

COUNCIL MEETING, THURSDAY, JANUARY 26, 2012, 6:00 P.M.

The Mayor and City Council met in regular session on Thursday, January 26, 2012 at 6:00 p.m. with the following members present: Mayor Nunez, Council Members Ochoa, Diaz, Lee, Garcia and Gonzales; City Manager Maner and City Secretary Raines. City Attorney DeFoyd out of state.

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

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

DEPARTMENT HEAD REPORTS:

Chief Ayala stated he would pass on a report.

Chief Squyres stated he would pass on a report.

Kyle Reed, Public Works Director, reported that work had started on the generator project and there would be new generators going in at two lift stations and at the water well on LaCrosse and we would be starting on the water plant rehabilitation in early February and had been given the order to proceed on the water line and fire protection project in the 300 and 400 blocks.

Cindy Miller, Heritage Hall Director, stated that all was going well and they would be having the Valentine Banquet on February 7th.

MAYOR'S REPORT:

Mayor Nunez stated that she didn't have a lot to report, that we were working on two big projects that the County is going to do on the streets and the grant that we had the public hearing on tonight.

Mayor Nunez recognized former Council Member Damus Garey and former Council Member Jose Ramon.

CITY MANAGER'S REPORT:

City Manager Maner advised that everything was going well in the city and as always, he urged citizens, if they had a problem, to please report any problems and we will do our best to take care of them.

No Unfinished business.

New Business:

1. City Manager Maner advised that the Variance Board had met on January 17, 2012 to hear the request of Mr. Martinez, 1726 Caspersen, who requesting a variance to extend a bathroom closer to the property line than is allowed in the building code. He advised that Mr. Martinez's son was here if anyone had a question for him. Mr. Maner stated that the Variance Board heard the request and reviewed the plan and voted unanimously to recommend to the Council that this variance be approved and allowed.

A motion was made by Council Member Garcia and seconded by Council Member Diaz to approve the Variance Boards Recommendation to allow the variance at 1726 Caspersen.
Vote: 5 For 0 Against

2. A motion was made by Council Member Gonzales and seconded by Council Member Ochoa to adopt the Fair Housing Activity Statement. Vote: 5 For 0 Against

3. Nancy Gosney, 1726 Belin, Stated that "Robert and I went to the City of Jacinto City barn on Market Street in search of a missing bobcat that Jim Moore claimed the night before during the council meeting was being used at some ones house. Upon arrival, we requested to see all the heavy equipment. We took photo's and video of the equipment, the bobcat was accounted for as well as the rest of big machinery. The lack of tracks from tires indicated that the machine hasn't been moved in a while."

She stated "I'm a little disturbed that our city officials didn't take action during the council meeting when Jim Moore made this allegation of city equipment missing. It seems to me that maybe the police should have been instructed to investigate the missing equipment at that time." She stated "yes, city employees have purchased equipment or vehicles from our city. To my understanding Jim Moore purchased a city vehicle for his own personal reasons, there's nothing illegal for a city employee to purchase items our city sells. This is for all city employees, we have an ambulance for sell out in front of the Police Department. Would one of y'all please purchase it to, it's an eyesore with all the dust on it."

She stated that "after the council meeting, Mr. Moore approached me. I reached out, gave him a hug and thanked him for his years of service and told him I don't appreciate what you did to our city tonight. This is Jim huh huh huh Kyle had it coming, she didn't like that."

Ms. Gosney stated “she didn’t care for the Civil Service Law, they don’t allow you to hire over the age of 35.” She stated “Mr. Wooten was a good example, Mr. Walker, Frazier, Longrigg, that if we had the civil service in effect, these officers would not be employed by Jacinto City at this moment.” She stated that “walker and she had a long conversation a few years back and she was going to remind him here, that she ask him what he was doing in Jacinto City, she loved his performance, she loved how he operates and thinks he is very much an asset to our city and he told her he was going to work wherever he could get a job at and he was going to do his best at whatever he did, she didn’t understand and he said it was because of an age thing, civil service, they will not hire anybody above the age of 35.” She stated “she did a little research on TML last night, most city charters specifically separate policy making from administration, thus prohibiting elected officials from interfering with personnel matters and restricting employees from active participation in local politics.” She stated “ the other side of it, Chapter 143, the municipal civil service law, which purports freedom from political influence actually provides for active participation in political campaigns opening multiple avenues for abuse and political influence and the damaging key issues here were Local Control – dictates terms of selection, promotion, discipline and benefits, Increased Cost – wasted taxes, inefficient management – mandates benefits and elaborate costly personal system and Promotions, test and tenure based – no consideration of performance, initiative, competence or capacity to supervise.” She stated “the former Mayor of Ft. Worth quoted the law “has a profoundly negative impact on the city without providing any significant improvement in police service for our citizens” and the law “mainly serves the interest of the employees and not the general public.” Ms. Gosney stated “The former Amarillo HR Director “no business would be able to operate successfully under a contract of this type. Only municipalities funded by tax dollars are able to absorb this inefficient and discriminatory system.” She quoted former Austin Police Chief “It’s so restrictive that it prohibits the chief from selecting proven, successful administrators (command Staff) who can carry on with the department’s operations.” She quoted the former Houston Mayor “I would suggest to you, that this civil service law is the biggest problem today in the organization of our police department and in our ability to meet the needs of our citizens in terms of police protection.” She stated that “City Officials, appointed and elected from across the state are virtually unanimous in their disdain and belief that this law is an insidious cancer destructive to quality police and fire departments and high performing employees.”

Ms. Gosney went over State Civil Service impact in McKinney (List of 13 impacts attached for permanent record).

Ms. Gosney stated that under State Civil Service, Police Chiefs and Fire Chiefs are expected to operate effective departments with lack of authority over selection, promotion or discipline to pursue true excellence and then we wonder why service is not better. She stated the critical issue in 1979, 1986 and 2005 was, is now

and will be in the future, local control. Who is better equipped to identify local needs and make local decisions, Austin Unions, the State Legislator or local elected and appointed officials. Ms. Gosney stated that under current law, civil service can be adopted only in a city that has a population of at least 10,000 and only by a popular vote, that legislature established these adoption procedures because many civil service provisions erode local control of police departments and such a substantial change should be put to the voters. She stated that S.B. 2196 would impose at least one significant civil service provision on every city, including those in which voters have rejected the adoption of civil service.

Ms. Gosney stated that civil service would be cancerous to our tax payers. No radiation or chemo could treat how detrimental and costly it could be to a city, especially when you consider rising taxes and the fragile economy. She stated the adoption of civil service should be made by the voters, not one disgruntled employee. She stated look at what happened to the City of Houston and the red light camera's, the voters spoke.

Ms. Gosney gave an example, using Officer Becker as an example, say she got her peace officers license, she was on the payroll with Mr. Ayala and he decides to retire and his job comes open and she applies for the job after being on the job for six months and Officer Becker applies for the job being a ten year veteran and she scores higher than him on the test, guess who get the job, she does, that it's not based on how well this gentleman does his job here in Jacinto City, she might not know anything about the city, but she is going to get the job because she scored higher on the test and that is what you are looking at. She gave another example of how long an issue could be put in arbitration and the employee would be paid and after he is terminated, he will be paid for another three months, guess who pays for it, tax payers do, nobody else but your money, not his. She stated that she just wanted to educate them on what she found and they could go look for them themselves on TML.Org, that she didn't know it was public until she looked at it last night and they would find a lot of good information and what was important, was that we really want that kind of staff, she had nothing against our police department and she would fight anything for our police officers any day but when you get a bad cop you can't get rid of them.

Mr. Wooten ask her why she brought his name up and Ms. Gosney stated because wasn't he our Assistant Chief at one point and Mr. Wooten replied that he was. Ms. Gosney stated that was why.

Mayor Nunez advised Ms. Gosney that they had an executive session to meet with the City Attorney and the council could not take any action that Thursday, it was a personnel matter and it is being investigated, not only by the chief of police but also the Texas Rangers so that is being taken care of and council can't comment or speak out because it is a personnel matter.

Ms. Gosney stated she was so glad to hear that we have a third party, that way it is not politically motivated.

4. Jim Moore, 4400 Sherry Ln., Crosby, Texas, stated that he was an ex-employee and that was a good speech, he liked her depth in finding out all that stuff but let him tell her that what he was going back to was taking ten years to get to this point and he believed it was very clear on the City Charter, where it states on page 34 that the only ones that should be handling it is the executive board, that was their job that had not been addressed and that was why he brought it up to them and then after it is brought to us you can bring it to the people on the floor or to the citizens but he was just checking to see where they were at with it right now. He stated, was it costly, it could be but is it fair for people all across who is working for the city because of some of the corrupt stuff going on in the city with other employees, yes, very much, that is why we need the civil service. He stated that in the long run, it is cheaper because you are going to have better qualified employees and you are going to have better employees that don't feel threatened out here working in this city because they know they have another party to protect them, at least have say, not to just say hey your terminated, no ifs and ands, just because I can, that can be for anyone of you out here that works for the city. He stated that she was for the workers, obviously now she was against the workers, it was a shame but he rests his with them because it was in their hands, it was their job as council people to address it and take care of it. They had been ten years in the making, they had been sliding under the radar for ten years and now he was glad it had come to a head one way or the other.

Mr. Moore stated that he wanted to get into something else and he was going to say some things and he was going to say some stuff about some other things going on and he wasn't talking about what was going on in the city because we all know what is going on and we all know he was not in here to talk about it, he don't get around but a lot them are but he was going to throw out some things out here and address some things and see if some people sitting back know that is what they said, what they wrote on e-mails or what they send to somebody on e-mails, ok. One has to do with somebody not getting to full fill their job as a birthday gift at East End Honda, talking about their step daughter, well guess what, he read it, somebody said they were going to hold this for blackmail if something ever happens to me, and he's got it. Yea, he read it, not only that, other things that come through the e-mail you don't even want to know, you don't even want to look at the pictures that is all done on these computers in this city, look at them and see what I'm talking about, see what kind of I don't know but he could say this, the person in here that knows it knows that he is telling the truth because the other person is holding it and run a copy off to save in case something ever happened to him, so he knew that at that point that person there was looking out for his self because of some of the stuff that was going on that I better look out for myself and get some stuff for himself so that if anything ever come down and he has it in black and white too and believe him, he has it and he just

want to leave them with it, that he loves all of them, he worked hard for them out there, he never ask for anything, if you ever needed something, he tried to help them, it doesn't matter who you are, he wasn't talking Ramon or whoever was here, you thought I had jumped on Ramon's wagon, no he did not do that, you know why I needed Ramon, he needed some information he had that I couldn't get, he supplied me with it because you know I said it once before, the stuff he was talking about, he wanted to bite his tongue, the things he didn't like was the things that he was doing to us workers out there or whoever, taking pictures and making our jobs rougher, that is why he got up there and started talking and now he was up here again because your very good, your good, your good, your good, your good, your good, your good, you got a job to do but there has been stuff going on in this city illegal for a long, long time, people making money, people doing different things and you know what, most all the employees know it but they are scared, you know why they are scared, because you have somebody that is putting their thumb down and talking bad about them all the time, turn around then and have meeting with them and stuff and they don't want to stand up, well you know what, they did the wrong thing this time, they picked on the wrong one, they took down a person that is honest, has no skeletons, you can talk about all my asphaltting at the house that I paid for, you can talk about all this other stuff, nothing illegal with me, look in my closet, I don't have no skeletons in it, look in some of these others that your talking about, they got skeletons everywhere but he just wanted to tell the citizens they had one of the best work forces out here, if you are talking about this city proposal, let me tell you about this city proposal, he stated let him tell them about something else he did back when all this stuff was coming up about the tables and chairs and this was a good one about the tables and chairs, no body knew about it that was ask about it, the only one that testified that he did know about, Jim Moore, Tommy Demont, not Mr. Reed not anybody else but he did, and to let him give them an example, got it just off the top of his hat, he had been here 11 years, it was going to take him, he didn't know how many meetings to get all of this out because he knew so much stuff. Mr. Moore stated that Mr. Reed ask him and Burley to take some tables and chairs to Kim Bellotte's house, leave the trailer there and go home. He stated he did it with a city truck because he was told to do that and that was before the little letter came out about if anybody got any tables and chairs don't do it anymore. Thank you, never done it again, never done it again and Mr. Moore told someone in the audience to not shake their head, that was not good because there was witnesses to it. He said you created a monster with me because when a man is in the right he is going to keep coming. He was in the right and they were getting hurt, they were getting hurt by the way this public works was being run by somebody, the director, it was high time we changed it, it was high time we start doing the right thing for the peoples in this city. Mr. Moore stated Carmela, a very good person, let him tell you what, he had heard his director talk so much stuff about Carmela and she is a person now, she had a meeting with me the night after he was terminated and he told her exactly what happened

he didn't get into a whole lot and she said these notes were for her and ask her if this was not right and he would like to ask her if anything ever comes up, would she use those notes or show those notes like they were talking about but he was just saying that they need to be used because she could be called up to testify. (Mayor Nunez advised Mr. Moore that his ten minutes were up) Mr. Moore stated that he just wanted to thank them anyway and he would be back, this was not over, he had a long way to go, he was out there, he was retired now and he could do his thing, he could spend a lot of time.

Mayor Nunez stated that on the advise of our City Attorney, she was to let people talk, she can't stop them.

COMMENTS FROM MEMBERS OF THE PUBLIC:

J. Ramon, 10811 Munn, ex councilman, stated that what Jim was talking about is the abuse of employees and some appointed officials ok and when he was on the council, he brought up to them section 17 of the charter, what is personal financial interest and that was when he was telling everybody that Kim Bellotte and her mom own a company that sell chemicals to our city ok and have been doing it for years, we spend approximately about \$1,000.00 and that is against the City Charter. He stated he told everybody to act upon it and nobody did anything about it, he didn't know if it was still happening or now, he would like to ask the City Council if this practice was still going on, Oh you don't know. You look incompetent to me. Mayor Nunez stated they may be able to answer him when their time comes up for comments. Mr. Ramon replied all right, that what Jim was talking about, is abuse of people and I told you'll what was going on, equipment, employees come to him and told him but he couldn't prove it but now that he has been terminated, he can prove it ok. He stated that he wanted to bring things up that needed to be addressed Mayor like a long time ago ok., like city employees loosing thousands of dollars and not being reported to the council, was that a fact. Do we know of any city official that has lost big amounts of money, tens of thousands of dollars, and ask if she knew anything about that and she replied she didn't. Mr. Ramon stated you don't, that was not what she told him in the past and there is other people here that was at a meeting when you said that the City Manager had lost a big amount of money and he inquired about it and they told me it happened outside of the city limits and we didn't have a report, HPD might have a report. Mayor Nunez advised Mr. Ramon that she would answer that at the end during comments. He stated thank you, he stated he wanted some answers that was some of the things he was trying to address when he was in council ok, those were the problems that he thinks are big problems for our small city, money going everywhere, people misusing equipment, people breaking the law and if the city council wants the documents, what he has, Kim Bellote's mom, Jack Maner's person who has lived with him for the past, he didn't know, fifteen years, selling the chemicals, he has the documents if you guys want them, ok. (Mayor Nunez advised Mr. Ramon that his three minutes were up.

Myron Richardson advised that he was one of the new board members of Jacinto City Little League baseball and he wasn't really sure if any other of the past board members had an opportunity to stop here and just say thanks a lot, they really appreciate every thing they have done in the past. He stated this was his sixth year coaching one of the little league teams, they had been affiliated with the league for the past 10 or 11 years, his step daughter played with the softball team and the day we do the parade, the police escort and fire escort and all the council members that get a chance to come out and see what we do, as he said, he was not really sure if any of the other board members had an opportunity to come to you and just say thanks a lot, we really appreciate what your doing. He stated that everything really looked fantastic this year, in fact, they have a whole new board and we are striving to go in the right direction and make all the proper moves. He stated they had been out there checking out the field lately and, in fact, Roland, he had been associated with him for the past couple of years, and he told us that this year they were really going to make great stride into doing good things on the pitching machine field and he notice that they had started to till the field and really get it into good shape and once again he wanted to thank them for what they were doing and hoped they could get together and keep a good thing going.

Mr. H. G. Wooten, Munn St., stated he was going to tell them a story and he was going to try not to cry but his cancer came back and it was spreading, it was in his bones and they can't do anything about it, that what he had was one good doctor and he was upstairs and he talked to him this morning and he hoped that he heard him. He stated this was the first time in his life, 86 years, that he had openly prayed to God but he had one day at a time, that is all they promise you and that is all he is going to do, he was going to keep the quality of his life good and there wasn't anything he could do about it but pray to God. He stated that he had learned a lot since he found this out, that he went to his heart doctor yesterday and he said that he knew that I would want to see him in about three days and I ask him why and he said he had seen his chart about the cancer spreading and I said well it's not by heart, I hope it isn't, and he advised me to do what the doctor told him. He stated that he would appreciate all their prayers and he was going to do the best he could the rest of his life, he was 86 years old, had lived a good life and was going to live a lot longer.

Mayor Nunez told Mr. Wooten he was in our Prayers, he was a good person and a very good citizen, she had known him for years and we all loved him.

Larry Schion, 506 Hare Cook Rd., Crosby, Texas, stated that first of all he wanted to say to Mr. Wooten, that he had know him for 45 years, he had known him for all the

good times and bad, he was there when his wife passed with the same thing and he told her openly that if he didn't get to see her any more, it was his pleasure to have know her. He stated that he told Mr. Wooten that and he got mad and didn't talk to him for two years but he wanted to openly say that it had been his pleasure for knowing him for 45 years, he had always helped him get what he needed done, he supports Mr. Wooten's opry and everything that he has always stood for so again, if something happens to him it has been my pleasure to have know him and he thinks everybody in here feels the same way. He stated that he had lived in this city for a long time and we had Number 1 coming up, Number 2 and Number 3 and it is going to be a hard time and if you think times are bad right now and things are getting wrapped up, all of that is going to come out when these guys run and he hopes that they get their ducks in a row like she took her notes and I hope she has them and when the vultures come calling, which is probably the Texas Rangers because his understanding is that it is a really big investigation and I'm sure everyone is going to get ask up here so do your homework and tell the truth because I think everybody seat is on the line in this election at least 1, 2 & 3.

Roland Garza, 10205 Burman, stated that he was feeling very emotional when he heard Mr. Wooten because he had known him all his life and part of the things he would do when he had the old Opry House, he was always working, his work ethics, he taught the community that. He stated that it was a very emotional time for them now at public works, they were a small workforce but they did big things and the biggest thing they did at work was they respected one another and the citizens. He stated that he was not up here to make any enemies and he didn't want to make any enemies because he wasn't going anywhere, he wasn't afraid of anybody in this room, he didn't have to be, not even Kyle Reed and he didn't want to bring his name up but he did want to bring up an ex-council member and he would know who he was talking about when he said this. Mr. Garza stated Sir, please don't come back up here and disrespect our council members like you did last meeting, that was wrong, if you want these people to do their job, ask them politely, go through the chain of commands and that is how we get things done here in Jacinto City, He stated that as far as Mr. Moore was concerned, he didn't have a lot to say because he could start crying right now because of both of them, he told me to empty my bucket, he taught me that but he had to turn around and tell him one thing, he also taught me that if I ever lost my job it would be because of me and no body else.

Nancy Gosney, 1726 Belin, stated that last night when she was on TML, she noticed that On Action No. 4 we got off of civil Service and to her understanding from TML you are supposed to stick to your agenda and she wanted to remind Ms. Nunez and the rest of the Council, the Attorney was not here, that couldn't talk about city personnel in an open meeting and she just wanted to remind them.

Donna Daily, 1701 Chazen Dr., stated well here we go again, this was really sad, we had a good thing going there for a while, we didn't have to come down here every meeting because we knew it was going to be handled correctly, that it must be getting close to election time again and we are going to have the varmints come out and try to take over our city again. She stated that she hoped that all those that worked hard before, to clean up our city, are ready to do it again. She stated that she would do whatever she could to keep our city going good and clean and keep the crap out of here, that it really sickened and saddened her to think that, you know she had lost a job before and of course they shouldn't have gotten her because she was one of their best employees but this is a right to work state and if you lose your job, man up, go out and get your unemployment or get another job, don't come back and try to take our city down. She stated that she had a lot of respect for Mr. Moore but she would tell you what, she was sorry Mr. Moore but you were doing wrong and she was losing respect for him, that if he had a problem you take it to someone else, you can't get your job back now because you have opened up your mouth to much, maybe if you had kept it shut and let everything cool down, you could have gotten a job somewhere else in the city until you got done with your time, she didn't know but she would tell him what, what he was trying to do to this city because he had come to her and told her what a good guy Reed was and all this stuff and you told her how you would have quit your job if those other people got in and don't talk with a forked tongue and try to take our city down now, that it really bothered here.

Kim Bellotte stated that she came in late and missed her turn for a report and had already talked to the Mayor and Council about a project and wanted to inform the public about the project that she was working on with Ms. Wanda Dowlearn and some other parents who had lost their child. She advised that Wanda came to us several years ago and ask for a youth memorial at that time, three years ago today, her son Curtis passed away and she couldn't be here tonight but that she wanted her to present it because of the date, she thought it was a good time. Kim stated that she had been working with her very closely and they have a \$10,000.00 granite monument donated to the city and it would be placed in front of the old Ana Hernandez Building right by the gym on Mercury Dr. if everything goes well. Kim asked that if they knew anybody who played baseball or softball on our fields who pass before the age of 21, we needed to get their names, we needed to have everyone included, she didn't want to put this together and have a mother come up and say what about my child so please help us get the word out, put it on face book, etc.. She stated that the people who graciously donated this also had a teenager pass away so she had to keep in the perimeter of what the gift is to the city but she did ask them if we could honor some of our long time volunteers and they said yes under certain perimeters, that they had to have coached here for more than 15 years, been involved and had also passed away while they were coaching the kids because we all know that makes a big

impact if a child's coach passes away. She stated that to this date they had a few names Curtis Dowlearn, Gilbert Martinez and Rickey Gonzales and three coaches, were Arthur Gonzales, Robbie Shuptrine and Robert Hernandez Sr.. She stated that she hated to add to this monument but she knew that we would and ask that they please help them make this a success. She stated they had everything donated, the city guys will help install it and she knew Mr. Larry would help us with that also and what they were needing now was the landscaping donated, so if anyone knew a landscaping company or someone who can get donations and a professional look, we want it to look really professional. Ms. Bellotte displayed a drawing of what the monument would look like.

There was general discussion on the landscaping.

Ana Gomez, 10346 Norvic, stated that she had lived in Jacinto City for 3 years, it was a very nice place to live but she came today because she had a very bad issue, she had domestic violence. She stated that her husband moved out of the house three months ago but they had been having problems for three years and he was already in jail by that time, that he stayed in jail approximately three months because of the same thing but that day the police officers didn't take any pictures of her. She stated that this past three months he had tried to switch every thing around, he was hitting her and she bit his arm trying to protect herself and he went to the police officers and they took her in because she bit him and the detective here, she really didn't hear my conversation she was like going toward him, so she gave him a paper and now she is scared of him, he goes to the house and threatens her and she fears for her life and her baby, he told her he planned all this because he wanted that paper, he wanted his resident card for immigration and because of domestic violence there was a problem. She stated that she went to Mr. Ayala and he gave her some paperwork but it was not enough and she has court in Jacinto City on the 27th of February, she is taking him to court but she is just afraid, he doesn't give her any child support and tells her that she can't leave so right now she is just supporting herself and her baby and the house that she is renting by cleaning houses and stuff so she came here to see if they could help her please to fix that.

Mayor Nunez called upon Chief Ayala who stated this was an on going thing and he really couldn't discuss it but she could come to his office and they could talk a little bit more about it. He stated that on this issue she really had to consult with an attorney, if the case is pending in court it will be handled there but what he can do is check a little bit more into what happened when the case was filed then he can make a recommendation.

Mayor Nunez advised her to meet with Chief Ayala to discuss the matter.

There was more discussion on the matter by Ms. Gomez.

Jason McCormick, 10804 Palestine, stated he came out of his doors and saw red flags so He was expecting they were widening the road, he was not sure, so he wanted to see if he could get some information on it.

Mayor Nunez stated it was the County, they were giving us 1.2 million to 1.5 million dollars to fix the streets, the County would be doing all the work and they were out here putting those red marks and they were also going to build the sidewalks on Holland and this was all coming through Commissioner Morman, Precinct 2 who was doing this for the city of Jacinto City.

City Manager Maner stated that it included repair work that he didn't think it included any widening.

Council Member Diaz stated that she thought he was talking about the stakes with the yellow flag on it and they were up in the yard not on the street.

Mayor Nunez ask Mr. Reed if he knew anything about this and he replied that they were marking the property line with the engineers was what they were doing and ask for the address.

Mr. McCormick stated it was basically about 14 feet into the property, he stated there was a sidewalk put in about five years ago and that was 5 foot in and now this was 14 foot from the sidewalk and that was quite a bit of property and he was just trying to find out, it was the difference between parking two car and parking one.

Mayor Nunez ask him to meet with Mr. Reed and give him the information and he would check it out.

Deborah Coleman, 10821 Muscatine, stated that she had been to two meetings now and she had heard about new sidewalk, new sidewalk, rha, rha, what about sidewalks they come tore up on Muscatine, what about sidewalks she can't push her grandbaby to pick up her other grandbaby at school, she has to walk down the middle of the road when you are in front of Whittier. We are going to get new one and we aren't maintaining the old ones Something may be in the work, may be going to be done next week because she just started coming up her last week. She stated that she had been here for 55 years and she was going to put a little bit of voice in why we can't fix what we got before we get new stuff, she was just curious.

Mayor Nunez ask Mr. Reed if we had anything in the planning for sidewalks. Mr. Reed stated that we patch the sidewalks and do the best we can.

Ms. Coleman stated they also took their big sewer drain out and put in something that she measured with her hands, stating that they were nothing but two oak leaves and Ms. Hart, which is a citizen of Jacinto City since it has been built has to walk out on her front porch and fish. She stated her yard, fine, she was 55 and Ms. Hart was 90 something.

City Manager ask what corner she was speaking about and was advised that it was the corner of Muscatine and Baca.

Ms. Coleman said Ms. Hart's house sits right there. Ms. Coleman stated that her back yard floods and she know it but it makes her upset to see her son out there trying and it was just a little bitty hole, they had a big one but it didn't work either.

Debra Morlock, 11509 Celtis, stated she just want to ask something, that she hears people bringing up stuff from the past again that was already handled before but there was a lot of new people who were just starting to come and she would like to ask a clarification question. Citizens can get up here and say just about anything they want about the city employees, correct, but the city employees are not allowed to comment or respond to the ugliness and she just wanted to make sure that was correct, they were not allowed to take up for themselves.

Mayor Nunez stated because they were the public.

Ms. Morlock stated that she just wanted to make sure that people in the audience know that is why they aren't saying anything.

Mayor Nunez advised Mr. Ramon that he had his three minutes.

Mr. Ramon made comments from the audience that were not picked up by the sound system.

There was general discussion concerning allowing an additional three minutes.

Issac Hernandez, 10913 Munn, he stated that he was just up here on behalf of little league as well and just wanted to let everyone know that they were going to try to make a more broad presence here and let them know that they support them and he knew that they had supported them in the past. He stated that they had Mr. Reed, Kim and Roland helping them out doing some projects here on the field that is really great and even some plans in the future and we just want to ask that they keep on supporting them. He stated they had a program that was twice the size of Galena Parks and they needed the backing to help with the kids, that they had about 230 kids that enroll every year with them and he had been coaching for about seven years and enjoys every minute of it and a lot of these kids

are lower income kids and they probably don't have the best facilities, the best things in life but if we can create these after school programs that will help them and promote team work and a good attitude among them generally. He stated that they just wanted to thank them for committing to them and wanted them to know also that they were committing to the city, they were going to have to try to get some organization with their parents and try to bring them up here to let the city know they were backing them up as they backed the league up. He thanked them for everything they had done and everything they planned to do in the future.

Mayor Nunez stated that she thought that she could speak for herself, the council and city manager and the rest of the staff that we always supported the league and we would still do it, we were here to support, that was keeping our children off the streets and getting involved in something that is going to be very educational for them also.

Donna Daily ask about the age of the players now and was advised that they had children for the age of 4 through 15.

There was general discussion about the different age groups within the league.

Kim Bellotte advised they had a group of boys that were aging out of little league and what the little league did was extend that and the coaches were going up with them and they were going to make sure those boys were staying involved with baseball instead of going to the streets so she wanted to commend them for sticking with those kids and also the baseball league can't turn any boy away whether they pay or not, National Little League rules state that no boy can be turned away so they need scholarships for those kids so the baseball league can continue to run, the league always runs short of money. Kim advised that it was \$65.00 for each child.

There was discussion on people being allowed to come up and speak after they had their three minutes and Mayor Nunez stated they had a meeting in regards to that and it was 10 minutes if you were on the agenda and three minutes under comments from the public.

Council Member Ochoa stated that he thought he should be given the three minutes because he was in the public now and he got 10 minutes on the agenda and three minutes as a public speaker.

Council Member Lee stated he agreed, three minutes one time.

Jim Moore stated that he just had to respond to Donna, saying thank you Donna but he things she kinda got it about half right on Mr. Reed, about what he said about him but he wasn't going to go there, what he wanted to do was he wanted to let each and everyone of

you know out here, that is on the boat with Kyle Reed, that when this is all over that they will have egg all over their face when it is all said and done ok. Because there is a lot more to it than what you see, you talk about I'm retired, hey do I want to come back here, he wouldn't want to come back here and work under Kyle Reed, no. He was happy with what he was doing right now and he was going to continue doing what he was doing, he was going to do it for this city, he had been here for a long time, he didn't open up the can of worms, Mr. Reed opened up the can of worms ok but he was supporting this and we would get on track. He thanked all of them.

Council Member Lee stated that he would just like to say we have a young council and they are still learning, it was a good council, he had respect for all his fellow members, they work hard, they do a lot of research, we spend a lot of time making sure that what we do is lawful and he ask that they please not confuse silence for incompetence, there were some things they could not say and some things they will not say until we do some research and we cannot answer every question we get simply because, especially in the last two council meeting, he didn't know what they were talking about sometimes so please don't thing we are incompetent because we don't answer, we are going to make sure we have the right answer before we say anything.

Council Members Garcia ask the representatives from the Little League when the parade was taking place and was advised that it was the 26th of March. She stated that she also wanted to thank Kim Bellotte for working very closely with Wanda Dowlearn because she thinks it is something very special that she is doing, she ask for it three years ago and it has taken this long. She stated that her last comment was that she was not an investigator so if any investigations need to be done, that is going to be handled by the police department or the Texas Rangers as Mayor Nunez has already mentioned.

Council Member Gonzalez stated that he would just like to say also that on the lines of Ms. Garcia that we have been instructed, by the city attorney, not to talk about this, like she said, it is under investigation and we aren't going to comment on it and if someone comes up here to ask us about that, we are not going to comment on it period.

Council Member Ochoa stated that he wanted to thank everybody for being here tonight and voicing their concerns and opinions, keep up the good work and do what you have to do, everything is going to come out where it is going to come out and he hopes the best for everyone in the city.

Council Member Diaz stated that like Mr. Gonzales said, it is under investigation and we are not allowed to make any comments. Thank you

Mayor Nunez stated that again, like she said, we met on Tuesday with the city attorney and we can't comment or discuss anything that is in the hands of the Texas Rangers, the Police Chief or Detective Walker and she will not answer any thing or finger pointing.

Mayor Nunez adjourned the meeting at 7:10 p.m..

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Joyce Raines".

Joyce Raines
City Secretary

A faint, circular stamp or seal, possibly an official seal, located below the signature. It contains some illegible text and a central emblem.

McKinney Impact continued

7. Additional cost for arbitration hearing examiners and attorneys to handle (Plano documented typical case at about \$20,000 with some cases costing as much as \$80,000).
8. Removes power from City Manager and City Council and moves it to Austin.
9. Prohibits meaningful performance appraisal & incentives for performance.

McKinney Impact continued

10. Introduces union influence & the negatives, creates rifts between City & Dept management and employees, encourages political activism by police and fire employees groups.
11. Requires City to pay for 90 days (over 1/3 year) accrued sick at termination (for any reason).
12. Requires City to pay poor / marginal performers the same as top performers with the same tenure (over time results in reducing performance of all).
13. Total annual average cost would have been \$400,000 or more per year (and for no benefits).

State Civil Service Impact in McKinney:

1. Limits the ability to hire the best applicants
2. Limits the ability to promote the best applicant
3. Makes discipline almost impossible since any action can be appealed to an outside arbitrator, both expensive and frequently results in Arbitrators reversing the Chief's actions in an effort to appease both sides.

McKinney Impact continued

4. Would force City to have two separate sets of regulations & policies for different employees.
5. Would require extra H R admin staff to perform the supplemental work.
6. Would requires extra staffing in police and fire to handle the documentation and extra work.