

**COUNCIL MEETING, THURSDAY, NOVEMBER 10, 2016, 6:00 P.M.**

**The Mayor and City Council met in regular session on Thursday, November 10, 2016 at 6:00 p.m. with the following members present: Mayor Diaz, Council Members, Rivas, Robinson, Lee, Garcia and Gonzales; City Manager Squyres, City Attorney DeFoyd and City Secretary Raines.**

**The Meeting was opened with Prayer and the Pledge of Allegiance.**

**There was no Unfinished Business.**

**NEW BUSINESS:**

- 1. Mr. Chris Vasquez to address Mayor and Council concerning a proposed event.**

**Mr. Chris Vasquez, 10323 Palestine , stated that today to wanted to talk with them to see if they could get permission basically, they were doing a toy drive on December 3<sup>rd</sup>, it was for his son for Texas Children's Hospital and they were going to be doing it between the hours of 12:00 noon and 6:00 p.m. and they would have some music going on and they knew there was a Parade going on, which they were joining but they wanted to see if they could have permission to have some music out there to get some toys for Texas Children's Hospital.**

**Mayor Diaz ask if Council had any questions.**

**Council Member Rivas ask him when he said music, what was he talking about, a DJ, band.....**

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**Mr. Vasquez stated that had a DJ and a band going on from 5:00 to 6:00 p.m. and they had a DJ from 12:00 to 4:00. He stated that after he talked to Joyce and Lon and they ask if we could bring the music down from 3:00 to 4:00 p.m. as the parade is going because they are going to be in the parade also and they would be gone from there. He Stated that his son's sponsors would be in charge of the event so people could eat and relax between 3:00 and 4:00 and they could**

**bring their music down to a stop.**

**Council Member Rivas ask if he had talked to any of his neighbors.**

**Mr. Vasquez stated that he had talked with the neighbors, that they had not done any flyers yet but once they get the ok he would let the neighbors know. He stated they were in the business area so a lot of the neighbors had said it was not a problem for them.**

**Council Member Lee ask what was the latest the music would go and Mr. Vasquez replied 6:00 p.m. He stated that last year they didn't go through the proper channels but this year they wanted to do it right.**

**Mayor Diaz ask him if he could explain to everyone why he did the benefit.**

**Mr. Vasquez stated that they do the benefit because his son had a liver transplant at the age of 8 months and they do it every year because there was a lot of sick kids Mr. Vasquez was very emotional, stating this was hard.**

**Mayor Diaz stated that she knew his son and she was sure that everyone had seen them down at the baseball park and everyone calls him peanut, that Mr. Vasquez was a very nice guy, she knew there were some problems last year but this year he wanted to do it the right way and what they do is go to two floors at Texas Children's Hospital and distribute toys.**

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**Mr. Vasquez stated that this year they had some different organizations that backed out this year because they couldn't go on Christmas Eve , it shouldn't matter if it was Christmas Eve or Christmas Day and this year they had called them and told them they needed them to do seven floors and they always step up to the plate so there was a lot more they were going to do this year because they**

**had seven floors and to them it was a blessing because they spent holidays in the hospital and the thing is giving back to those kids and when you see those kids in the hospital that can't go home for Christmas Eve it will break you down.**

**Mayor Diaz stated that if anyone would like to donate unwrapped toys you could drop them off at Chaus Sports or at City Hall.**

**Council Member Garcia stated that he said he could bring his music down during that time but once that was over.**

**Mr. Vasquez stated if there was any type of noise complaint or anything, they were going to see how loud it was on mike checks, etc. and go back a few blocks and see how loud it gets so that if any type of complaint comes into the police department they want to be able to lower it down.**

**Council Member Rivas ask Chief Ayala if there was anything that he thought they should be aware of or any suggestion he might have for them.**

**Chief Ayala advised that he had already talked with Mr. Vasquez about the event and he didn't think we would have any problems like last year.**

**Council Member Garcia question If they had adequate restroom facilities for the event and was advised that they would have a number of porta cans and that the event would be outside and not inside their business.**

**City Manager Squyres stated that we met with Mr. Vasquez the other day as to how it interfaces with the parade and the noise ordinance and there was not really a permit process to grant him to do this but he had reached out to PD and there was actually going to be officers on site for crowd control and PD would have his cell phone number so**

**if noise does become a problem, they can reach out to him directly and communicate that to him. He stated another concern was parking and since city hall was not open on Saturday, we had offered them parking there, so we don't see anything that would create a problem with them doing that this year.**

**Council Member Garcia discussed the possibility of having bands come out to the gazebo at the park once or twice a month.**

**City Manager Squyres advised that we couldn't do it on that day of course.**

**Mr. Vasquez stated that next year they were willing to work closer with the city, that this was their 3<sup>rd</sup> annual toy drive.**

**There was discussion about their being more space and parking at the park.**

- 2. City to enter into an agreement with LJA Engineering for the provision of services related to Jacinto City's proposed Sanitary Sewer Overflow initiative (SSO) with TCEQ.**

**City Manager Squyres explained what the SSO was,, that it was a sanitary sewer overflow initiative, that during heavy rains, which we have had many of over the last several years, and four declaration of flooding in the areas with every one of those causing overflow of manholes as they did with many other cities so when TCEQ saw that list of violation, because we have to report those so Jacinto City is in violation of overflow of manholes so we have two choices, we either open our self up to fines and penalties or we say we are going to voluntary, as a city, to participate in what is called an SSO initiative which means that we have ten years to start addressing these things and he went on to explain how we were planning to do that.**

**A motion was made by Council Member Garcia and seconded by Council Member Gonzales to enter into an agreement with LJA Engineering for the provision of services related to Jacinto City's proposed Sanitary Sewer Overflow initiative (SSO) with TCEQ.**

**Vote: 5 For 0 Against**

- 3. Council to consider awarding a contract to build a city swimming pool.**

**City Manager Squyres stated that we were just on that topic and what they would like to do is have the city council to authorize us to enter into a contract with Progressive Aquatics Inc. to build the city a pool. He stated that we would negotiate a contract with them and we would do it under the Buy Board because it is not a set price, as it was pointed out, we were going to say we want it a little deeper here, etc., and by using Buy Board we can make these adjustments without going back out for bids and the Buy Board meets Texas purchasing law.**

**Council Member Garcia ask if we would be able to see another drawing and was advised that we would.**

**A motion was made by Council Member Lee and seconded by Council Member Gonzales to award a contract to Progressive Aquatic Inc. to build a city swimming pool. Vote: 5 For 0 Against**

- 4. Council to consider issuing and advertising RFP for an electrical provider.**

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**A motion was made by Council Member Robinson and seconded by Council Member Rivas to issue and advertise RFP for an electrical provider. Vote: 5 For 0 Against**

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**PUBLIC COMMENTS:**

**Ms. Dee Maner stated that she had not been in the loop to know what was going on with the law suit over the other pool floating and she did**

**hear tonight that we have put in that there must be soil testing and why that is important is that the engineering firm who also works for Progressive Pool, who floated our pool and who is getting the contract for building the new pool said that it was clay expanding under the pool and she didn't think so, that she had emptied the pool many many times so she was excited to see that soil test because that was not the reason that pool floated. She ask how we were coming along with that law suit.**

**City Manager Squyres stated that she was right, the soil test said it was clay and the nice thing about this pool was that they were going to do a demolition project, they were going to be pulling the old pool out and they could see what was under it so based on that we would have better information.**

**There was discussion on the amount of money it would take to get information that would allow us to go to court and without something firmer than that so taking that old pool out of the ground and seeing what is under it would give us that ammunition we hope.**

**Ms. Maner ask Kyle Reed if it was possible to soil test that pool right now without taking it out of the ground.**

**Mr. Reed answered that anything was possible.**

**Ms. Maner ask him if he had seen clay, that she knew that he dug deeper than that all the time.**

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**Mr. Reed stated that they had not dug that deep anywhere around the pool.**

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**Ms. Maner stated that she just knew that she had emptied that pool no telling how many times and it had not floated and if it floated because of clay pushing it up it would have floated before, that pool floated because they emptied it after three major floods and the water floated it up and she thinks they are responsible for floating that pool and she**

**told Jim that if we went to court she would be glad to be one of his witnesses.**

**Council Member Rivas stated that he agreed that we hadn't looked deep enough yet, he hoped that the wind hadn't gone out of that sail but the investigation process did have to be thorough for any type of finger pointing or blame could be put on anyone.**

**La Gloria Sephus, 9701 Market St. Rd., stated she was up here today as an elected official of the Harris County Democratic Party and as an election judge she would like to thank Jacinto City , that she enjoyed working at the Town Center and she thanked Joyce, Kyle and his staff for helping her out.**

**Donna Dailey, 1701 Chazen Drive, stated that she had a question, did she understand that progressive was the one that was involved before and they were going to give the contract to them, was there no other company that was interested in bidding.\**

**Mayor Diaz stated that we advertised and it seem like nobody wanted to bid on it, that we only received two bids.**

**City Manager Squyres stated that we shopped heavy and the other bid that we got was \$1.9 million starting point. She stated that if it come out that they were the cause of us having to do this it look like they were double dipping and that doesn't sound like where we want our tax money to go.**

**~~Ms. Dailey ask who was on the committee and was advised that Council Members Rivas and Robinson, Ivan Rojas, Kyle Reed, Jim DeFoyd and himself and Dee for subject matter when they were at that point. Ms. Dailey ask if there was a easy way in and out of the pool for seniors and was advised that there was.~~**

**Ray Morlock, 11509 Celtis, but maybe more important for this, he was the President of M & B Pool Service and he had owned it for 35 years**

**and from what he sees from their proposal, there was a lot of fluff the chlorinators they are telling them will work and you put 100 people in that pool and it was going to be green he guaranteed it, they were not going to work, they can't produce enough light to create the chlorine for that big of a pool.**

**Mr. Morlock addressed Chris Vasquez stating that he was going to ask the council to match him, that he wasn't going to go shopping for toys, that he didn't have young kids any more but he was going to give him \$100.00**

**COUNCIL COMMENTS:**

**Council Member Rivas addressed Mr. Vasquez, stating that when he was up there and got all choked up he wanted him to know that we know, we feel it and no one up here could say that they weren't afraid of their doubts and fears catching up with them someday so never feel ashamed of getting up there and showing his feelings, they had been there too. God bless everyone.**

**Council Member Robinson thanked everyone for coming out, they appreciated all their comments, be safe and have a good weekend.**

**Council Member Lee thank everyone for coming out and we appreciated all their comments and happy holiday season, it was upon us.**

**Council Member Garcia stated that when Ray said what he did about not having small children she thought of herself, she was like a big kid and back to what Dee said about the pool not working for kids to learn how to swim and she wouldn't vote on anything unless it would be one that we all want. She stated that she didn't hear from the department heads and she didn't know if they had anything to report on.**

**Mayor Diaz ask that we finish the Council Comments and we would go back to that.**



**Council Member Gonzales thanked everyone for coming out and thanked Mr. Vasquez for doing all he does for less fortunate people and it was greatly appreciated.**

**Chief Ayala stated that he would like to match Mr. Morlock's donation of \$100.00 to Mr. Vasquez for toys for Texas Children's Hospital. He congratulated Constable Chris Diaz on his re-election.**

**Chief Mier advised that we were on the time line with the new ambulance.**

**Kyle Reed, Public Work Director, gave an update on the water line going in on Kerby and they hoped to have the sidewalks and streets cleaned up before the holidays. He stated that he wanted to meet with Mr. Vasquez, that he appreciates what he is doing.**

**Ivan Rojas, Parks and Recreation Director advised that they were staying busy and would soon be working on holiday activities.**

**Elizabeth Flores, Heritage Hall Director reported, that the seniors were staying busy and would be having their Thanksgiving Dinner tomorrow.**

**Michael Saperstein, Jacinto City Library, advised that they were busy at the library, working to rearrange materials so that they would have room for more books to come in.**

**Mayor Diaz reminded everyone that Veterans Day was tomorrow so to please thank all our veterans, police officers and service men and she thanked the veterans and officers in the audience.**

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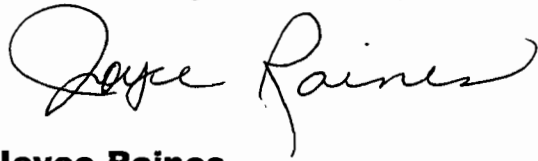
**Mayor Diaz stated that elections were over, lets move on with our lives, that it had been a stressful eight month or so for them and she wanted to congratulate her husband, Chris Diaz, for winning his re-election as Constable, Pct. 2 , so he was here for four more years.**

**Constable Chris Diaz thanked everyone for their support, that he couldn't do it without them and thanked his beautiful bride.**

**A member of the audience announced that The American Legion, Galena Park Post 499 was hosting a Veteran's Day appreciation Luncheon on Friday, November 11, 2016 at 1601 16<sup>th</sup> Street and serving time would be 3:00 p.m. and all Veterans and a guest was welcome.**

**Mayor Diaz adjourned the meeting at 6:40 p.m..**

**Respectfully submitted,**

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

**Joyce Raines  
City Secretary**

**LaGloria Sephus,**

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