



City of Arcola

13222 Highway 6—Arcola, Texas 77583—Phone: 281-431-0606
www.cityofarcolatx.org

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 9, 2021, beginning at 7:00 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.

- I. **CALL TO ORDER.** Mayor Fred A. Burton called the meeting to order at 7:02 p.m.
- II. **INVOCATION:** Council Member Evelyn Jones gave the Invocation.
- III. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Council Member Rosie Rojas led the Pledge of Allegiance to the Flag.
- IV. **ROLL CALL:** Mayor Fred A. Burton, Mayor Pro-Tem Florence Jackson, Council Member Evelyn Jones, Council Member Ebony Sanco, Council Member Greg Abarr, Council Member Rosie Rojas were present. Also present were Acting Chief of Police R. Stewart, City Secretary Sally Cantu, City Attorney Ford Hamilton, and City Administrator Annette Guajardo.
- V. **PUBLIC COMMENTS.**

GENERAL COMMENTS FROM THE 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. None

COMMENTS FROM THE AUDIENCE FOR 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. None

- VI. **PUBLIC HEARINGS:** Annexation proceedings regarding the proposed annexation of two tracts of land totaling approximately 3.323 acres of land near the intersection of Ladonia Street and State Highway 6 in the City of Arcola, Texas, and related matters.
 - a) 1.272 Acres (55,402 sq. ft.) of land out of the Manual Escalera Survey, Abstract No. 170, Fort Bend County, Texas, being out of Reserve A (3.151 AC.) and out of Reserve 1 (2.014 AC.), A-A-A Hwy 6 Replat No. 1, Recorded in document No. 20200017, official public records, Fort Bend County, Texas
AND
 - b) For 2.051 Acres (89,353 sq. ft.) of land out of the Manual Escalera Survey, Abstract No. 170, Fort Bend County, Texas, being out of Reserve A (3.151 AC.) and out of Reserve 1 (2.014 AC.), A-A-A Hwy. 6 Replat No. 1, recorded in Document No. 20200017, official public records, Fort Bend County, Texas.
At 7:41 p.m., Mayor Burton called a public hearing to order for the Annexation proceedings regarding the proposed annexation of two tracts of land totaling approximately 3.323 acres of land near the intersection of Ladonia Street and State Highway 6 in the City of Arcola, Texas; 1.272 Acres (55,402 sq. ft.) of land out of the Manual Escalera Survey, Abstract No. 170, Fort Bend County, Texas, being out of Reserve A (3.151 AC.) and out of Reserve 1 (2.014 AC.), A-A-A Hwy 6 Replat No. 1, Recorded in document No. 20200017, official public records, Fort Bend County, Texas
AND
For 2.051 Acres (89,353 sq. ft.) of land out of the Manual Escalera Survey, Abstract No. 170, Fort Bend County, Texas, being out of Reserve A (3.151 AC.) and out of Reserve 1 (2.014 AC.), A-A-A Hwy. 6 Replat No. 1, recorded in Document No. 20200017, official public records, Fort Bend County, Texas.

No one wanted to be heard and no one opposed the annexation proceedings regarding the proposed annexation of two tracts of land totaling approximately 3.323 acres of land near the intersection of Ladonia Street and State Highway 6 in the City of Arcola, Texas.

At 7:43 p.m., Mayor Burton closed the public hearing on the proposed annexation proceedings regarding the proposed annexation of two tracts of land totaling approximately 3.323 acres of land near the intersection of Ladonia Street and State Highway 6 in the City of Arcola, Texas.

VII. CONSENT AGENDA:

A. Discussion, Consideration and Possible Action—ORDINANCE NO. 2021-11-09; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS; ADOPTING CITY OF ARCOLA EROSION AND SEDIMENT CONTROL AND CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT.

Council Member Greg Abarr so moved to approve ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS; ADOPTING CITY OF ARCOLA EROSION AND SEDIMENT CONTROL AND CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; **seconded by Mayor Pro-Tem Florence Jackson**. All were in favor.

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

Nay: 0

Motion carried. 5-0

B. Discussion, Consideration and Possible Action—Ordinance No. 2021-11-09A; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS; ADOPTING CITY OF ARCOLA POST CONSTRUCTION STORMWATER RUNOFF AND CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT.

Council Member Greg Abarr so moved to approve Ordinance No. 2021-11-09A; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS; ADOPTING CITY OF ARCOLA POST CONSTRUCTION STORMWATER RUNOFF AND CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; **seconded Mayor Pro-Tem Florence Jackson**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson, Council Members Evelyn Jones, Greg Abarr, Rosie Rojas and Ebony Sanco. All were in favor.

Nay: 0

Motion carried. 5-0

C. Discussion, Consideration and Possible Action—Ordinance No. 2021-11-09B; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS; ADOPTING CITY OF ARCOLA MODEL ILLICIT DISCHARGE AND CONNECTION STORMWATER; CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT.

Council Member Greg Abarr so moved to approve Ordinance No. 2021-11-09B; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS; ADOPTING CITY OF ARCOLA MODEL ILLICIT DISCHARGE AND CONNECTION STORMWATER; CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; **seconded by Mayor Pro-Tem Florence Jackson**. All were in favor.

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

Nay: 0

Motion carried. 5-0

VIII. REGULAR AGENDA:

A. Discussion, Consideration and Possible Action—Approval of previous meeting minutes.

Council Member Evelyn Jones so moved to approve previous meeting minutes of September 21, 2021 and October 12, 2021; **seconded by Mayor Pro-Tem Florence Jackson**. All were in favor.

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

Nay: 0

Motion carried. 5-0

B. Discussion, Consideration and Possible Action—Month of September 2021 Financial Report by Ham, Langston & Brezina, L.L.P.; and related matters.

City Bookkeeper Ruthie Cable reviewed the Bookkeeper's Report and Financials for the month of September 2021.

Acting Chief of Police R. Stewart inquired about the police budget overage and if that portion should be reimbursed out of CARES ACT funds. City Administrator Annette Guajardo will provide an itemized statement.

Council Member Greg Abarr so moved to approve the Bookkeeper's Report; **seconded by Mayor Pro-Tem Florence Jackson**. All were in favor.

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

Nay: 0

Motion carried.

C. Discussion, Consideration and Possible Action—City Engineer Report by Llarance Turner, updates, pending projects, and related matters; including;

- (a) Charleston Heights Section 2; A subdivision of 42.80 acres of land located in the A.B. Langerman Survey, Abstract 456 and the A.B. Langerman Survey, Abstract 625 Brazoria County, Texas & Fort Bend County, Texas; 188 Lots, 4 Blocks, 9 Reserves.**

City Engineer Llarance Turner reviewed the Charleston Heights, Section 2 Final Plat. A preliminary plat was presented to City Council about four to 6 months ago. They have addressed all the comments and now they have submitted the final plat for approval. It is located on the county line, south of Post Road, north of Highway 6 and it is in the City's ETJ. Engineering staff recommends approval of Charleston Heights, Section 2 Final Plat. They have their own water system and their own wastewater system.

- (b) Council Member Greg Abarr so moved** to approve Charleston Heights, Section 2 Final Plat, A subdivision of 42.80 acres of land located in the A.B. Langerman Survey, Abstract 456 and the A.B. Langerman Survey, Abstract 625 Brazoria County, Texas & Fort Bend County, Texas; 188 Lots, 4 Blocks, 9 Reserves; **seconded by Council Member Evelyn Jones**. All were in favor.

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

Nay: 0

Motion carried. 5-0

City Engineer Llarance Turner also gave an update on the water plant, TXDOT FM 521 project, wastewater treatment plant, and the paving project.

D. Discussion, Consideration and Possible Action—Water and Wastewater Systems and including (a) Operator’s Report by John Montgomery of Municipal Operations and Consulting; and related matters.

Mr. John Montgomery, Utility Operator for the City of Arcola, reviewed the Operations Report for the month of October 2021. He also gave an update on the FM 521 utility project.

Mayor Pro-Tem Florence Jackson so moved to approve the Operations Report for the month of October 2021; **seconded by Council Member Ebony Sanco**. All were in favor.

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

Nay: 0

Motion carried. 5-0

E. Discussion, Consideration and Possible Action—RESOLUTION NO. 11-09-2021A; A RESOLUTION APPROVING DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ARCOLA, TEXAS, AND PHILIPS CAPITAL INVESTMENT, LLC, and related matters.

Council Member Greg Abarr so moved to approve RESOLUTION NO. 11-09-2021A; A RESOLUTION APPROVING DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ARCOLA, TEXAS, AND PHILIPS CAPITAL INVESTMENT, LLC; **seconded by Council Member Ebony Sanco**. All were in favor.

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

Nay: 0

Motion carried. 5-0

F. Discussion, Consideration and Possible Action—RESOLUTION NO. 11-09-2021B; A RESOLUTION APPROVING MUNICIPAL SERVICES AGREEMENT BETWEEN THE CITY OF ARCOLA, TEXAS AND PHILIP CAPITAL INVESTMENT, LLC, and related matters.

Council Member Greg Abarr so moved to approve RESOLUTION NO. 11-09-2021B; A RESOLUTION APPROVING MUNICIPAL SERVICES AGREEMENT BETWEEN THE CITY OF ARCOLA, TEXAS AND PHILIP CAPITAL INVESTMENT, LLC; **seconded by Mayor Pro-Tem Florence Jackson**. All were in favor.

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

Nay: 0

Motion carried. 5-0

G. Discussion, Consideration and Possible Action – ORDINANCE NO. 2021-11-09C; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS; ANNEXING THE TWO TRACTS OF LAND TOTALLING APPROXIMATELY 3.23 ACRES AND LOCATED NEAR THE INTERSECTION OF LADONIA STREET AND STATE HIGHWAY 6, AND PROVIDING FOR THE EXTENSION OF CITY SERVICES INTO SAID ANNEXED LAND PURSUANT TO THE MUNICIPAL SERVICES AGREEMENT.

Council Member Greg Abarr so moved to approve ORDINANCE NO. 2021-11-09C; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS; ANNEXING THE TWO TRACTS OF LAND TOTALLING APPROXIMATELY 3.23 ACRES AND LOCATED NEAR THE INTERSECTION OF LADONIA STREET AND STATE HIGHWAY 6, AND PROVIDING FOR THE EXTENSION OF CITY SERVICES INTO SAID ANNEXED LAND PURSUANT TO THE MUNICIPAL SERVICES AGREEMENT; **seconded by Council Member Evelyn Jones**. All were in favor.

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

Nay: 0

Motion carried. 5-0.

H. Discussion, Consideration and Possible Action—Engagement of Whitley Penn for the City of Arcola audit for FY 2021.

Mayor Pro-Tem Florence Jackson so moved to accept engagement of Whitley Penn for the City of Arcola audit for Fiscal Year 2021; **seconded by Council Member Greg Abarr**. All were in favor.

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

Nay: 0

Motion carried. 5-0

I. Discussion, Consideration and Possible Action—ORDINANCE NO. 2021-11-09D; AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS APPOINTING ROBERT BARFIELD, AN ATTORNEY LICENSED TO

J. PRACTICE LAW IN THE STATE OF TEXAS, AS PROSECUTOR IN THE MUNICIPAL COURT OF THE CITY OF ARCOLA.

Council Member Evelyn Jones so moved to approve ORDINANCE NO. 2021-11-09D; AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS APPOINTING ROBERT BARFIELD, AN ATTORNEY LICENSED TO PRACTICE LAW IN THE STATE OF TEXAS, AS PROSECUTOR IN THE MUNICIPAL COURT OF THE CITY OF ARCOLA; **seconded by Council Member Ebony Sanco**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson, Council Members Evelyn Jones, Greg Abarr, Rosie Rojas and Ebony Sanco
Nay: 0

Motion carried. 5-0

K. Discussion, Consideration and Possible Action—RESOLUTION NO. 11-09-2021C, A RESOLUTION VOTING FOR A CANDIDATE(S) TO SERVE ON THE 2021-2022 FORT BEND CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS and related matters.

Council Member Evelyn Jones so moved to approve RESOLUTION NO. 11-09-2021C, A RESOLUTION VOTING FOR A CANDIDATE(S) TO SERVE ON THE 2021-2022 FORT BEND CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; **seconded by Mayor Pro-Tem Florence Jackson**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson, Council Members Evelyn Jones, Greg Abarr, Rosie Rojas and Ebony Sanco
Nay: 0

Motion carried. 5-0

L. Discussion, Consideration and Possible Action—Update from the Mayor’s Desk, including:

(a) Heavy Trash Pick-up update

(b) BBQ Cook-off

(c) Road Work Notification—North Pine

(a) Mayor Burton reported that Heavy Trash Pick-up was a success. Trash pick-up will be schedules in the Spring and Fall moving forward.

(b) He gave an update on the upcoming BBQ Cook-off.

(c) Road Work construction is on the way for North Pine.

Mayor Pro-Tem Florence Jackson so moved to approve the Mayor’s Report; **seconded by Council Member Evelyn Jones**. All were in favor.

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

Nay: 0

Motion carried. 5-0

M. Discussion, Consideration and Possible Action—City Administrator’s Report by Annette Guajardo; updates, pending projects, and related matters, including the following:

a. CARES Update

b. Appraisals Update

c. Bookkeeper-Transition

d. Municipal Courts-New Hire

e. Water Plant Update

a. City Administrator Annette Guajardo gave an update on CARES ACT allocation to the City of Arcola. All must be used by December 31, 2021.

b. She gave an update on the appraisal. She issued an appraisal for the land next door. It will take three weeks to do the appraisal for \$2,500.00. She asked City Council in three weeks if the appraisal does not meet a number that satisfies the owner; does she have permission to go to the second bidder or somebody else to get a second opinion on the appraisal not to exceed \$3,000.00.

Council Member Greg Abarr so moved that if the appraisal that is currently executed does not get within the range that the owner is expecting that City Council authorize the Mayor and City Administrator Annette Guajardo to engage another appraiser not to exceed \$3,000.00; **seconded by Council Member Rosie Rojas**. All were in favor.

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

Nay: 0

Motion carried. 5-0

c. Ms. Guajardo reported that Ruthie Cable will do all of October numbers and Jeff Garcia is in the system and having continuous meeting to make the transition. The new bookkeeper will begin to present the November numbers.

d. Ms. Guajardo gave an update on the municipal court and new hire.

e. Ms. Guajardo gave an update on the water plant progress and tests.

Mayor Pro-Tem Florence Jackson so moved to approve the City Administrator's report; **seconded by Council Member Evelyn Jones**. All were in favor.

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

Nay: 0

Motion carried. 5-0

N. Discussion, Consideration and Possible Action—Acting Chief of Police Report by R. Stewart; including;

a) Bullet Proof Vests

b) Vehicle Status

c) Stats

Acting Chief of Police R. Stewart gave the Arcola Police report, vehicle report, and stats.

Acting Chief Stewart requested to purchase bullet proof vests for ten officers. The cost is about \$9,250.00.

Council Member Evelyn Jones so moved to deny the purchase of bullet proof vests because the city cannot afford it; **seconded by Council Member Ebony Sanco**. All were in favor.

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

Nay: 0

Motion carried. 5-0

Council Member Ebony Sanco so moved to accept the Acting Police Chief's Report; **seconded by Mayor Pro-Tem Florence Jackson**. All were in favor.

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

Nay: 0

Motion carried. 5-0

IX. ADJOURNMENT.

Council Member Ebony Sanco so moved to adjourn at 9:08 p.m.; **seconded by Mayor Pro-Tem Florence Jackson**. All were in favor.

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

Nay: 0

Motion carried. 5-0