



City of Arcola

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Minutes of a Regular Meeting of the City Council of the City of Arcola, County of Fort Bend, State of Texas, held on Tuesday, September 14, 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.

- I. **CALL TO ORDER.** Mayor Fred A. Burton called the meeting to order at 7:02 p.m.
- II. **INVOCATION:** Council Member Evelyn Jones led the Invocation.
- III. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Council Member Greg Abarr led the Pledge of Allegiance.
- 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 City Secretary Sally Cantu, 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:**

1) **Public hearing on the proposed budget for fiscal year 2021/2022.**

Mayor Fred A. Burton opened the hearing on the proposed budget for F/Y 2021/2022. He asked the City Secretary to report on the notice for this hearing.

The City Secretary reported that notice of this hearing was published in accordance with the Local Government Code.

Mayor Burton announced that the purpose of this hearing is to allow all interested persons to express their views on the proposed budget.

Mayor Burton asked City Administration Annette Guajardo to describe the proposed budget.

Ms. Guajardo provided a background on the proposed budget. The proposed budget is \$2,585,000.00. It is a slight increase from last year's budget of about \$500,000.00 more. One of the primary reasons for the increase is that in talking with the Municipal Court Administrator, she is very confident with the new software that the city can have an increase in the municipal courts.

Mayor Burton asked if there was anyone present who wished to be heard on the proposed budget. No one present wished to be heard.

Council Member Evelyn Jones so moved to close the public hearing on the proposed budget for fiscal year 2021/2022; **seconded by Mayor Pro-Tem Florence Jackson.** All were in favor.

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

Nay: 0

Motion carried. 5-0

Mayor Burton announced that adoption of the budget is set for a meeting scheduled for September 21, 2021, beginning at 7:00 p.m. at Arcola City Hall; Room 124; 13222 Highway 6; Arcola, Texas 77583.

2) Public hearing on the proposed tax rate for fiscal 2021/2022.

Mayor Fred A. Burton opened the public hearing on the proposed tax rate for tax year 2021. He asked the City Secretary to report on the notice of this hearing.

The City Secretary reported that notice of this hearing was published in accordance with the Local Government Code.

Mayor Burton announced that the purpose of this hearing is to allow all interested persons to express their views on the proposed tax rate.

Mayor Burton asked City Administrator Annette Guajardo to provide background on the proposed tax rate.

Ms. Guajardo reported that the tax rate for 2021 is .6801. Tax rate for 2020 was .7733. There is decrease of .093 or decrease of 12.05% in the tax rate.

Mayor Burton asked if there was anyone present who wished to be heard on the proposed tax rate. No one present who wished to be heard.

Mayor Pro-Tem Florence Jackson so moved to close the public hearing on the proposed tax rate for tax year 2021; **seconded by Council Member Evelyn Jones.** All were in favor.

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

Nay: 0

Motion carried. 5-0

Mayor Burton announced that adoption of the tax rate is set for a meeting scheduled for September 21, 2021, beginning at 7:00 p.m. at Arcola City Hall; Room 124; 13222 Highway 6; Arcola, Texas 77583.

VII. CITY COUNCIL COMMENTS: Mayor Pro-Tem Florence Jackson, Council Member Evelyn Jones, Council Member Ebony Sanco, Council Member Greg Abarr, Council Member Rosie Rojas

Council Member Ebony Sanco thanked the Arcola Police Officers for patrolling the neighborhood. Council Member Rosie Rojas also thanked the Arcola Police Officers for doing an awesome job. She also asked if the city had generators.

VIII. CONSENT AGENDA

A. Approval of previous meeting minutes.

Mayor Pro-Tem Florence Jackson so moved to approve August 10, 2021 meeting minutes; **seconded by Council Member Evelyn Jones.** All were in favor.

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

Nay: 0

Motion carried. 5-0

IX. REGULAR AGENDA:

A. Discussion, Consideration and Possible Action—July 2021 Financial Report by Ham, Langston & Brezina, L.L.P.; and related matters.

City Bookkeeper Ruthie Cable reviewed the July 2021 Financial Report for the City of Arcola.

B. 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 reviewed the Operations Report for the month of August 2021. Mr. Montgomery also reported that Fort Bend MUD 141 had their electrical service tied into their new water plants and they were down for about two days, and they opened the interconnect the city has between MUD 141 and the City of Arcola. The city supplied them with

98,000 gallons of water. Mr. Montgomery asked if the city wanted to bill them for the contract rates or keep the 98,000 gallons in the books for when they give water back to the City. Mr. Montgomery will keep track with emergency interconnect transactions and water usage. City Administrator Annette Guajardo requested that Mr. Montgomery incorporate it in his report.

Mayor Pro-Tem Florence Jackson so moved to accept the Operator's Report for the month of August 2021; **seconded by Council Member Ebony Sanco**. All were in favor.

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

Motion carried. 5-0

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

(a) City of Arcola Summer Program Report and related matters

Dr. Veeda Williams gave a report on the First Annual City of Arcola Summer Program. The program was positive and educational. Dr. Williams presented a draft book of all the activities they did this Summer. She also presented and reviewed the Summer Program budget. She thanked City Council for funding the City of Arcola Summer Program.

Mayor Burton said that it was money well spent. He looks forward to doing it again next year.

D. Discussion, Consideration and Possible Action—City Administrator's Report by Annette Guajardo; updates and pending projects and related matters, including;

(a) CARES ACT

City Administrator Annette Guajardo reported a Cares Act balance of \$66,000.00 and need to use it by the end of the year. She reported that there are on ongoing costs that she believes will not leave \$1.00 on the table for the CARES money. She wanted to use CARES money for hazard pay. She received final word that Hazard Pay can only be reimbursed with CARES money for police officers only, not civilians. At this time, no hazard Pay will be issued until the budget is resolved.

(b) American Rescue Plan Act of 2021

Ms. Guajardo reported that the city has been allocated \$580,000.00. Of the \$580,000.00, \$329,000.00 has already been deposited in the City's bank account. The money is on hold until final notification on any Capital Improvements the city may need.

E. Discussion, Consideration and Possible Action—Appointment of City Attorney for the City of Arcola; including employment, duties, salary, and related matters.

Council Member Greg Abarr explained the need for the city having their own City Attorney to represent the city. He also noted that the other thing the City Attorney can do is replace the City Prosecutor for traffic court.

The position was posted on TML. The city received three candidates and interviews were processed for all three candidates. Out of the three candidates, Council Member Greg Abarr recommended Mark Goldberg for the position. The contract will be worked out after approval.

Mayor Pro-Tem Florence Jackson so moved to appoint Mark Goldberg as City Attorney for the City of Arcola; **seconded by Council Member Rosie Rojas**. All were in favor.

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

Motion carried. 5-0

- F. Discussion, Consideration, and Possible Action – Approve agreement for temporary water service and conditional reservation of wastewater treatment plant capacity between FORT BEND COUNTY FRESH WATER SUPPLY DISTRICT NO. 1 and the CITY OF ARCOLA and related matters.**

Council Member Greg Abarr so moved to table this item; **seconded by Mayor Pro-Tem Florence Jackson**. All were in favor.

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

Nay: 0

Motion carried. 5-0

- G. Discussion, Consideration and Possible Action—DESIGNATION OF REPRESENTATIVE AND ALTERNATE HOUSTON-GALVESTON AREA COUNCIL 2022 GENERAL ASSEMBLY.**

Mayor Pro-Tem Florence Jackson so moved to appoint Mayor Fred A. Burton as Representative of the Houston Galveston Area Council 2022 General Assembly and Council Member Ebony Sanco as the Alternate; **seconded by Council Member Evelyn Jones**. All were in favor.

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

Nay: 0

Motion carried. 5-0

- H. Discussion, Consideration and Possible Action—TML Health Benefits Pool Official Ballot for 2021 Board of Trustee Election, votes, and related matters.**

City Secretary Sally Cantu presented TML Health Benefits Pool Official Ballot for 2021 Board of Trustee Election. City Administrator Annette Guajardo would like to be a nominee as a Write-In Candidate for the City of Arcola.

After discussion, **Council Member Rosie Rojas so moved** to nominate Annette Guajardo, City Administrator of the City of Arcola as a Write-In Candidate for the 2021 Board of Trustee Election; **seconded by Council Member Ebony Sanco**. All were in favor.

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

Nay: 0

Motion carried. 5-0

- I. Discussion, Consideration and Possible Action—Authorization for the City of Arcola to issue requests for proposals (RFPs) for administrative services and requests for qualifications (RFQs) for professional services for the American Rescue Plan Act of 2021 and related matters.**

City Administrator Annette Guajardo referred to the ARPA money of \$580,000.00. Grant Works is an organization that is an expert at keeping up with all the paperwork that must be completed to pass the audit. She would like to go out for RFP. Grant Works has worked for the city before and she suspects they will submit for an RFP. It is important that they use experts when spending ARPA money.

After discussion, **Mayor Pro-Tem Florence Jackson so moved** to go out RFPs for administrative services for the ARP Act of 2021; **seconded by Council Member Ebony Sanco**. All were in favor.

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

Nay: 0

Motion carried. 5-0

- J. Discussion, Consideration and Possible Action—Comcast development plans for the City of Arcola, Internet Essentials (IE) program, and including broadband access and related matters.**

Council Member Ebony Sanco so moved to table this item; **seconded by Council Member Evelyn Jones**. All were in favor.

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

Nay: 0

Motion carried. 5-0

K. Discussion, Consideration and Possible Action—ORDINANCE NO. 2021-09-14; AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS APPOINTING ROBERT BARFIELD, AN ATTORNEY LICENSED TO PRACTICE LAW IN THE STATE OF TEXAS, AS ASSOCIATE JUDGE IN THE MUNICIPAL COURT OF THE CITY OF ARCOLA.

City Administrator Annette Guajardo stated if the city has approved hiring a City Attorney one of the things Council Member Abarr talked about was that he would be the Prosecutor as well. The current Prosecutor is Robert Barfield and Judge Mo is asking that he be his backup for a Judge.

Mayor Pro-Tem Florence Jackson so moved to approve ORDINANCE NO. 2021-09-14; AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS APPOINTING ROBERT BARFIELD, AN ATTORNEY LICENSED TO PRACTICE LAW IN THE STATE OF TEXAS, AS ASSOCIATE JUDGE IN THE MUNICIPAL COURT OF THE CITY OF ARCOLA; **seconded by Council Member Evelyn Jones**. All were in favor.

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

Nay: 0

Motion carried. 5-0

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

(a) Discussion, Consideration and Possible Action—Preliminary Plat—Post Oak Pointe Section 3, A Subdivision of 32.145 Acres of Land Situated in the Thomas/ Barnett Survey, Abstract 7 and the Moses Shipman League, Abstract 86, City of Arcola, Fort Bend County, Texas.

City Engineer Llarance Turner presented Post Oak Pointe Section 3 Plat. He has reviewed the plat and there are no objections. They meet the ordinances set in place. There are few minor comments for the construction plans. Mr. Turner is requesting approval of the Post Oak Pointe Section 3 Plat. After discussion, **Council Member Greg Abarr so moved** to approve the Plat for Post Oak Pointe Section 3; **seconded by Council Member Evelyn Jones**. All were in favor.

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

Nay: 0

Motion carried. 5-0

(b) Discussion, Consideration and Possible Action—Approval of Award of Construction Contract for the City of Arcola North Pine and South Pine Street Pavement Rehabilitation to Serve the City of Arcola, Fort Bend County Texas with Craig & Heidt, Inc. for the Base Bid in the amount of \$233, 320.50.

City Engineer Llarance Turner submitted his recommendation of Award of Construction Contract for North Pine Road and South Pine Street Pavement to Craig & Heidt, Inc. for the Base Bid in the amount of \$233,320.50. After discussion, **Council Member Rosie Rojas so moved** to award Craig & Heidt, Inc. for the City of Arcola North Pine and South Pine Street Pavement Rehabilitation to Serve the City of Arcola with the Base Bid in the amount of \$233,320.50; **seconded by Council Member Evelyn Jones**. All were in favor.

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

Nay: 0

Motion carried. 5-0

Mr. Turner gave a report on the future widening and improvements on FM 521 from Highway 6 going south to Co. Rd. 56. There will be an overpass going over the railroad. This project is 30% set. They are also putting detention ponds in certain spots. He wants City Council to prepare for it. City Council also discussed the infrastructure on the project.

Mr. Nino Corbitt gave a brief report on the good progress on the Post Oak project.

M. Discussion, Consideration and Possible Action—Acting Chief of Police Report by R. Stewart and related matters. Council Member Ebony Sanco so moved to table this item; **seconded by Council Member Rosie Rojas**. All were in favor.

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

Nay: 0

Motion carried. 5-0

X. ADJOURNMENT.

Mayor Pro-Tem Jackson so moved to adjourn at 8:38 p.m.; **seconded by Council Member Evelyn Jones.** All were in favor.

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

Nay: 0

Motion carried. 5-0