

The City of Galena Park

City Commission Meeting

Date: August 5, 2014

A regular meeting of the City Commission of the City of Galena Park was held at City Hall in the Council Chambers, Tuesday evening at 6:00 P.M. on August 5, 2014.

Present were:	Esmeralda Moya	Mayor
	Danny Simms	Commissioner
	Lois Killough	Commissioner
	Maricela Serna	Commissioner
	Juan Flores	Commissioner
	Mayra Gonzales	City Secretary
	Robert Pruett	City Administrator
	Jim DeFoyd	City Attorney

Mayor Moya called the meeting to order.

Mayor Moya called on Ms. Margarita Alaniz for the invocation.

Mayor asked for comments from the audience. No comments were made.

Mayor Moya read item # 4- Consider approving the minutes of July 7, 2014 and July 15, 2014. Commissioner Simms moved to approve the minutes of July 7th and July 15, 2014. Commissioner Killough, 2nd... Vote. Mayor Moya stated she would like to make some corrections to the minutes of July 7, 2014. Mayra Gonzales, City Secretary, read aloud that the minutes stated... the entire commission returned from closed session... the correction that needs to be made is... the entire commission returned from closed session except for Mayor Moya who did not participate in closed session. Mayor Moya stated that she would like to postpone the minutes of the July 15, 2014 meeting to the following meeting, since she had not had a chance to review the minutes. Commissioner Simms asked if they were not going to have an approval of the July 15th minutes. Jim DeFoyd, City Attorney stated that there was a motion on the floor. Commissioner Simms asked if it was for the approval of the minutes from July 7, 2014. Commissioner Simms also stated he was okay with the addendum that the Mayor requested. Commissioner Simms moved to make a motion to approve the minutes of July 7th with the addendum the Mayor requested and to approve the minutes of July 15th. Commissioner Serna suggested that they should vote on this item one by one. Mayra Gonzales asked if the minutes for the 7th had to be postponed until next meeting for her to make the correction. Jim DeFoyd, replied no the council just needs to make a motion to accept the correction. Commissioner Simms made a motion to approve the amended minutes of July 7, 2014 and to approve the July 15, 2014 minutes. Mayor Moya stated that she had not reviewed the minutes for July 15, 2014 and she would like to postpone the minutes for the following meeting. Commissioner Serna stated that the council had just attended a training and that the Council is not to receive any information before the meeting. She stated that was a democracy and how it worked was you go to the table, you read your information, and then you approve so that there is no chance that someone can say no let's do this instead. Mayor Moya asked Commissioner Serna if she had the minutes prior to the meeting. Commissioner Serna stated they did. Mayor Moya stated she did not have the minutes prior to the meeting, so that is why they are postponing. Commissioner Serna stated the minutes where there.... Commissioner Flores interrupts and ask if the council can take 3 minutes to read the minutes. Mayra Gonzales states the minutes were given to everyone at the same time, and the binders were all on the table before the meeting. The Mayor and Council take time to read the minutes. Mayor Moya asks if there is a recorded session of the July 15, 2014 meeting. Mayra

Gonzales nods yes to Mayor Moya. Mayor Moya states that the Council is going to need more than a minute to read the minutes and suggest they postpone it, because she had a question in terms of the content that goes on the agenda. Mayor Moya asked Mayra Gonzales, City Secretary if she could explain the content in the agenda, what the process is to prepare the agenda and how it works. Mayra Gonzales stated that the Commission and/or Department Heads turn in a letter to her requesting for items to be put on the agenda. Mayor Moya stated to Ms. Gonzales if she prepared the agenda. Ms. Gonzales stated yes. Commissioner Killough stated that she didn't think it mattered how long it took them to read the minutes, they needed to sit there and read them then approve or amend the minutes. Mayor Moya stated she disagreed, because the people attending the meeting had other things to do. Commissioner Killough stated they did too and they are elected to do this. Mayor Moya stated to Commissioner Killough that she was out of order. Commissioner Killough stated no she was not. Commissioner Serna stated that in every meeting the minutes are read and she doesn't see why they should change it. Mayor Moya stated because it was 8 pages. Commissioner Serna stated they had all the time in the world to read them and if the people didn't have time... Mayor Moya interrupts and stated that they will be moving on to the next item. Commissioner Killough stated that the Mayor was out of order to do that. Commissioner Flores then states that they cannot move onto the next item for the reason being that they have a motion on the floor and they either have to follow the motion or finish reading the minutes. Mayor Moya states that the minutes are 8 pages, and she wants to compare them with the recorded minutes. Commissioner Serna states that she can do that then amend. Mayor Moya states she has a lot of questions in terms of the minutes. Commissioner Killough states she is going to finish reading her minutes. The Council take more time to continue reading the minutes. Commissioner Simms stated to Ms. Gonzales that there is one thing he does see on the minutes that he would like to point out. He then states that on page 3 of the minutes it says Mr. Groba stated he lived in the City of Galena Park for 6 years, Commissioner Simms states he knows personally that Mr. Groba has lived there longer than that and he is 53 and he know his parents settled in Galena Park before that, so he thinks it is 56 years. Commissioner Simms stated he would like to interject that it gets changed to 56. Ms. Gonzales stated she would listen to the audio recording again and it was probably something that wasn't able to be heard correctly on the audio. The Council continues reading the minutes. Commissioner Serna stated that she also had a correction, on the agenda it stated Tandom Moya, but on the minutes it is corrected to Tandom Moy and wanted to know if something had to be said about it. Ms. Gonzales then states that on the minutes it states... consider approving the part time employment of Tandom Moy, but then goes on to say Mayor Moya states that on the agenda it says Moya, but it was a typo on the request. Ms. Gonzales then asks the council if that was ok, and council answered yes. Commissioner Flores stated that whoever wanted to read the minutes read them and they have a question that has to be called on. Mayor Moya stated that the question is on approving the minutes of July 7, 2014 and July 15, 2014. Commissioner Simms stated that he will keep his motion on the corrections the Mayor gave the City Secretary and that she will check on the number of years Mr. Groba has lived in the community. Commissioner Simms then states that he sees the continuance in keeping the motion he made. Commissioner Killough, 2nd Vote: 4 Ayes... 1 Nay (Mayor Moya)... Motion Carried.

Mayor Moya read item # 5- consider ratifying accounts payable from July 15, 2014 through August 5, 2014. Commissioner Flores made a motion to accept the accounts payable from July 15, 2014 through August 5, 2014. Commissioner Serna, 2nd Vote: Mayor Moya stated that in the future she would like to see a list of what is being ratified before the council meeting. Commissioner Flores stated that if they can get a copy emailed to them a couple days before the meeting so they can review it if possible. Mayor Moya stated that the council is approving things that they had not reviewed. Ms. Gonzales suggested requesting that all payables are turned in way before the meeting. Commissioner Simms suggested they are turned in maybe the Friday before the meeting. Mayor Moya agreed so that the council has plenty of time to review the items. 5 Ayes... Motion Carried.

Mayor Moya read item #6- consider approving KSA's recommendation to reject the bid submitted by Horseshoe Construction, Inc. and advertise when funds are available. Commissioner Simms moved to approve the recommendation to reject the bid from Horseshoe Construction, Inc. Commissioner Killough, 2nd Vote: 5 Ayes... Motion Carried.

Mayor Moya read item # 7- consider approving the quarterly investment report ending June 30, 2014. Mayor Moya called on Nanette Moreau, City Book keeper. Ms. Moreau stated that the city had one cd that matured this quarter. The city had a beginning market value of \$1,428,795.04, the cd's accrued interest of \$101.70, which left an ending value of \$1,428,896.74. Ms. Moreau also stated that as of June 30 last year the city's reserves were down to \$941,728.00 and as of today with the value over the year the city has added a little over \$487,168.00 to the reserves. Mayor called for a motion to accept the report as read. Commissioner Flores moved to approve the quarterly investment report as read. Commissioner Serna, 2nd Vote: 5 Ayes... Motion Carried.

Mayor Moya read item # 8- consider approving the full time employment of Azucena Sanchez- Water Department. Commissioner Flores moved to approve the full time employment of Ms. Sanchez. Commissioner Simms, 2nd Vote: 5 Ayes... Motion Carried.

Mayor Moya read item # 9- consider moving the council meetings to the Alvin D. Baggett Community Building. Mayor Moya stated that this item is not a permanent move, maybe just once. Jim DeFoyd stated that he sent the Mayor and Council an email where the charter requires that all meetings of be held at the city hall of Galena Park, section 10. That does not mean that there cannot be exceptions if you are to have something going on at city hall, but you cannot have continuing meetings any other place than city hall as provided by the charter. Mayor Moya stated that this is not a permanent thing, it was something that the citizens were asking for, and it is up to the Commissioners to decide if they are going to make a motion. Mr. DeFoyd stated the agenda states moving the council meetings to the Alvin D. Baggett community building. Mr. DeFoyd states he takes that to mean all council meetings, was that what the Mayor intends? Mayor Moya stated no that is not what is intended. Mr. DeFoyd states that he suggest she suggest a date. Commissioner Simms asks the Mayor if there will be a schedule of when the meetings will be, every three months or every month, just so that there is continuity and so the citizens will also know. Mayor Moya states yes. Commissioner Simms also stated that when elections are going on at city hall the meetings are moved the Churchill center, just so that the citizens know where the meetings are held and they don't just show up at city hall and no one is there. Mayor Moya stated that the citizens would be informed ahead of time and so will the council members of when that was going to take place. Commissioner Serna stated that the community building has a schedule that has to be met and the council would have to check with that department head to see if the building is available. Mayor Moya stated that she is aware of that and all of that will be revised and checked ahead of time. Commissioner Killough asked if that would be a change in the charter. Mr. DeFoyd stated yes and that the charter is very specific and says that all meetings of the City of Galena Park, meaning all. Commissioner Simms stated that even when council meetings are changed due to elections held at city hall, the council votes on changing the venue due to an election. He continued to state that if the charter is very specific for that, then he thinks they should continue to go by the charter and have the meetings at city hall, unless there is an election in the council chambers to vote. Mayor Moya asked that if what Commissioner Simms is saying is that even though the citizens want the meetings changed to the community building he is saying no. Commissioner Serna stated that they had a charter to go by. Mayor Moya states that she understands it is in the charter, but the Texas Meetings Act also states there are exceptions. Mr. DeFoyd states the citizens voted on the charter and that particular amendment was adopted again in 1979. Ms. Thelma Ibarra, a citizen, asked if she could say something. Commissioner Serna states that comments from the audience are over. Ms. Ibarra stated it was in reference to the item. Mayor Moya asked Ms. Ibarra to proceed. Ms. Ibarra stated that the citizens want it at the Alvin Baggett building, because the last few meetings she has attended have been very crowded, and one meeting she couldn't even get in and another meeting

she was in the hallway. She also stated that most of them have things to do and can't get there until 5 minutes before 6:00 p.m. They do need a larger place where they can all go and attend the meetings. Commissioner Serna stated that eventually everything will die down and if Ms. Ibarra sees there weren't that many people at the meeting. Ms. Ibarra stated there are still people in the hallway and they do need a bigger room. Commissioner Killough stated that she believes it requires a change in the charter. Mayor Moya stated that the Texas Meetings Act states there are exceptions and another thing that concerned her was the safety and people getting hurt. She stated she had discussed her concern about the safety with the City Secretary. Mayor Moya stated that the citizens do want to attend the meeting and they have a right to know what is going on, so that is why she asked for it to be put on the agenda. Mayor Moya thanked Ms. Ibarra for her comment and asked her to state her name for the record. Commissioner Simms asked Mr. DeFoyd if this was something the council could table for further discussion. Mr. DeFoyd replies that the council can table it, but must follow the charter. Mr. DeFoyd stated that if there is some particular reason the council cannot meet in the chambers due to election or fire, that is an exception, but you cannot say all council meetings are moved to Alvin Baggett. Mayor Moya stated that is not what was said. Mr. DeFoyd states that is what is on the agenda. Commissioner Flores stated he is very open to the idea of possibly doing that, but does not want to go against the charter, he wants to have a more planned detailed information. Commissioner Flores stated that for example, if the meeting was to be held on September and they had a set schedule, he would be more liable to consider it then to having an open statement. He continued to say if the council could do their homework and make sure the community building is available on that particular day they want to have a meeting there, he thinks that they would be more liable to be open to it, and he would like to see more detail before he would consider to vote on it. Mayor Moya asked if Commissioner Flores was asking to table the item. Commissioner Flores stated that at the next meeting he would like the same agenda item, but with specific dates and make sure the building is available. He doesn't want to go against the charter, but if it is a onetime thing then it is something that they can do. Commissioner Killough asked if the council does that are they going to mail out a notice to all the citizens of Galena Park. Commissioner Flores stated this is only going to be a onetime thing, the intention is not to do it full time. Mayor Moya stated no that is not the intention. Mr. DeFoyd stated you cannot do it full time, it goes against the charter. Mayor Moya stated she has read the charter and there are exceptions, and that would not be a permanent thing. Mr. DeFoyd stated there are not exceptions, if you read section 10 it is very plain and he would read it for her if she would like. Mayor Moya stated that the Texas Meeting Act says different, but she would like to move on. Commissioner Flores moved to table the motion pending more clarification on the request; including reasons, venues, and dates. Commissioner Simms stated that he would like to interject that he would like to see the cost of holding the meeting at the community building, being a bigger facility and air conditioning. He understands safety is an issue, but he would like the cost of running the air conditioner for the building. Another concern Mr. Simms brought up was the documents that are needed for the meeting, taking them to another building. Commissioner Killough stated that she would like to announce that there have been threats made against council members and the Mayor has reported threats to different agencies. Mayor Moya asked what types of threats. Commissioner Killough answered that they have got threats saying, "They will get them in the streets"; another council member was told "There would be bloodshed." Mayor Moya stated she was told the same thing. Commissioner Serna stated it was one of Mayor Moya's followers. Mayor Moya stated that if they were going to talk about things that weren't on the agenda, she was also going to talk about things that were not on the agenda. Commissioner Simms second the motion to table the item for the time being. Commissioner Killough stated it was easier to protect at city hall. Commissioner Flores reinstated his motion that he moved to table the motion pending clarification on the date, venue, cost, and security. Commissioner Simms, 2nd Vote: 5 Ayes... Motion Carried.

Mayor Moya read item # 10- presentation of certificates by Robert Pruet, City Administrator to newly elected council members for completion of the Texas Open Meetings Act and Public Information Act training as required by law. Mr. Pruet honored Danny Simms, Lois Killough, Maricela Serna, and Juan Flores with the certificates for the Texas Opens Meeting Act and the Public Information

Act. Mr. Pruett thanked them for good governing and asked for the audience to give them a hand. Mayor Moya stated she also completed her certification and she would also be attending the seminar in August. The audience gave her a hand. Mr. Pruett stated he did not have her certificates. Ms. Gonzales stated she had them on file and was also going to need a copy of the Councilmen's certificates. Commissioner Flores stated it was a great training and an eye opening. He got to meet a lot of other Mayors and Councilmen and it was a great experience.

Mayor asked if anyone had any announcements.

Commissioner Simms announced that school was starting soon and he takes a lot of pride in what he does for the schools. He knows there are a lot of kids who are worrying about not having backpacks or schools supplies, so if you could donate something to a charity please do so.

Mayor Moya announced she is also working on a few things herself and she will be announcing later the things that she is working on and agrees with Commissioner Simms.

Commissioner Serna stated that every year the Galena Park Resource and training center which whom she is President of and Juan Flores is Vice President, gives out school supplies and school uniforms. It will take place on August 9th from 9:00 a.m. to 2:00 p.m. If anyone would like to donate a uniform or a backpack or knows of someone who needs one send them to 1721 16th St. Commissioner Killough asked if Commissioner Serna would like her to have it put on the marquee at MacArthur Elementary.

Commissioner Simms asked if Mayor had dates yet on the events she was talking about. Mayor Moya stated that on September 27th there will be a big event in Galena Park, she did not have the flyer with her, but will make sure she brings it to next meeting. She would like to invite everyone to attend. Commissioner Serna mentioned it was the Rotary. Mayor Moya stated she encourages the citizens to be involved with the community and has an open door policy, to feel free to come and talk to her about anything that is on your mind. The community, the citizens, and moving Galena Park forward are her priority and she cannot do it alone. It's going to take everyone to work together to make Galena Park move forward.

Commissioner Flores stated that he also had an announcement that the EPA was having hearings at the community building that night until 8:00 p.m. It is an opportunity for the citizens to go and raise concerns they may have about the pollution in Galena Park. Also, Thursday at 5:45 p.m. at the community building the CIP is having a meeting. It is where the refineries come out and give updates on what is going on in the area along with job opportunities. He really encourages everyone to get involved, they will be serving a good dinner, and this is the citizen's opportunity. Also, he wanted to mention that in the water bills the council sent out a notice on what each of them is planning for the community, a lot of great thing are coming to the city. He is working on setting up a committee and looking for residents who want to work with the council to get their opinion and he is really excited to have been given the opportunity to be a councilmember and he wants to move together and move forward. Please see him after the meeting if anybody has any questions. Commissioner Killough announced that if someone wanted to attend the CIP meeting they needed to rsvp in advance. Commissioner Flores stated he would rsvp them if they saw him after the meeting.

Ms. M.E. Patterson, 2208 7th St, stated that she was very glad to get information on her water bill about what is going on and she wishes it was done more often. She stated that the city needs to have an ordinance about junk in the yards and over grown grass, and if there is one, it is not being enforced. She stated that she has been in Galena Park for 60 years and when she first moved here it did not look trashy like it does now. Commissioner Killough stated that if she has complaints she can contact the code enforcement officer. Ms. Patterson asked who was over him. Ms. Killough stated she was. Commissioner Simms stated that it is the responsibility of the whole community. Commissioner Killough stated that if she sees a situation to call it in and the code enforcement

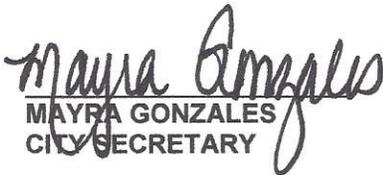
officer will go by. Ms. Thelma Ibarra added that calling it in does not work, she has called in several times for different things and nobody ever does anything. Commissioner Killough stated that if Ms. Ibarra talks to her after the meeting and gives her specifics she will talk to the code enforcement officer.

Ms. Patterson stated that she thinks that everyone needs to respect the office of the Mayor, whether they agree with her or not. Commissioner Killough added that they do. Commissioner Flores stated that he wanted to get with the citizens about what was done back in the day to clean up the community.

Mayor Moya asked Ms. Patterson where she had received the notice. Ms. Patterson stated in her water bill and it only stated councilmen's corner and the Mayor was not included. Mayor Moya stated that she is part of the council. Commissioner Serna told Mayor Moya that she didn't bring anything. Mayor Moya stated she did not know it was being sent out. Commissioner Killough states that the Mayor does not talk to them.

Commissioner Flores made a motion to adjourn the meeting. Commissioner Simms, 2nd Vote: 5 Ayes... Motion Carried.

Meeting adjourned: 6: 47 P.M.


MAYRA GONZALES
CITY SECRETARY


APPROVED