine's day, he just wanted Rita to raise her hand real quick and for those of them who didn't know, back in March, he mentioned that he had popped the question to his fiancée and she said yes and she is here in Jacinto City now and he just wanted to give her a big warm welcome.

Mayor Diaz congratulated Rita and welcomed her to our city.

Mayor Diaz adjourned the meeting at 7:50 p.m..

Respectfully submitted,

Joyce Raines, City Secretary

