



City of Arcola

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Minutes of a **Regular City Council Meeting** of the City Council of the City of Arcola, County of Fort Bend, State of Texas, held on **Tuesday, May 9, 2023 at 6:00 p.m.** at: Arcola City Hall, Room 124; 13222 Highway 6, Arcola, Texas 77583 for the purpose of considering the following numbered 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 6:01 p.m.
- II. INVOCATION.** Council Member Evelyn Jones gave the Invocation.
- III. PLEDGE OF ALLEGIANCE TO THE FLAG.** Council Member Rosemary Bigby 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 Greg Abarr, Council Member Ebony Sanco, and Council Member Rosemary Bigby were present. Also present were City Attorney Debra Mergel, City Secretary Sally Cantu, Finance Director Ruthie Cable, 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 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 Mr. Nino Corbett regarding Post Oak Pointe.

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. The City Council heard comments from Richard Muller with Muller Law Group regarding VII. J.

Council Member Greg Abarr moved to bring up Item VIII. C before VI.; **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

- VI. PUBLIC HEARING:** Public Hearing concerning the institution of voluntary (consent) annexation proceedings to enlarge and extend the boundary limits of the City of Arcola, "A tract of land containing 34.3948 Acres, situated in the Manuel Escalera Survey, Abstract No. 170, Fort Bend County, Texas, being a combination of two tracts recorded in the name of Niranjana S. Patel."

Mayor Burton opened a public hearing concerning the institution of voluntary (consent) annexation proceedings to enlarge and extend the boundary limits of the City of Arcola, "A tract of land containing 34.3948 Acres, situated in the Manuel Escalera Survey, Abstract No. 170, Fort Bend County, Texas, being a combination of two tracts recorded in the name of Niranjana S. Patel."

No one present wanted to speak at the public hearing.

Mayor Fred Burton closed the hearing concerning the institution of voluntary (consent) annexation proceedings to enlarge and extend the boundary limits of the City of Arcola, "A tract of land containing 34.3948 Acres, situated in the Manuel Escalera Survey, Abstract No. 170, Fort Bend County, Texas, being a combination of two tracts recorded in the name of Niranjana S. Patel."

VII. CONSENT AGENDA: NONE**VIII. REGULAR AGENDA:****A. CITY COUNCIL COMMENTS: Mayor Pro-Tem Florence Jackson, Council Member Evelyn Jones, Council Member Greg Abarr, Council Member Ebony Sanco, and Council Member Rosemary Bigby.**

No comments from Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Council Member Ebony Sanco, and Council Member Rosemary Bigby.

Council Member Greg Abarr informed the City Council that he worked with City Administrator Dr. Annette Guajardo and Finance Director Ruthie Cable on the midyear budget adjustments and went through the numbers in detail. He presented the results of the changes to the City Council.

B. Discussion, Consideration and Possible Action—Previous meeting minutes and related matters.

Mayor Pro-Tem Florence Jackson moved to approve previous meeting minutes of March 21, 2023, March 28, 2023, and April 11, 2023; **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

C. Discussion, Consideration and Possible Action—Update from John Montgomery, Municipal Operations and Consulting, including;

1. **Month of April 2023 Operator's Report and related matters**
2. **Third Amendment to Utility Operator Agreement between MUNICIPAL OPERATIONS & CONSULTING, INC. and the CITY OF ARCOLA, TEXAS, and related matters.**
3. **Water Connections and related matters.**
4. **Sewer Connections and related matters.**
5. **Distribution of the drinking water quality report (CCR) consumer confidence report and related matters.**

Mr. John Montgomery reviewed the month of April 2023 Operator's Report, including the water and sewer connection report.

Mr. John Montgomery and the City Council reviewed the Third Amendment to Utility Operator Agreement between Municipal Operations and Consulting, Inc., and the City of Arcola.

After review, **Council Member Greg Abarr moved** to approve the Third Amendment to Utility Operator Agreement between Municipal Operations and Consulting, Inc.; **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

Mr. Montgomery reviewed the annual drinking water quality report (CCR) consumer confidence report. Municipal Operations will place a URL link on the Utility bills going out to the customers; which will take them directly to the CCR consumer confidence report. It will also be placed on the City's website.

Council Member Greg Abarr moved to approve the distribution of the drinking water quality report (CCR) consumer confidence report; **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

D. Discussion, Consideration and Possible Action—Update from Mayor Fred A. Burton, including;

1. **Town Hall Meeting**—Mayor Burton thanked Mayor Pro-Tem Florence Jackson, Council Member Abarr, and Council Member Bigby for sitting in with him through the Town Hall Meeting. He reported that it was delightful and a good meeting. There were about 25 people in attendance and about 5 people lived in the city. He expressed the need for more participation from the city.

2. Lift Station Date—Mayor Burton apologized to the police department for not being able to keep their vehicles clean due to the Lift Station construction project in front of City Hall. Hopefully, it should be cleared by May 22nd.

3. City Hall Projects (Parking Lot, Maintenance)—Mayor Burton reported that the most important projects to be done in the city at this time and they have to re-think on the things agreed on in times past. It needs to be addressed. He has asked City Engineer Doshi to look at the engineering aspect for storm sewers and to see what needs to be done to take care of the parking lot.

Maintenance—Mayor Burton reported that maintenance staff need a driveway to get to and from the Maintenance Department to do their job. It is going to be challenging when it rains. He appreciates the maintenance staff for doing what they do every day under these conditions.

4. Heavy Trash—Mayor Burton reported that heavy trash pickup will have to come after the completion of the construction of the parking lot.

5. City of Arcola Freshwater Treatment Plant and Developers—Mayor Burton reported that the City of Arcola Freshwater Treatment Plant went live today (May 9, 2023) at 11:30 a.m. The city now has a Water Plant, and it was built for the City of Arcola.

E. Discussion, Consideration and Possible Action—Update from City Administrator, Dr. Annette Guajardo, including:

- 1. Town Hall Meeting**—City Administrator Dr. Annette Guajardo reported that as the result of the Town Hall meeting, they had a couple of great ideas. One idea is an Arcola citizen committee which would help not only the neighbors; but also help the senior citizens as well. The recommendation came from Mr. Clarence Jackson, and she will collaborate with him to create the committee. It is needed and it would be helpful. The next Town Hall meeting is scheduled in May 2024; or unless something drastically or substantial happens in the city.
- 2. Lift Station Date**—An email was received stating the Lift Station will be completed on May 22nd. She will collaborate with the developer and the contractor on a weekly basis.
- 3. City Hall Project (Parking Lot, Maintenance)**—The parking lot project is on hold until the Lift Station is completed. There is a lot of painting and upkeep. It is not part of the budget; but are looking at other funding, including the 4B Corporation to fund these types of projects. These projects relating to any other funding source, including the General Fund will come before the City Council.

F. Discussion, Consideration and Possible Action—Update from Finance Director, Ruthie Cable, including:

- 1. Month of April 2023 Bookkeeping Report and Financial Report and related matters.**
Finance Director Ruthie Cable reviewed the City of Arcola month of April 2023 Bookkeeping Report and Financial Report. She also reviewed the mid-year budget appropriations.
After review, **Council Member Evelyn Jones** moved to accept the April 2023 Bookkeeping Report, Financial Report, and mid-year budget appropriations; **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

G. Discussion, Consideration and Possible Action—Update from L. Garrette, Permit Administrator, including:

- 1. Month of April 2023 Permit Report and related matters.**
Permit Administrator L. Garrette informed the City Council that she did not get the information from D. R. Horton. She hopes to get the information she needs for next month's update on Post Oak Pointe, Section 1 and Post Oak Pointe, Section 3. Ms. Garrette reviewed the April 2023 Permit Report for the day-to-day operations.

H. Discussion, Consideration and Possible Action—Ordinance No. 2023-05-09, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TO AMEND SECTION 8.04.020 OF THE CODE OF ORDINANCES AT F. APPLICATIONS, PROCESSING, ETC. TO REQUIRE THE CITY COUNCIL'S APPROVAL BEFORE THE ISSUANCE OF A UTILITY CAPACITY INFORMATION LETTER, PROVIDING FOR REPEAL, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

City Administrator Dr. Annette Guajardo explained that this ordinance amends the procedure for issuance of Utility Capacity Information Letter. This allows the Mayor to come before the City Council with a recommendation. All capacity letters will be brought to the City Council for a vote. The Engineer knows that he can receive the capacity letter, provide a recommendation to the Mayor and then the Mayor will go before the City Council with his recommendation and City Council will either approve or deny the recommendation.

Council Member Rosemary Bigby moved to approve Ordinance No. 2023-05-09, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TO AMEND SECTION 8.04.020 OF THE CODE OF ORDINANCES AT F. APPLICATIONS, PROCESSING, ETC. TO REQUIRE CITY COUNCIL'S APPROVAL BEFORE THE ISSUANCE OF A UTILITY CAPACITY INFORMATION LETTER, PROVIDING FOR REPEAL, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE; **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 and Possible Action—Update from Chief A. Carr, Arcola Police Department; including;

1. Month of April 2023 Police Report and related matters.

Chief Carr reviewed the April 2023 Police Report. She also reported that they are about to initiate the Arcola Selective Traffic Enforcement Program (S.T.E.P). The program is to raise public awareness and decrease the crashes in the city. She is initiating the TLC Burglary Prevention Program. It will help prevent auto burglaries in the city. She is also initiating a wellness program in the police department. She also gave an update regarding dangerous buildings in the city.

Mayor Pro-Tem Florence Jackson moved to accept the April 2023 Police Chief Report; **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

J. Discussion, Consideration and Possible Action—Ordinance No. 2023-05-09A, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS ANNEXING A TRACT OF LAND CONTAINING 34.3948 ACRES, SITUATED IN THE MANUEL ESCALERA SURVEY, ABSTRACT NO. 170, FORT BEND COUNTY, TEXAS, BEING A COMBINED OF TWO TRACTS RECORDED IN THE NAME OF NIRANJAN S. PATEL AS FURTHER DESCRIBED HEREIN, INTO THE CITY'S MUNICIPAL BOUNDARIES.

Council Member Evelyn Jones moved to approve Ordinance No. 2023-05-09A, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS ANNEXING A TRACT OF LAND CONTAINING 34.3948 ACRES, SITUATED IN THE MANUEL ESCALERA SURVEY, ABSTRACT NO. 170, FORT BEND COUNTY, TEXAS, BEING A COMBINED OF TWO TRACTS RECORDED IN THE NAME OF NIRANJAN S. PATEL AS FURTHER DESCRIBED HEREIN, INTO THE CITY'S MUNICIPAL BOUNDARIES, to include a service agreement; **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

K. ADJOURNMENT.

Mayor Pro-Tem Florence Jackson moved to adjourn the meeting at 7:20 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