



CITY OF ARCOLA

CITY COUNCIL AGENDA MINUTES

Arcola City Hall, Room 124
13222 Highway 6
Arcola, Texas 77583

Minutes of a **Regular Meeting** of the City Council of the City of Arcola, County of Fort Bend, State of Texas, held on **Tuesday, November 14, 2023**, beginning at 6:00 p.m. at: **Arcola City Hall, Room 124; 13222 Highway 6; Arcola, Texas 77583** for the purpose of considering the following items. The City Council of the City of Arcola, Texas, reserves the right to meet in closed session on any of the below items should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

The meeting will live stream at <https://www.facebook.com/groups/34918908926238>.

TUESDAY, NOVEMBER 14, 2023

CITY COUNCIL REGULAR MEETING

6:00 P.M.

CITY COUNCIL CHAMBER

CALL TO ORDER

*Mayor Fred A. Burton called the meeting
to order at 6:00 p.m.*

INVOCATION

*Council Member Evelyn Jones gave the
Invocation.*

PLEDGE OF ALLEGIANCE TO FLAG

*Council Member Greg Abarr led the
Pledge of Allegiance to the Flag.*

ROLL CALL

*Mayor Fred A. Burton, Mayor Pro-Tem
Florence Jackson and Council Members
Evelyn Jones, Greg Abarr, Ebony Sanco, and
Rosemary Bigby were present.*

Council Member Greg Abarr moved to move up Item VII. Closed Executive Session, Letter A. to consult with the City Attorney; **seconded by Mayor Pro-Tem Florence Jackson**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary

Bigby

Nay: 0

Absent: 0

Motion carried.

The City Council adjourned into Closed Executive Session on November 14, 2023 at 6:10 p.m.

VII. CLOSED EXECUTIVE SESSION

- A. Closed Executive Session as authorized by Chapter 551, Texas Government Code, in accordance with:

Section 551.071 Consultation with Attorney

The City Council reconvened into Regular Session on November 14, 2023 at 6:49 p.m.

I. PUBLIC COMMENTS

GENERAL AUDIENCE. Citizens who desire to address the City Council with comments of a general nature will be received at this time. The total amount of time that a member of the public may address the City Council is limited to three (3) minutes, provided that any member of the public who addresses the City Council through a translator is limited to six (6) minutes. In accordance with the Texas Open Meetings Act, the City Council is restricted from discussing or taking any action on items not listed on the agenda. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments. The City Council heard comments from Jackson Jacob, Ana Rivas, and Fred A. Burton.

CONSENT AND REGULAR AGENDA ITEM. Citizens who desire to address the City Council, with regard to matters on the Consent Agenda or Regular Agenda will be received either at this time or, if they state at this time that they elect to do so, during the City Council's consideration of the item. The total amount of time that a member of the public may address the City Council on a given item is limited to three (3) minutes, provided that any member of the public who addresses the City Council on a given item through a translator is limited to six (6) minutes. Comments or discussion by the City Council Members will only be made at the time the agenda item is scheduled for consideration. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments.

The City Council heard comments from Rodrigo Carreon.

II. CITY COUNCIL COMMENTS

Notice is hereby given in accordance with Section 551.0415 of the Texas Government Code, the City Council of the City of Arcola may receive reports about items of community interest from City staff and/or a member of the City Council, but no action or possible action shall be taken or discussed concerning the subject of such report, except as provided by Section 551.042 of the Texas Government Code.

Mayor Fred A. Burton, Mayor Pro-Tern Florence Jackson. Council Member Evelyn Jones. Council Member Ebony Sanco, Council Member Greg Abarr, and Council Member Rosemary Bigby
There were no comments from Mayor Pro-Tern Florence Jackson and Council Members Evelyn Jones, Ebony Sanco, Greg Abarr, and Rosemary Bigby.

Mayor Fred A. Burton commented that the city needs to move in the right direction and get a lot of this legal annexation stuff behind us. He also commented that the city is unable to govern. The streets are not getting paved, and the ditches are not getting dug because of all the time spent behind one developer who does not want to help this city grow. Mayor Burton continued to comment on the issues leading to the deterrence of the city's growth due to the developers.

III. CONSENT AGENDA

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- A. **Consideration of and action on the PRELIMINARY PLAT-PATEL POST ROAD DEVELOPMENT, a subdivision of 34.3959 acres being a replat of 7.855 acres, DOC. No. 2015122558 and 26,5379 acres, DOC. No. 2014040387 records of Fort Bend County, Texas, situated in the Manuel Escalera Survey, A-170, Fort Bend County, Texas. I Reserve, 2 Blocks.**

H.H. Doshi, Doshi Engineering & Surveying Company presented and reviewed Final Plat—Patel Post Road Development.

After review, **Council Member Greg Abarr moved to approve Final Plat—Patel Post Road Development on Ladonia; seconded by Mayor Pro-Tem Florence Jackson.**

Aye: Mayor Pro-Tem Florence Jackson and Council Members Greg Abarr, Ebony Sanco, Rosemary Bigby

Nay: Council Member Evelyn Jones

Absent: 0

Motion carried. 4-1

- B. **Consideration of and action on Frost Bank, including BNYM Third Party Custodian Agreement, Frost Public Funds Depository Agreement, Frost Public Funds Security Agreement, renewal, and other related matters.**

City Administrator Dr. Annette Goldberg reviewed the BNYM Third Party Custodian Agreement, Frost Public Funds Depository Agreement, Frost Public Funds Security Agreement. She recommended approving a two-year contract with Frost Bank. There are no changes to the price.

After discussion, **Council Member Greg Abarr moved to approve the Frost Bank Agreements; seconded by Council Member Rosemary Bigby.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby

Nay: 0

Motion carried. 5-0

IV. PUBLIC HEARING: NONE

V. REGULAR AGENDA/ UPDATES AND ACCEPTANCE

- A. **Discussion, consideration of and possible action on the approval of the minutes of the regular meeting of September 12, 2023, September 26, 2023, and October 10, 2023.**

After reviewing the minutes of previous meetings, **Council Member Evelyn Jones moved to approve the minutes of September 12, 2023, September 26, 2023, and October 10, 2023; seconded by Council Member Ebony Sanco.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby

Nay: 0

Motion carried. 5-0

- B. **Discussion, consideration of and possible action on the update of the "Heavy Trash" pick-up and other related matters.**

Chief A. Carr reported that there was an excellent turnout on heavy trash day. There were over 30 vehicles that turned out with their heavy trash. Council Member Rosemary Bigby inquired about assisting senior citizens. Chief Carr will reach out for assistance to help the senior citizens with their heavy trash on "Heavy Trash" days.

- C. **Discussion, consideration of and possible action on the Traffic Control Costs related to taps, inspection fees and other related matters.**

Mayor Fred A. Burton reported that city staff is closely researching numbers on traffic control costs related to taps, inspection fees, etc. Administration is going to cut costs anywhere they can.

D. Discussion, consideration of and possible action on the CenterPoint Energy Statement of Intent to Change Rates for CenterPoint Texas' Texas Division and other related matters.

City Administrator Dr. Annette Goldberg reported that CenterPoint filed a rate increase on October 30, 2023. Currently, the Texas Division is divided into four divisions; the Houston Area, the Beaumont Area, South Texas, and Texas Coast Area. Arcola is considered the Texas Coast Area. They are asking the Railroad Commission to combine and make it one division versus four divisions, so when there is a rate increase, it is applied across the State. In addition, they are asking for 12.4% increase in gas. They are investing in their capital and increasing their safety. Most importantly, they are working on their reliability. The final decision will be made by the Railroad Commission. Dr. Annette Goldberg recommended supporting it to make sure the city has reliability.

Council Member Ebony Sanco moved to approve the increase in gas filed by CenterPoint; **seconded by Council Member Rosemary Bigby**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0
Motion carried. 5-0

E. Discussion, consideration of and possible action on the update of the Fiscal Year ending September 30, 2023 Bookkeeping Report, Financial Report, and other related matters.

Finance Director Ruthie Cable reviewed the Fiscal Year ending September 30, 2023 Bookkeeping Report and Financial Report.

After review, **Council Member Rosemary Bigby moved** to approve the Fiscal Year ending September 30, 2023 Bookkeeping Report and Financial Report; **seconded by Council Member Evelyn Jones**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0
Motion carried. 5-0

F. Discussion, consideration of and possible action on the update of the month of October 2023 Bookkeeping Report, Financial Report, and other related matters.

Finance Director Ruthie Cable reviewed the month of October 2023 Bookkeeping Report and Financial Report.

After review, **Mayor Pro-Tem Florence Jackson moved** to approve the month of October 2023 Bookkeeping Report and Financial Report; **seconded by Council Member Ebony Sanco**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0
Motion carried. 5-0

G. Discussion, consideration of and possible action on the Arcola 5th Annual BBQ Cook-Off and acceptance of BBQ Cook-Off donations and other related matters.

City Administrator Dr. Annette Guajardo recommended accepting the Arcola 5th Annual BBQ Cook-Off donations in the amount \$2,200.00. Of that, \$1,200.00 is sponsorship and \$1,000.00 is for entry fee for the teams that are going to compete.

Mayor Pro-Tem Florence Jackson moved to accept the Arcola 5th Annual BBQ Cook-Off donations for \$2,200.00; **seconded by Council Member Greg Abarr**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0
Motion carried. 5-0

H. Discussion, consideration of and possible action to approve to advertise and sell surplus equipment and set a date in January 2024.

City Administrator Dr. Annette Goldberg reported that the city has surplus and needs to officially place it in an auction program and sell it to the highest bidder. Dr. Goldberg requested permission to allow to start an auction program to sell the surplus and to advertise it to get the highest bidder.

Council Member Rosemary Bigby moved to approve the auction program to sell the City's surplus and to advertise it to get the highest bidder; **seconded by Council Member Ebony Sanco**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0
Motion carried. 5-0

I. Discussion, consideration of and possible action on the staff update and introduction.

City Administrator Dr. Annette Goldberg introduced new staff members to the City. She welcomed Assistant City Secretary Coretta Edwards and Court Administrator Rosemary Bell.

Council Member Rosemary Bigby moved to accept the staff update; **seconded by Council Member Ebony Sanco**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0
Motion carried. 5-0

J. Discussion, consideration of and possible action on the Inflow & Infiltration Project Report including funding and other related matters.

City Secretary Sally Cantu presented an update on the Inflow & Infiltration Project Report.

After the presentation and review, Mayor Pro-Tem Florence Jackson moved to accept the Inflow & Infiltration Project Report

from City Secretary Sally Cantu; seconded by Council Member Evelyn Jones; All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0
Motion carried. 5-0

K. Discussion, consideration of and possible action on the update of the month of October 2023 Police Report and other related matters.

Police Chief Arika Carr reviewed the month of October 2023 Police Report. Chief Carr reported that Mayor Fred A. Burton, the Arcola Police Department, and New St. Phillip's Community Outreach are sponsoring a Senior Citizen luncheon.

Council Member Evelyn Jones moved to accept the month of October 2023 Police Report; **seconded by Council Member Ebony Sanco**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0
Motion carried. 5-0

L. Discussion, consideration of and possible action on the update of the month of October 2023 Operator's Report and other related matters.

Mr. John Montgomery, Utility Operator for the City of Arcola reviewed the month of October 2023 Operator's Report.

After review and discussion, **Mayor Pro-Tem Florence Jackson moved** to accept the month of October 2023 Operation's Report; **seconded by Council Member Ebony Sanco**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby

Nay: 0

Motion carried. 5-0

M. Discussion, consideration of and possible action on the update of the month of October 2023 Project Status Report on the CITY HALL SANITARY SEWER LIFT STATION.

Mr. Llarance Turner of Kaluza, Inc. gave an update on the October 2023 Project Status Report on the City Hall Sanitary Sewer Lift Station. He also reported that the project is about 45% complete. The proposed completion is the first quarter in the year 2024.

N. Discussion, consideration of and possible action on the update of the month of October 2023 Project Status Report on the Sanitary Sewer System Evaluation & Rehabilitation (I & I TESTING).

Mr. Larance Turner of Kaluza, Inc. gave an update on the October 2023 Project Status Report on the Sanitary Sewer System Evaluation & Rehabilitation (I & I Testing).

O. Discussion, consideration of and possible action on the update of the month of October 2023 Project Status Report on the Wastewater Treatment Plant Expansion #1 (0.675 mgd to 0.950 mgd).

Mr. Llarance Turner of Kaluza, Inc. gave an update on the month of October 2023 Project Status Report on the Wastewater Treatment Plant Expansion#1. He also reported that this is the current construction going on right now. The project is expanding from 0.675 mgd to 0.950 mdg.

P. Discussion, consideration of and possible action on the update of the month of October 2023 Project Status Report on the FORT BEND COUNTY MUD #141-PETITION FOR ARCOLA CONSENT TO ANNEX 98 ACRES INTO MUD#141.

Mr. Llarance Turner of Kaluza, Inc. gave an update on the month of October 2023 Project Status Report on the Fort Bend County MUD #141 petition for Arcola consent to annex 98 acres into MUD #141.

Q. Discussion, consideration of and possible action on the update of the month of October 2023 Project Status Report on the FRESH WATER SUPPLY DISTRICT #1 WASTEWATER TREATMENT PLANT EXPANSION #2 (450,000 mgd EXPANSION), no participation from City of Arcola.

Mr. Llarance Turner of Kaluza, Inc. gave an update on the month of October 2023 Project Status Report on the Fresh Water Supply District #1 Wastewater Treatment Plant Expansion #2 (450,000 mgd Expansion), no participation from City of Arcola.

R. Discussion, consideration of and possible action on the update of the PRELIMINARY PLAT- GLENDALE LAKES, SECTION 15; A SUBDIVISION OF 9.7298 ACRES OF LAND LOCATED IN I. & G.N. RAILROAD CO. SURVEY, A-352 AND THE A.B. LANGERMAN SURVEY, A-456 FORT BEND COUNTY, TEXAS.

Mr. Llarance Turner of Kaluza, Inc. presented reviewed Preliminary Plat- Glendale Lakes, Section 15. They have their own water and sewer system. This location is in the City's ETJ. Mr. Turner recommended approval of the Preliminary Plat.

After review, **Council Member Greg Abarr moved** to approve **PRELIMINARY PLAT- GLENDALE LAKES, SECTION 15**; **seconded by Council Member Evelyn Jones**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby

Nay: 0

Motion carried. 5-0

- S. **Discussion, consideration of and possible action on the ARCOLA FARMS REPLAT NO. 2- A SUBDIVISION OF 3.0021 ACRES SITUATED IN THE MANUEL ESCALERA SURVEY, A-170, IN FORT BEND COUNTY, TEXAS, BEING ALL OF LOTS 1, 2, 3, 4, 5, 6, 7 AND 8 AND RESERVE "A", IN BLOCK 1, ARCOLA FARMS PARTIAL REPLAT NO. 1, RECORDED IN PLAT NUMBER 20170174 OF THE PLAT RECORDS, FORT BEND COUNTY, TEXAS. REASON FOR REPLAT-TO CREATE SIX (6) LOTS, TWO (2) DETENTION RESERVES, AND ONE (1) BLOCK.**

Mr. Llarance Turner of Kaluza, Inc. presented and reviewed the Arcola Farm Replat No. 2. This area is located at the intersection of Coen and Long Road. It is in the City's ETJ. Kaluza, Inc. staff recommends approval.

Council Member Greg Abarr moved to table Letter S.; seconded by Council Member Rosemary Bigby. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby

Nay: 0
Motion carried. 5-0

VI. CONTRACTS AND AGREEMENTS

- A. **Discussion, consideration of and possible action on the Lease Agreement for City of Arcola Food Court.**

City Administrator Dr. Annette Goldberg presented a lease agreement for the City of Arcola Food Court. The future lease fee will be \$750.00 a month for the Arcola Food Court and a \$300.00 deposit. It will not be executed until it is up and ready. They will be responsible for their own water and electricity.

Council Member Greg Abarr moved to approve the lease agreement for the City Arcola Food Court; seconded by Mayor Pro-Tem Florence Jackson. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby

Nay: 0
Motion carried. 5-0

- B. **Discussion, consideration of and possible action on CivicPlus services including Website Build-Out in the amount of \$22,267.60, CivicClerk Agenda and Minutes process in the amount of \$10,195.27, Permits, Code Enforcement and Fire Marshall automated software in the amount of \$15,100.00, and Municode upgrade in the amount of \$2,045.00. The annual fee for all services provided including maintenance, training and help desk support will be a grand total of \$49,607.87. The second year in the amount of \$27,121.50.**

City Administrator Dr. Annette Goldberg presented CivicPlus services including Website Build-out; CivicClerk Agenda and Minutes, Permits, Code Enforcement and Fire Marshall. Dr. Goldberg noted that the money is in the budget for CivicPlus services.

After discussion, **Mayor Pro-Tem Florence Jackson moved to approve CivicPlus services including Website Build- Out in the amount of \$22,267.60, CivicClerk Agenda and Minutes process in the amount of \$10,195.27, Permits, Code Enforcement and Fire Marshall automated software in the amount of \$15,100.00, and Municode upgrade in the amount of \$2,045.00. The annual fee for all services provided including maintenance, training and help desk support will be a grand total of \$49,607.87. The second year in the amount of \$27,121.50; seconded by Council Member Evelyn Jones.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby

Nay: 0
Motion carried. 5-0

VII. CLOSED EXECUTIVE SESSION

- A. Closed Executive Session as authorized by Chapter 551, Texas Government Code, in accordance with:

Section 551.071 Consultation with Attorney

(THIS ITEM WAS MOVED UP ON THE AGENDA)

VIII. ORDINANCES AND RESOLUTIONS

- A. Discussion, consideration of and possible action on **CITY OF ARCOLA ORDINANCE NO. 2023-11-14; AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS DISANNEXING AND EXCLUDING AN 83.098-ACRE TRACT OF LAND FROM THE CITY OF ARCOLA'S CORPORATE CITY LIMITS; REDEFINING THE BOUNDARIES OF THE CITY OF AROLA; MAKING FINDINGS OF FACT; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR REFUND OF PROPERTY TAXES, AND RELATED PROVISIONS.**

Council Member Greg Abarr moved to table Discussion, consideration of and possible action on **CITY OF ARCOLA ORDINANCE NO. 2023-11-14; AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS DISANNEXING AND EXCLUDING AN 83.098-ACRE TRACT OF LAND FROM THE CITY OF ARCOLA'S CORPORATE CITY LIMITS; REDEFINING THE BOUNDARIES OF THE CITY OF AROLA; MAKING FINDINGS OF FACT; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR REFUND OF PROPERTY TAXES, AND RELATED PROVISIONS;** **seconded by Council Member Evelyn Jones.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby

Nay: 0
Motion carried. 5-0

IX. ADJOURNMENT

Mayor Pro-Tem Florence Jackson moved to adjourn at 8:42 p.m.; **seconded by Council Member Evelyn Jones.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby

Nay: 0
Motion carried. 5-0