



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, July 12, 2022, 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 Mayor Burton called the meeting to order at 7:03 p.m.
- II. INVOCATION:** Council Member Rosemary Bigby gave the Invocation.
- III. PLEDGE OF ALLEGIANCE TO THE FLAG:** Council Member Greg Abarr 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, and Council Member Rosemary Bigby were present. Also present were City Secretary Sally Cantu, Finance Director Ruthie Cable, City Attorney Brandon Morris, and City Administrator Dr. 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. City Council heard comments from Patricia Washington and Yaritza M. Nino.

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: None**
- VII. CONSENT AGENDA. None**
- VIII. REGULAR AGENDA:**

- A. Discussion, Consideration and Possible Action—Update from the Mayor's desk, including;**
 - 1. Fourth of July Celebration update**
 - 2. Vacation plans**
 - 1. Mayor Burton reported that everyone at the Fourth of July event had a great time despite of the blistering heart.
 - 2. Mayor Burton announced that he will be going on vacation beginning July 22nd thru July 25th and return on the 26th.
- B. Discussion, Consideration and Possible Action—Previous meeting minutes and related matters.**

After review and discussion of previous meeting minutes, **Council Member Ebony Sanco so moved** to approve previous minutes of May 17, 2022, May 24, 2022, and June 14, 2022; **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
- C. Discussion, Consideration and Possible Action—Acceptance of the City of Arcola Financial Audit report for Fiscal Year 2021 presented by Laura Lynch of Whitley Penn, and related matters.**

Ms. Laura Lynch of Whitley Penn reviewed the City of Arcola Financial Audit for Fiscal Year 2021. After review and discussion, **Mayor Pro-Tem Florence Jackson so moved** to accept the City of Arcola Financial Audit report for Fiscal Year 2021 as presented by Ms. Laura Lynch of Whitley Penn; **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 and Rosemary Bigby

Nay: 0

Motion carried. 5-0

D. Discussion, Consideration and Possible Action—Month of June 2022 Bookkeeping Report and Financial Report by Ruthie Cable, Finance Director, and related matters.

Finance Director Ruthie Cable reviewed the 2022 Bookkeeping Report and Financial Report for the month of June 2022. After review, **Mayor Pro-Tem Florence Jackson so moved** to accept the June 2022 Booking Report and Financial Report as presented by Ruthie Cable; **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

E. Discussion, Consideration and Possible Action—Water and Wastewater Systems and including June 2022 Operator's Report by John Montgomery of Municipal Operations and Consulting, and related matters.

Utility Operator John Montgomery of Municipal Operations, and Consulting., reviewed the Operator's Report for the month of June 2022.

After review and discussion, **Mayor Pro-Tem Florence Jackson so moved** to accept the Operator's Report for the month of June 2022; **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 and Rosemary Bigby

Nay: 0

Motion carried. 5-0

F. Discussion, Consideration and Possible Action—Final Plat of Glendale Lakes Section 12—A SUBDIVISION OF 14.969 ACRES OF LAND LOCATED IN THE I. & G.N. RAILROAD CO. SURVEY, A-352 FORT BEND COUNTY, TEXAS, 77 LOTS, 4 BLOCKS, and 5 RESERVES.

Mayor Burton presented the Final Plat of Glendale Lakes Section 12. It has been recommended to approve the final plat. **Mayor Pro-Tem Florence Jackson so moved** to approve Final Plat of Glendale Lakes Section 12—A SUBDIVISION OF 14.969 ACRES OF LAND LOCATED IN THE I. & G.N. RAILROAD CO. SURVEY, A-352 FORT BEND COUNTY, TEXAS, 77 LOTS, 4 BLOCKS, and 5 RESERVES; **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 and Rosemary Bigby

Nay: 0

Motion carried. 5-0

G. Discussion, Consideration and Possible Action—10/20 Year Write Off of Property Taxes per Texas Property Tax Code Section 33.05 "Limitation of Collection of Taxes (\$556.83) submitted by Fort Bend County Tax Assessor-Collector.

The City Secretary presented 10/20 Year Write Off of Property Taxes per Property Taxes in the amount of \$556.83.

After review, **Council Member Greg Abarr so moved** to approve the write-off of the taxes for \$556.83; **seconded by Mayor Pro-Tem Jackson**. All were in favor.

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

Nay: 0

Motion carried. 5-0

H. Council Input and Discussion—Fresno Volunteer Fire Department, including ISO plans, fire insurance, and related matters.

Mayor Pro-Tem Florence Jackson so moved to table this item; **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 and Rosemary Bigby

Nay: 0

Motion carried. 5-0

I. Discussion, Consideration and Possible Action—Ordinance No. 2022-07-12; AN ORDINANCE REPEALING AND REPLACING SECTION 2 A (1) TAP FEES OF THE FEES & CHARGES SCHEDULE FOR WATER AND WASTEWATER UTILITY SERVICES; AMENDING THE CODE OF ORDINANCES; AND CONTAINING FINDINGS AND PROVISION RELATING TO THE SUBJECT.

City Administrator Dr. Annette Guajardo reviewed Ordinance No. 2022-07-12; AN ORDINANCE REPEALING AND REPLACING SECTION 2 A (1) TAP FEES OF THE FEES & CHARGES SCHEDULE FOR WATER AND WASTEWATER UTILITY SERVICES; AMENDING THE CODE OF ORDINANCES; AND CONTAINING FINDINGS AND PROVISION RELATING TO THE SUBJECT. The only change in the ordinance is the cost for Smart Meters in the amount of \$1,700.00. This will only apply to new construction.

After discussion, **Council Member Ebony Sanco so moved** to approve Ordinance No. 2022-07-12; AN ORDINANCE REPEALING AND REPLACING SECTION 2 A (1) TAP FEES OF THE FEES & CHARGES SCHEDULE FOR WATER AND WASTEWATER UTILITY SERVICES; AMENDING THE CODE OF ORDINANCES; AND CONTAINING FINDINGS AND PROVISION RELATING TO THE SUBJECT; **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 and Rosemary Bigby

Nay: 0

Motion carried. 5-0

J. Discussion, Consideration and Possible Action—Ordinance No. 2022-07-12A; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS, REPEALING AND REPLACING SECTION 2.306 OF SUBCHAPTER C OF CHAPTER 2 OF THE CITY’S CODE OF ORDINANCES RELATING TO THE CITY ENGINEER; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE.

City Administrator Dr. Annette Guajardo noted that ordinances are being cleaned up that need to be cleaned up. The original contract that came before City Council was Kelly Kaluza. Kelly Kaluza doesn’t exist anymore; Kaluza Inc. does. That change had to be made in the ordinance. In addition, Mr. Turner is not a professional engineer and it is required. The proposed amended ordinance corrects the name, and it is required that he have a professional engineer on staff. Sometimes there is a need based on services. This ordinance allows the Mayor if deemed necessary and at his discretion to go ahead and use another engineering firm for smaller projects to get it done on a timely basis. Secondly, it also allows the Mayor to use other engineers that have been approved by City Council for other services as needed.

After discussion, **Mayor Pro-Tem Florence Jackson so moved** to approve Ordinance No. 2022-07-12A; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS, REPEALING AND REPLACING SECTION 2.306 OF SUBCHAPTER C OF CHAPTER 2 OF THE CITY’S CODE OF ORDINANCES RELATING TO THE CITY ENGINEER; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE; **seconded by Council Member Rosemary Bigby.** All were in favor.

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

Nay: Council Member Evelyn Jones

Motion carried. 4-1

K. Discussion, Consideration and Possible Action—City Administrator’s Report by Dr. Annette Guajardo, update on current projects, pending projects, and related matters, including;

1. **City of Arcola Purchasing Policy, amendments, and related matters.**
2. **Ordinance No. 2022-07-12B; AN ORDINANCE APPROVING AND ADOPTING AN AMENDED BUDGET FOR FISCAL YEAR ENDING SEPTEMBER 30, 2022; AND CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT. (Permit Administrator) and (Police Captain)**
3. **Water plant, City Hall, and McKeever Road; including authorization to replat.**
4. **List of Professional Engineers for projects in the City of Arcola on an as needed basis as described under Ordinance No. 2022-07-12A, Section 2.306 Engineer.**

1. **Mayor Pro-Tem Florence Jackson so moved** to table City of Arcola Purchasing Policy, amendments, and related matters; **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 and Rosemary Bigby

Nay: 0

Motion carried. 5-0

2. **Mayor Pro-Tem Florence Jackson so moved** to amend Ordinance No. 2022-07-12B to exclude Police Captain; **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 and Rosemary Bigby

Nay: 0

Motion carried. 5-0

City Administrator Dr. Annette Guajardo reviewed Ordinance No. 2022-07-12B. She recommended moving the Part-Time Permit position to a Full Time Permit Administrator position. After review and discussion, **Mayor Pro-Tem Florence Jackson so moved** to approve Ordinance No. 2022-07-12B; AN ORDINANCE APPROVING AND ADOPTING AN AMENDED BUDGET FOR FISCAL YEAR ENDING SEPTEMBER 30, 2022; AND CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; **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 and Rosemary Bigby

Nay: 0

Motion carried. 5-0

3. City Administrator Dr. Annette Guajardo requested permission to make a feasibility study on the properties surrounding the water plant and adding the newly purchased property into one compound. If we can make it one plat not nine, that the city can get credit for the exiting acre detention pond and may not have to do it if we want to build next door. The request is for Dr. Guajardo to research and if it is feasible to make it one plat only if it benefits the City.

Council Member Rosemary Bigby so moved to allow City Administrator Dr. Guajardo to research and if it is feasible to make it one plat, only if it benefits the City; **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 and Rosemary Bigby

Nay: 0

Motion carried. 5-0

4. City Administrator Dr. Annette Guajardo presented a list of Professional Engineers for projects in the City of Arcola as described under Ordinance No. 2022-07-12A. Under this ordinance, the Mayor has the authority to utilize a list of engineers that have been approved by City Council. Dr. Guajardo presented a list of engineers: H. H. (Sam) Doshi, P.E., R.P.L.S., Mr. Dinh Ho, and Sander Engineering.

After discussion, **Mayor Pro-Tem Florence Jackson so moved** to approve the engineers on the list provided under Ordinance No. 2022-07-12A; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS, REPEALING AND REPLACING SECTION 2.306 OF SUBCHAPTER C OF CHAPTER 2 OF THE CITY'S CODE OF ORDINANCES RELATING TO THE CITY ENGINEER; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE; **seconded Council Member Ebony Sanco**. All were in favor.

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

Nay: 0

Motion carried. 5-0

IX. ADJOURNMENT.

Mayor Pro-Tem so moved to adjourn at 8:27 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 and Rosemary Bigby

Nay: 0

Motion carried. 5-0