

COUNCIL MEETING THURSDAY, FEBRUARY 14, 2013, 6:00 P.M.

The Mayor and City Council met in regular session on Thursday, February 14, 2013 at 6:00 p.m. with the following members present: Mayor Robinson, Council Members Rivas, Lee, Garcia and Gonzales; City Manager Maner and City Secretary Raines. Council Member Diaz arrived after roll call and City Attorney DeFoyd was out of state.

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

A motion was made by Council Member Rivas and seconded by Council Member Gonzales to approve the minutes for council meetings on January 10, 2013, January 15, 2013, January 24, 2013 and January 31, 2013. Vote: 4 For 0 Against

REPORTS OF OFFICERS, EMPLOYEES AND COMMITTEES:

Chief Ayala wished everyone a happy Valentine and stated that they had a good time at the Town Center with the seniors today. Chief Ayala advised that they had an individual that was wanted and had a \$50,000.00 bond on him for domestic violence and they had been looking for him for a while now and he wanted to give applause to Mr. Willard Shuptrine for helping them in locating the individual and he was in custody and that was what it was all about, the community and residents working together and he also wanted to Commend the residents of Jacinto Oaks, they had been on top of things and been reporting suspicious activity and with their help, it makes it better for everyone, particularly in Jacinto Oaks.

Chief Squyres advised that we had the hazardous collection day coming up on the 23rd day of March and the flyers for that were on the website under upcoming events so they could see what they could and could not bring and they were also collecting tires and electronics, unlimited on the electronics. He advised that the County was funding a large part of that and the local LEPC was funding the remainder of it. He stated that they could also use some volunteers for throwing tires and you would need to be at least 16 years old and they fed their volunteers very well. Mr. Squyres called the Council Members attention to the tablets they had talked about before and explained how to open them how to locate the materials for the council meeting and if they needed any assistance to just let him know.

Kyle Reed, Public Works Director, reported that the contractors were just about through with the water plant and they were going to start mixing some water next week, it shouldn't be a problem at all, they might have just a little bit of a taste problem and if they did, it would not last long but we had to fire that new system up over there and he was very happy that finally we were going to get that going so that we could operate off our elevated storage. He advised that at the sewer plant the sludge press was just about ready

to go and that was going to help them with their treatment down there and all of this was done with grant money from the Texas General Land Office and that was due to Hurricane Ike so it goes back a long way but the projects are coming to a close and it has been a very big benefit to the city. He stated that we were still in a drought, that we just had some significant rain but were still in a moderate drought so if anyone sees water leaks, please report them as quick as they could so they could get out and take care of them.

There was a question ask from the audience that was not picked up by the sound system.

Mr. Reed replied to the question stating that we were not going to talk about it right now because he didn't know, we were going to fire it up and see how it worked, maybe eventually a 100%, he didn't know, that we still pay a substantial amount of money and we would continue to for surface water, we have to buy that and doing this was something that needed to happen for emergency purposes to make sure that we have it and all of our standby power is going to be tested as well and if it works right or didn't work right, he would report on it at the next council meeting.

Ivan Rojas, Parks and Recreation, stated that at the last meeting he had let them know we were having a tree planting on February 2nd and they had over 80 people there to help plant trees, about 8 to 10 different organizations from the high school and middle school so they had a good turnout and if they drove by Wilkie Park, they would see a bunch of trees out there. He advised that they had a couple of constables helping them out and he would like to say thank you to everyone who came out to help. He advised that baseball and softball season was coming up, they were getting ready for that and the parade would be March 23rd.

Cindy Miller, Heritage Hall Director, thanked Council Member Rivas for coming out on the 1st of February and spending all day with her at Heritage Hall and she would like to thank the Mayor and Council for helping with the Volunteer Banquet. She advised that their Valentine party was today and Council Member Diaz donated a basket and Chief Ayala brought in a huge tub and the seniors just went wild, they loved that and Ivan brought cookies for the seniors today and she thanked everyone very much. Cindy went over some of the upcoming events, game night on Monday the 18th from 4:00 to 7:00 and it was a covered dish and Wednesday, February 20th they were going to Market Days at Grayson Center and hopefully Council Member Diaz would be able to go with them, that it was a fund raiser for Precinct 2 Senior program and on the 23rd, they were going to the Rodeo parade and it was always a lot of fun. She stated that former Councilman Garey started this a long time ago, it was always a fun event and they look forward to it, that they feed them breakfast and give them stuff and the seniors and she will be forever grateful to him for this. Cindy wished everyone a happy Valentine.

MAYOR'S REPORT:

Mayor Robinson wished everyone a happy Valentine and his report was short, he would have more the next meeting.

CITY MANAGER'S REPORT:

City Manager Maner stated that in the interest of time, as we had a long agenda, he would just make his usual statement that all was going well in the city, that not everything was perfect but if you had a problem please let us know and we will give it our attention.

There was no unfinished business:

NEW BUSINESS:

1. First reading of Ordinance 2013-1 Granting Texstar Midstream Services a pipeline permit.

Mayor Robinson stated that we had one of their representatives here if the Council would like to ask him any questions.

Mr. Doug Haminson stated that he was the Senior Project Manager for the engineering consultants for Texstar Midstream Services and they were in the process of designing the pipeline, doing the permitting and doing the railway acquisition.

City Manager Maner read Ordinance 2013-1 by captions, stating that this was the first reading and it would require two readings.

Mayor Robinson ask if anyone had any questions.

Council Member Rivas advised the gentleman that on the permit application it stated that the maximum pressure would be 1250 PSI at a maximum temperature of 105 Degrees and ask if that was the MEOP.

The engineer stated that the MEOP of the pipe or the class rating of the pipe was NC600 rating which was a maximum pressure 1480 pounds, that they had two grades of pipe and two weights, the weaker pipe was .375 wall and that was capable of withstanding 2205 pounds and would probably operate in a range of between 900 and 1250 would be the most and they were looking at about 1 ½ safety factor over what the maximum rating of

the pipe was. He stated that he suspected that the 105 they put in there was a mistake, the operating temperature of the pipe would be between 80 degree and 110 degree.

Council Member Rivas ask what was the material that would be going through the pipe line.

The Engineer stated that the product was natural gas liquids and explained that when natural gas comes out of the ground it had a number of components in it and explained what these components were and how they worked and that it was not a refrigerated liquid.

Council Member Rivas ask him about the starting point of this pipeline and was advised that it was actually just south of the ship channel and went over the route of the pipe line. Council Member Rivas ask if there were any points where the pipe line would be protruding out of the ground with a valve station. The Engineer advised that there were valve stations in the pipe line but not within the Jacinto city Area.

Council Member Lee ask if there was any projection on how long the whole project would take and was advised that they were looking at starting construction sometime in summer and a lot of that was depending on getting their permits from the cities, Harris County and they also had to go through the U. S. Corp of Engineers and that was about a four to six month process so they were looking at getting started in July or August and that it would be about a four month process to get the pipeline constructed. Council Member Lee ask if there would be any street closures and was advised there would not and all (3) crossing of roadways in Jacinto City would be bored below grade, so it would not interfere with any traffic pattern in Jacinto City.

Council Member Gonzales ask Kyle if this would interfere with any current waterlines or sewer lines in the city.

The Engineer stated that they hoped not, that the pipe line was going in the Center Point Utility corridor and there were a number of pipe lines in that same corridor and they had identified, the best they could, all the lines and he didn't believe it interfered with any of the public water or sewer systems.

Chief Squyres stated that Council Member Rivas has ask about exposed line in our city and he was advised there were none and ask about Turkey Run Gulley and if they were going to bore underneath that. He was advised that they were going to bore under Turkey Run Gulley. Chief Squyres advised that a lot of the lines were exposed going across there and the engineer stated that was kind of an older technology, that now they were put below grade. Chief Squyres ask what was the nearest control switch if there was an emergency

and was advised that the nearest control switch was at the ship channel, they would have a main line block valve there and could shut off flow there.

Mayor Robinson called for a motion on the Ordinance.

Council Member Garcia made a motion seconded by Council Member Lee to approve the first reading of Ordinance 2013-1 granting Texstar Midstream Services a pipeline permit.
Vote: 5 For 0 Against

2. City Manager Maner read Resolution 2013-1R setting the General Election of a Mayor and two Council Positions, Position No. 4 and Position No. 5 to be held on May 11, 2013, providing for such notices as required for the holding of a General Election in the city, providing for a public test of ballot tabulator and containing other provisions related to the subject of the election. City Manager Maner advised that they would need to provide name for a Precinct Judge and Alternate Judge for both Precinct #163 and Precinct #229.

A motion was made by Council Member Diaz and Seconded by Council Member Garcia to approve Resolution 2013-1R setting the general election for Mayor and two Council positions, Position No. 4 and Position #5 for May 11, 2013 and appointing Mr. Wayne Nichols as Presiding Judge for Precinct #163 and Alicia Hinojosa as Alternate Judge for Precinct #163; Scott Dowlearn as Presiding Judge for Precinct No. 229 and Sonia Flores as Alternate Judge for Precinct #229. Vote: 5 For 0 Against

3. City Manager Maner read Resolution No. 2013-2R Creating an Early Voting Ballot Board for the General Election to be held on May 11, 2013.

A motion was made by Council Member Diaz and Seconded by Council Member Lee to approve Resolution 2013-2R creating the Early Voting Ballot Board for the May 11, 2013 General Election and naming Wayne Nichols as Presiding Judge with Scott Dowlearn and Alicia Hinojosa as members. Vote: 5 For 0 Against

4. Council Member Diaz stated that from her understanding, we needed a couple of Board members on each board and first of all, she would like to thank Nancy Gosney for giving us all the time she has served on these board, that she wasn't going anywhere, she was still involved and still here, she was just retiring to attend other events and ventures and she really appreciated everything she had done for us.

Council Member Diaz stated that she would like to recommend LaGloria Sephus, who had been an active member of Jacinto City for several years, she had known her for quite a while and anytime she needed her she was always willing to volunteer and she thought she

would be really good for this position on the Planning and Zoning Board as a replacement for Ms. Gosney.

Mayor Robinson stated he had a motion from Council Member Diaz to appoint Ms. LaGloria Sephus as a member of the Planning and Zoning Board. Council Member Garcia gave a short bio on Ms. Sephus background and experience and seconded Ms. Diaz's motion to appoint Ms. Sephus to the Planning and Zoning Board. Vote 5 For 0 Against

Council Member Gonzales made a motion to appoint Angie Salinas as an alternate member on the Planning and Zoning Board and gave a short bio of activities and experience and stated that she had lived in Jacinto City since the age of one. The motion was seconded by Council Member Diaz. Vote: 5 For 0 Against

The new members were ask to stand and be recognized.

Council Member Garcia stated that we also had a second alternate, that it would be best to have another alternate to fill in when others couldn't come.

Council Member Gonzales made a motion to appoint Flo Flores as second alternate and gave a short bio on Ms. Flores stating that she had been a resident of Jacinto City since 1978. The motion was seconded by Council Member Lee. Vote: 5 For 0 Against

City Manager Maner stated that we had an opening on the Variance Board because of Mayor Robinson being a former member of that board and we had one alternate, whatever the council decided to do.

Council Member Garcia stated that she was nominating Roy Moreno for the Variance Board and provided a short bio on Mr. Moreno stating that he would make an excellent alternate for the Variance Board. The motion was seconded by Council Member Lee. Vote: 5 For 0 Against

Mayor Robinson ask if Mr. Moreno was going to be the alternate and were we moving Mr. Fidel Caballero up to the open position on the board and was advised that was correct.

Council Member Rivas stated that he had an alternate for the Variance Board, Donna Dailey and gave a short bio on her stating that she brings a wealth of experience and service and had been a great asset to Jacinto City. The motion was seconded by Council Member Diaz. Vote: 5 For 0 Against

Council Member Garcia stated that they did say that Mr. Fidel Caballero would be moving into the vacant spot on the board and City Manager Maners advised that we did but he thought it would be proper to have that in the form of a motion.

A motion was made by Council Member Garcia to move Fidel Caballero from an alternate to a member of the Variance Board. The motion was seconded by Council Member Lee. Vote: 5 For 0 Against

Council Member Garcia stated that she would like to recommend Maria Stiles, who was not present today, to the Dangerous Building Board and gave a short bio on Ms. Stiles stating that she had worked for TCEQ for the last 13 years, speaks both Spanish and English and would make a perfect alternate for the Dangerous Building Board. Council Member Garcia put her recommendation in the form of a motion which was seconded by Council Member Gonzales. Vote: 5 For 0 Against

Council Member Garcia stated that we had another alternate for the Dangerous Building Board and she would like to recommend Moises Sierra, stating that he was a long time resident of Jacinto City and had recently approached her saying that he would like to be more active in the city and she thought starting with the Dangerous Building Board would be an excellent opportunity for him to start getting involved in the community, she ask Mr. Sierra to please stand and Make a motion to appoint him as an alternate to the Dangerous Building Board. The motion was seconded by Council Member Gonzales. Vote: 5 For 0 Against

City Manager Maner ask that those who had been appointed to night to serve on the various boards to please see Ms. Raines after the meeting and give her their contact information and ask that on the ones that were not here to please provide the information on how they could get hold of them.

5. City Manager Maner advised that we had incurred some major problems with the air conditioning system in all parts of Town Center and that Kyle Reed and Ivan Rojas were very familiar with it and they had given some guided tours to some of the council members to show them what the problems are and have had to have some emergency repairs done on an emergency basis and the amount here was to pay for those emergency repairs and to replace a unit in the pre-school, there was two units there and one was out right now and it needs to be replaced and this would give enough money in the budget to do that. Mr. Maner ask that Kyle or Ivan give a brief explanation of what was going on down there for the Council and the public.

Mr. Reed advised that they had some major leaks on the piping going to the cooling towers and explained how they solved that for the most part. He stated that the pre-

school unit was just out and they had spoke to two different mechanical contractors so far and the cost to repair or replace the units as they are would far pass what we wanted to do now, which was to put a unit strictly for the pre-school, which would be out back of the building with new duck work and they would be talking to more contractors but they say that is about the best way to do it and would make that building independent of the system at the community building. He stated that the County was kind enough to give us that building and along it came the A/C system and when it breaks, we have to fix it, other wise all the rentals we have there, court or whatever won't have any A/C or heat. He stated that he had talked with the Council Members that he could get in touch with and some had spoken to the City Manager and he didn't know what else to say, it had to be taken care of.

Mayor Robinson ask Mr. Reed what size unit they were putting out there and he stated the one at the pre-school was a 4 ton unit that there were two 2 tons there now and they would be replaced with one 4 ton and he was told this would be a lot better for the pre-school, they could control their own temperature and it would be air and heat both.

Council Member Lee stated that he was correct, they would be doing away with the two big fan units in the school which would give them more space. Mr. Reed advised that was correct and after the units were removed, they would have to redo some walls which they could do themselves.

Council Member Rivas stated that he took some time, went on that tour and if the whole system was to go out and we had no air or heating preschool would be cut off too, and this would be one building that operated on a stand alone system so if one went out, you still had the other building and he thought it was the right thing to do rather than have it all on one single system.

A motion was made by Council Member Diaz to approve amending budget code 15-6732 in the amount of \$15,000.00 for repair to Town Center air conditioning. The motion was seconded by Council Member Garcia. Vote: 5 For 0 Against

6. Chief Squyres advised that this was an oxygen compressor that actually turns air into medical grade oxygen, they use it to support the EMS service here and it was purchased seven years ago with grant money but there is a certain maintenance obligation, he explained what the problem was with the compressor and that he believe the new cost of this unit was about \$28,000.00 now and what they were asking for was about 10% of that. He stated that there was a lot of benefit to doing it ourselves, after hurricanes and things like that we can fill generator on oxygen rather than have to truck it in and sometimes you can get it and sometimes you can't and it also allows us to pipe it straight

Into the ambulance without having to lift heavy cylinders in and out of the ambulance and They were recommending that they approve it.

A motion was made by Council Member Garcia to amend the Fire Department budget code 14-6803 by \$2,998.00 to repair oxygen generator. The motion was seconded by Council Member Lee. Vote: 5 For 0 Against

7. Wanda Dowlearn, 10337 N. Oswego, stated that she needed to amend what she she had on the agenda about naming Lane Street Park after former Mayor Rachel Nunez, that it wasn't really Lane Street Park that she was going to request, it was going to be the senior citizen building, that it had come to her attention that it didn't have a name on it so she would like to ask if they could vote to name it after our former Mayor, she did a lot with the seniors, she was close with them, she worked up there all the time and she would like for that to be designated as a memorial area and renamed after Ms. Nunez.

Mayor Robinson advised Ms. Dowlearn that the council would discuss her request and put it on the agenda at a later date.

Ms. Dowlearn stated that she had a question about the pipeline and Council Member Rivas seemed to know the most about it and first of all was it actually going to go through residential yards or residential streets.

Council Member Rivas advised that it would be going underneath the streets but it would be running in the corridor all the way north to south in our city along with the other pipe lines.

Ms. Dowlearn ask if it was actually a gas or was it run off of the gas.

Council Member Rivas advised that it was a by-product of natural gas being pushed up out of the well, it make what they call a natural gas, it was a liquid.

Ms. Dowlean ask if there was a rupture he had stated that the closest cutoff was at the ship channel and if one part of that line blew was it or could it possibly blow all of the lines that are going through our city and if so was it hazardous to breath.

Council Member Rivas stated that with that product anything could occur.

Ms. Dowlearn ask if it was flammable and was advised that it was.

Council Member Rivas stated that the Government put so many restraints on pipe line companies and the Railroad Commission did the same thing that these pipe lines are safer now.

Ms. Dowlearn stated so if they had a problem on Wallisville Rd. they would shut it off before it ever interfered with us.

Council Member Rivas replied that he believed they were going to pump from the channel to Mont Belview or in that direction.

Ms. Dowlearn ask if they were planning on putting a shut off valve in our city and was advised that they were not.

Ms. Dowlearn ask if we knew who was going to be running for Mayor, had anyone signed up and was advised no one had signed up at the moment.

Ms. Dowlearn stated that a couple of weeks ago there was some misunderstanding, that we had a lot of people that thought she went after certain individuals regarding their homes, this was not a political assignation, she didn't care who was involved as far as who got the Mayor's seat, that what she went on the rampage about was her cars were not inspected or tagged for 6 to 8 months and since then she had located nine vehicles on one street and it happened to be Mr. Robinson's street and their inspections or tags have been out for two to ten years, we have vehicles still on city property down at the water department that have been there for years, last year she ask about it and she knew that it was taken off a property but it was still sitting there and if she is getting a ticket because of her vehicle she city needed to be held accountable for what was on their property too. She stated that every street that she drove up and down, it wasn't anybody in particular until she got to the city council and everybody up here and she went by everybody's house, no problems, Mr. Mayor's house was the one she was talking about that was a problem, she didn't think that trailers should be allowed in the front yard, sorry Lon, sorry Mayor but she didn't think they should be allowed for the simple fact that there were electrical cords running to it and that was a long way to run an extension cord and she understood that during emergency situation running cords from one side of the street to the other was one thing but just keeping a motor home charged up, no, that we had single family dwelling clause in our charter that has been ignored for years and it didn't need to be ignored anymore. She stated that if we were going to go by our charter lets go by all our charter, not pick and choose what we want to pick out, what is good for one is good for all and if she went and found nine vehicles in 25 minutes somebody was not doing their job, these cars have been sitting there two to ten years and she contacted the City Manager and he said was she sure they had not just been put there, no they had rusted lug nuts, grass had grown up around the car, covered with dust and she took down the addresses and gave them to Chief Ayala.

She stated she was going to be diligent, that she had lived here all her life, this was her city and if we were going to clean it up, lets all clean it up, don't pick and choose what properties we want to clean.

Council Member Rivas advised Ms. Dowlearn that the engineer with the pipe line company had left his card so if she had any other questions, he didn't want to speak up for that pipe line company but the gentleman said to give him a call if there were any further questions and they would be happy to answer them.

Ms. Dowlearn ask the City Manager and Mayor if we could do something about the ambulance that had been parked down there at public works or that vehicle that had been towed down there, apparently the Chief didn't have the power to get rid of it because it belongs to the city.

City Manager Maner advised that the ambulance needed to be sold. Chief Ayala stated that he would take care of the vehicle, that it was his responsibility and he would take care of it as soon as possible.

8. Larry Schion, 506 Hare Cooke Rd., Crosby, Texas, stated that he came up here Originally a few months back and he was going to speak on some things that at least three officers in the police department had complained on and because they were afraid to come up and complain or speak to the police chief in fear of retaliation they ask him if he would speak for them and he said he would see what he could do and he came to speak about the same time his son got arrested and he said then that they had an officer here and they all knew who he was he was sure and after he started to speak up he was sued by one individual police officer from their city, so he did a little research and he found out that when this police officer came to this city he signed his Oath of Office and Mr. Schion read what the officer had signed and commented to sections of the oath pertaining to the constitution and his first amendment rights and as it went on he really didn't get to speak because this officer sued him for \$40,000.00 and he stopped because he didn't want to hurt the case. He stated that under this first amendment or constitution here comes a law suit and the law suit says that he said the officer stole money but he didn't actually say he stole money and he wanted that cleared up, what he said was and there was only one person that he told it to who was Joe Ayala because he wanted Joe to do an investigation to see if the allegations the police had made were truthful, he didn't know if this individual had keys to it, it was his understanding he was the police president or the police association so he assumed he might be responsible for it and he didn't make the allegation that he stole it, he wanted to make that perfectly clear, he wanted to get it investigated and there was also allegations of him using a car wrongfully and he wanted to state that to them but he wanted to state it at the police department and not up here so some of this might be

their first time of hearing this. He stated that this all stemmed out of him trying to do a good deed, trying to help a lady get some board off of her fence and his son going to jail and the good part is that the lady and all of the neighborhood has been very quite so his son going to jail and him having a law suit might be a good deal, God has a weird way of working things but it really cost him. He stated that with this Constitution here, the officer that filed charges on him filed wrongful charges on him and he swore to it and signed it so it had him worried, would he do that to other people if provoked. He showed a sheet stating this was kind of a lost prevention sheet out of this same officer's file and it says there that civil litigation and criminal prosecution he has many hours in it that he is a very intelligent individual and it also said survival tracks for court room and videotaping and one of the things that he ask for when his son went to jail was could this officer provide us the tape, that we had it but the thing of it was that it was a copy of a copy and it didn't have any audio. He stated the office went into the house to see what was going on and said he heard his son threaten but when his son went to court the Judge, Mr. DeFoyd and the officer said it didn't matter but it did matter because it showed whether he was guilty or not and he ask then that if it didn't show that on the DVD that officer needed to be fired because he doctored a DVD or he lied about what it said on it and he still believes that and what he would like to do was for everyone of them, especially Mr. Maner, to get that DVD from Joe and look at it to see if it is fair, he just wanted fair, he stated that he didn't say that it wasn't right for his son to go to jail, he just said that he thought that both people should have gone to jail so he wanted to clear up some stuff here that he didn't ever call this individual a thief, he called attention to a copy of his grades from school and stated that he was very smart and commented on his college degree again saying that he was smart and he was a Master police office with many hour but the video instructors course caught his eye because of what he was telling them when his son went to jail, that he does video and cameras too and he know how to do it, there are ways to turn them on and off to show things so he has experience that he could have doctored that DVD or turned it off but the Judge said there wasn't enough evidence on it that he really didn't hear but he said he heard his son tell him that, it didn't have audio, it only had video so he was questioning his doubt. He stated that he was a very good office but when someone questioned him he got a very nasty pattern to him. He stated that on suit, he went to court on him and when it was all said and done, they dismissed the case and he was very glad that they did and he thanked Governor Perry for passing that law, the Texans Citizens Participation Act which gave him the right to talk about anything he wanted to talk about and it was passed in 2011 and most people don't know about it and that was what helped him win his case and it went on to say that when people can't talk about their police officers and had to be afraid or retaliated on, that would keep people from coming to you when officers do bad and he went on to discuss the suit filed on him. He stated that he had a lot more to talk about but he could not cover it all. He stated that one of the statements that he made was that he cost him time and money so he went to Mr. Joe Ayala and ask

him if he cost the officer anything, did they take any money out, that he had put this in a court of law in a document and here was what Joe Ayala wrote him, he stated this was the question he ask Joe, any files that the police we are talking about had any money taken out of his pay check and the answer was not to my knowledge so he went to Ms. Joyce Raines and ask her the same thing had there been anything taken out of his check on account of Larry Schion and her answer was not to her knowledge, she couldn't take anything out of anybody's check so the things that he put in this law suit, he was just trying to find an excuse so he couldn't get up here and talk about these things with them. He stated this was the law suit and if they opened their papers, this front page right here, there was three devices on here on the front, the little sheet and the top thing was a card when he opened his concealed hand gun license, he ran it out of the Jacinto City Police Department, out of Jacinto Police office, he used their cell phone number, he used their car and their gas to drive them back and forth and that was why he wanted to talk to them behind closed doors because they ask him if they could disclose them. He stated that Ms. Gosney said could you do it that way and he stopped and he went and sued him so he waited until it was all over but he wanted it to be investigated, he wanted to see if the money was in there and he was looking out for the people in here, it was their money that was paying for his car, his cell phone. He stated that he checked with Ms. Raines about this cell phone number and she said that was an old police issued number so he had done his home work. He stated that on his second card he got a little better on, he went and had it professionally made. (Mr. Schion was advised that his time was up) Council Member Diaz ask if we could give him a little extra time to explain. Mr. Schion stated it was very brief and he had done a lot of home work for them and was going to give it to them and they could do with it what they want. He stated that on the second card he got more professional and had a name put on it but if you turned it over it said a lot more but he still used the police number, he was using police property for personal gain, that it was more professional now and their number was gone but when people find these things out, and that was what he sued him for, because he knew that he was going to talk to them about it and he thought that was as low down as a dog, he wanted to try to hush him up so he couldn't tell them and now with them knowing that, he knew his time was up and he would speak another time. He stated they had an officer here that was given a chance to resign or be fired and his initials were SG and it was for a lot less than this and the other officer that had the dog, he did something and it was a lot less than this and they gave him the choice of resigning and Jim Moore, from his understanding from what he told him, was fired for insubordination and insubordination could be a long list or just not following orders but if you take into consideration that they were all fired that he would also like them to take into consideration that he went a lot further than these other guys and he would like for someone to look into it and he thinks that he might also need to have that same choice because he felt cheated, he felt bad that he had to spend all this money because this was all he wanted to tell them and he tried to do it in the Chief's office and when he got through telling the chief all of this the first thing the Chief did was run and

told this individual and it soiled the whole investigation and he was shocked at the Chief for going and telling him, he stated that he still respected the Chief in the most but he didn't quite trust him as much as he used too.

COMMENTS FROM THE PUBLIC:

Robert Hernandez, 10245 Chadwick, stated that he had two questions, he wondered if Jacinto City had an ordinance against smoke shops and he wondered if Jacinto City had anything in the Charter allowing for a Deputy Mayor Pro Tem.

City Manager Maner stated that the way that businesses were regulated in Jacinto City was through the Zoning Ordinance and the Zoning Ordinance had a list of permitted uses in each district and if that is not on the list it can't be approved without going through the Variance Board or Planning and Zoning Commission and then the City Council, that he didn't have it before him but he was reasonably certain that smoke shop was not on any of those lists so it won't happen without going through the procedure, but there was not an ordinance specifically prohibiting it.

Mr. Hernandez explained his reason for questioning this.

City Manager Maner stated to answer his question on Deputy Mayor Pro Tem, that he believed that he was on the Charter Review Committee but no there was no provision for a Deputy, there was a Mayor Pro Tem and any Deputy would have to be taken care of by a Charter Amendment.

Chief Ayala stated that he just wanted to address everyone here and wanted to assure them that he was here to protect them and their rights, he was not going to violate their rights, he was going to listen to their concerns, he was a fair person. He stated that he had good officers, he knew what they do, they take a lot and put their lives on the line. He stated that if he has a problem with an officer, if he feels that he needs to council that officer or speak with him he was going to do that, he was going to go by what the procedures were. He stated that if somebody needs to be terminated or fired, he couldn't just fire or terminate them just like that, there was legislative law concerning police officers and fire fighters and those laws were made in the legislature, approved by the Governor and he had to follow those laws but he just wanted to tell them he didn't want them to live in fear in our city, he was here to listen to them and he just wanted to assure them that if somebody was to be terminated, one of our officers, it would be only because he did that to himself, he stated that he had to answer to them and there was a liability issue here for the city too, he had to protect them and the city liability wise, he had to do the right thing and if he can't do the right thing or if somebody feel he is not doing the right thing, they have every right to go down to the Harris County District Attorney's office, the public

integrity section and he could assure them they would talk to them and they would call him also and they would want any and all paperwork concerning any investigation and there was such a thing as tampering with a government record and if he ever found any of his employees tampering with a government record and he knew that could happen but he could assure them he was not going to cover it up because he expected them to do the right thing and he had that trust in his officers and he could assure them that if he felt they were doing something wrong, they would be brought into his office and they would investigate, they were going to do the right thing and he just wanted to let them know where he was coming from, he was not a dishonest person and Mr. Schion had been a supporter for many years, he had always heard his concerns and his door was always open to everyone but he understood Mr. Schion too, how he feels but that is his right to do what he feels he has to do but he just wanted to assure them that he was here to serve them and if he was not doing the job that was who they needed to talk to but he really felt that he was not doing anything wrong, what he was doing he was doing it for them, the community and he would admit his mistakes if he made one or if he was not doing what he was suppose too he was going to admit to it.

Lt. Walker introduced himself stating that he was a detective for Jacinto City and he thought that most everybody in here knew him. He stated that he only stood up here today to address some of the allegations that Mr. Schion had made against him so many times in these city council meetings and he had never talked before, he had let him go but he felt like he needed to let someone know about some of this stuff because sooner or later they were going to start believing some of this stuff. He stated that in 2005 he was given a case for the city machine that got stolen, that machine got stolen by Mr. Schion's son. He stated that his Chief, which was a good chief and he apologized but he had to say something, it was time for him to say something. He stated that in 2005 they gave him that case to investigate and he and Detective Silva did a good investigation and they found that Mr. Larry Schion's son stole that machine, it was on camera, he gave a statement, he said he stole it but he says he (Walker) put him in prison, he went to court, he took a plea bargain of three years, he didn't go to a jury, it was public record, he took it so he went to prison for three years and when he got out of prison Mr. Schion and his son came up to him and started cussing him out, badgering and threatening him at a store, he did report this and turn it in to the chief and this went on and on every time they would see him and then they assigned him to work this case with Mr. Herman, everyone knew that when Mr. Schion went up to Mr. Herman house there was going to be trouble because it said it in here that he would go over there and fix that fence for her, he wasn't scared of him. He stated that Herman didn't even know Mr. Schion and the Chief said Walker go down and take care of it and make sure that nothing happens and take care of your job, that was what he told me, to do my job. He stated that Schion got there on Thursday, three officers standing there for three hours while he walks around and looks at a fence and antagonizing that man, it doesn't matter what that man's record is we can't do anything

about his record because his record is from another state, we have to act on a crime if it happened right now and he had to say something because he had been saying this about him so what they did Thursday, he stood there and tried to start a fight and they told him that when he came back on Friday to call the police, he didn't call the police, he went back and tried to start a fight and Monday he came back and brought his son and his son tried to hit them in the face, he was standing there and he grabbed his arm and stopped him that if he hadn't have done his job that man would have gotten hurt and you could have had another killing, he just did his job, he called the District Attorney and he said he would take a Class C Assault on him so they put him in jail for a Class C and he said, in the jail, that he was going back the minute that he got out and he was going to do something to him again. The DA was called again and he said he would take terroristic threat and the Chief was nice enough to say no just keep it in the city. Mayor Robinson advised that his time was up and asked the Council if they wanted to give him more time. Mr. Walker continued to talk stating that he talked about this for six months to a year that somebody needed to know the truth. Mayor Robinson again advised him that his time was up. Mr. Walker stated that he was requesting to talk to the Council personally, and ask that they please have a meeting with him, that he had been trying to talk to someone about this for a couple of years and he wasn't going to say anymore, he was requesting to have a personal meeting because he had made him look back for many years and right now he was going to Tinsel Town and threatening him.

City Manager Maner stated that he just wanted to tell him that under the Texas Open Meetings Act the council couldn't meet with him privately. Mr. Walker stated that he didn't know that but somebody needed to know the truth, it wasn't him, he just did his job, that he did not cross the line anywhere, he stated that Schion stated that he had been suspended and he had never been suspended and ask the Chief if he had ever been suspended and he said that he had stole, etc. and if he did that how did he go from officer to detective and on up the ladder, that he worked his butt off for this city, why should he let him, because he was from the back days, threaten him, threaten is life in the Class C Court referring to an incident that happened in court where Mr. Schion's son tried to hit him. He ask why should he take this and said he wasn't, he had done nothing wrong but his job and everybody in here knew they could call him and he would come to their house and take care of them, he had filed more Harris County charges than anybody at the station, done 10,000 tickets, he had done his job, he loved this city and he was here to help the people not to hear him, He stated that he would not say anything after this, they would not hear him anymore, he stated you might win the war but the battle wasn't over yet.

Donna Dailey, 1701 Chazen Dr., stated that she would just like to say that she and her husband bought land in Crosby, Texas and that was where they were going to retire but

because of our wonderful police department, fire department and all of the other departments in Jacinto City, they sold their land on the lake and decided to stay here in Jacinto City and she wanted them to know that when she went to bed at night she felt safe because she could pick up the phone and within three minutes have an officer at her house and said thank you to Jacinto City Police Department for that. Ms. Dailey stated that she was so tired of hearing people come into our city, when they don't live here and bad mouth our city, she guessed they have the right to do that but doesn't Crosby, Texas have some council meetings that he could go to, that she would like to see him go to some of them, give us a break, he went to court, he won and we were tired of hearing about it.

Dale Pollock, 10235 S. Oswego, stated that he just wanted to welcome the Mayor to the city and to his spot.

Mayor Robinson thanked him and advised that he had been in the city all of his life.

Jim Moore stated that he was one of those from Crosby but he had a stake here because he was probably here a lot longer than a lot of others here in this city so he did know a lot about it. He stated that he did want to say one thing, that he had been trying to get up here since 013 to bring up the stuff that was lagged over from 012 but he hadn't had a chance too but he did want to let all of the citizens and the council know that the investigation was just about over, it was ongoing and it was not a two year thing, it was a life time thing so whoever was going around saying well the statue of limitation was running out , he didn't believe so, he stated the Judge over there knows, it's not over so they hope to wrap all of this up before election time so they could proceed on and then like some of the citizens say right here, some of these crosmanians can go back home and let them have peace.

Larry Schion, 506 Hare Cooke Rd., stated that he was glad that he stood up here and said that because he hadn't never really did anything to him, he always liked him until there was a theater thing that happened here and there was a young boy called to the theater, and was in there making sexual sounds with his girl friend and the management call and as they knew, Patrick Swayze was 75% owner of that theater, which he took care of his business so he ask him how he could get a piece of document that showed what went on in that theater and the thing was one of the people who used to work here, number one councilman, it was him and his girlfriend making these sexual type sound , they complained and Mr. Walker went and took that case and he lied to him and told him he didn't do that case and after he found out and showed him the documentation he said well and he told him that he lied to him. He stated that he outright lied to him and yes sir he was mad about it all the way back from ten years ago. He stated that yes he did arrest his son, he did steal the tractor but he was also messed up on dope and young and very stupid but

that didn't mean that he didn't raise him right, he bought him everything he ever wanted, they were best dressed, everything in school, he tried but you can't always be accountable for your kids and with that said, he did have a little bit of conflict with him, he was challenging them, he double dog dared them to get that video from Walker and show him where his son made the fist, when he was in court, if his son had done that in court he guaranteed that every officer would have been on him because he goes and listens to those cases in that court, he knew they had video in there, his son didn't raise back to hit him, he would have been a dam fool to raise back and hit an officer in a court room. He stated that he got him mad, he got him pissed off but you know what, he had been a good officer but good officers do bad things too, that he had 10 pages over there from 1970, that he went and did all of his research on all of them he had investigated and he was going to tell them one or two every week back from the 70's all the way up to now and it was going to be from people like Allan Jamail, when he was chief, all the way up to now, this city wasn't so great, it was a great place to live, we had good officers that will reach you in 45 seconds, he had always said that, he told them and told about an incident where they shined a light in his house for ten year because he said they weren't on the streets enough. He stated that it wasn't because they weren't on the streets that he didn't see them because he sleeps at night, they do a great job, Lon Squyres does a great job, he has got a lot of money for this city and he has helped every time he has a chance, anytime they ask him for help he is always there and always has been and always would be and what he would like to ask them also was that he had given thousands and thousands to this city, how much has Mr. Walker gave to this city. (Mr. Schion was advised that his time was up) He stated that he would pick this up another time but he just wanted them to know that his son turned himself in, Chief Ayala said they thought he stole that tractor and his son turned himself in and did the right thing.

Raul Rodriguez, 1410 Jennifer, stated that he wanted to speak for the police department and the city, that last night they heard some gunshots pretty close to where he lives, he called the police department and they were there quick and they had been having a lot of problems in that area and when he calls an officer they were going to come in, he called the dispatcher and they send an officer immediately, he stated that he looks out, that he wants to make sure that everyone is safe in the city but sometimes when you call an officer to that house or any house you don't know if that officer is going to make it back home, they have a wife, they have children, what if that officer don't make it home, what are they going to do, how were you going to feel, how was he going to feel, they were his bothers and sisters that work for the city and the police department to save them when they call 911, we had to look at that, a lot of our officers in the United States have been killed in the line of duty. He stated that it was real easy to talk bad about an officer but when that officer was down we all were down but 911 comes first and behind that badge is an officer and he did have respect for these officers in Jacinto city.

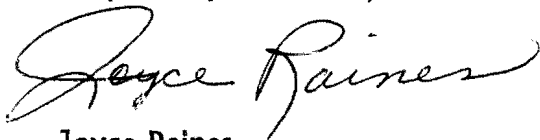
Norma Coleman stated that she used to live at 10402 N. Oswego and first of all she wanted to say Happy Valentines Day and she wanted to end this on a nice note, she did bring cookies, not enough for everyone but they were sealed and she was going to leave them here. She stated that she just wanted to say that she didn't really know the Chief but when she first him the first thing he said was that if I ever had any questions to please come and see him, that he had an open door policy and she thought that the City of Jacinto City was a good place to live and she also wanted to commend the police department, they do a great job, just because there is one person here that doesn't like the police department we are not going to let everyone else think negative about our police department and she just wanted to say to Chief Joe Ayala thank you for keeping the city safe and thank everyone for listening and she thought the police department was doing a great job and if they all agreed she thinks they should clap.

Council Member Garcia wished everyone a Happy Valentine's Day, that she had a little treat for everyone and she would meet them at the door.

A motion was made by Council Member Rivas and Seconded by Council Member Gonzales to adjourn the meeting. Vote: 5 For 0 Against

Meeting adjourned at 7:46 P.M..

Respectfully submitted,

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

Joyce Raines
City Secretary