



City of Arcola

13222 Highway 6 – Arcola, Texas 77583 – Phone: 281.431.0606

www.arcolatexas.org

Minutes of a **Special Meeting** of the City Council of the City of Arcola, County of Fort Bend, State of Texas, held on Tuesday, **March 21, 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 6:00 p.m.
- II. INVOCATION.** Mayor Pro-Tem Florence Jackson gave the Invocation.
- III. PLEDGE OF ALLEGIANCE TO THE FLAG.** Council Member Evelyn Jones led the Pledge of Allegiance.
- 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 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. Mike Saenz. Ms. Saenz deferred her three minutes to Mike Saenz. The City Council heard comments from Mr. Saenz. The City Council heard comments from Chris delos Santos.

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. No comments.

VI. PUBLIC HEARING: NONE

VII. CONSENT AGENDA: NONE

VIII. REGULAR AGENDA:

- A. Discussion, Consideration and Possible Action—ORDINANCE NO. 2023-03-21; AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY OF ARCOLA, TEXAS, BY AMENDING TITLE 2 ADMINISTRATION AND FINANCE, AT CHAPTER 30, TAXATION TO ADD A NEW SECTION 2.30.020 HOTEL OCCUPANCY TAXATION, LEVYING A SEVEN PERCENT HOTEL OCCUPANCY TAX WITHIN THE CITY LIMITS AND WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION; AUTHORIZING THE COLLECTION OF THE TAX; PROVIDING FOR A PENALTY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

City Attorney Debra Mergel explained the law to collect taxes at 7% for hotels, motels, short term rental like a B&B, tourist home, tourist house, tourist court, lodging house, Inn, rooming house, and a bread & breakfast.

A new fund will have to be created for the collection of taxes for audit purposes.

After discussion, **Council Member Greg Abarr moved to approve** ORDINANCE NO. 2023-03-21; AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY OF ARCOLA, TEXAS, BY AMENDING TITLE 2 ADMINISTRATION AND FINANCE, AT CHAPTER 30, TAXATION TO ADD A NEW SECTION 2.30.020 HOTEL OCCUPANCY TAXATION, LEVYING A SEVEN PERCENT HOTEL OCCUPANCY TAX WITHIN THE CITY LIMITS AND WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION; AUTHORIZING THE COLLECTION OF THE TAX; PROVIDING FOR A PENALTY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT

HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING 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

- B. **Discussion, Consideration and Possible Action**—Secure the building at 13301 Hwy 6, Arcola, Texas, provide notice to the owner, and other procedures under Chapter 214 of the Local Government Code and the city's Ordinance No. 12-09-08 regarding Dangerous Structures.

City Attorney Debra Mergel noted that the city has an ordinance and by that ordinance the city adopted a section of the Local Government Code that gives procedures to identify and abate dangerous structures. Under Section 2140011B, the city has a right to secure such a structure that has been done. The next step is to provide written notice to the owner whether or not the owner already knows. After that is a public hearing if the owner requests one. The City Attorney will have a checklist of procedures to follow step by step.

After discussion, **Council Member Greg Abarr moved** to proceed with the dangerous structure ordinance; **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—Authorization to begin the process of removal and reinstallation of the City of Arcola Electronic Sign not to exceed \$21,500.00.**

Council Member Greg Abarr moved to approve the cost not to exceed \$21,500.00 for removing and reinstalling the Arcola Electronic Sign; **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. **Council Input and Discussion—Presentation on a proposed Patel Project Development, proposed annexation, and related matters. (Sam Patel)**

Mr. Nick Patel and Engineer Mario Piña are proposing a 217 Lot Mobil Home Park, a Club House for amenities, and to see if the city is willing to annex the tract and provide water and sanitary sewer for this development. It will generate tax revenue. He also described the proposed drainage and detention.

Council Member Greg Abarr's concern is that the city has already committed a large amount of water and sewer to the current Post Oak Point Subdivision and, also water and sewer to development on Fenn Road.

Council Member Abarr suggested analyzing the requirements. There are a lot of factors that come into this project. Mr. Patel described the type of homes, cost imposed and the longevity of the manufactured homes.

Council Member Rosemary Bigby asked if the manufactured homes are on slabs. Mr. Patel responded that there are no slabs. He described the method of preparation before installment of the house.

Mayor Fred Burton inquired about how taxes are implemented on each individual house. Mr. Patel explained the city will get the taxes from each house. He also explained taxes on the property.

Council Member Evelyn Jones inquired about an ordinance preventing citizens installing manufactured homes in the city and how it will affect the proposed development. Mayor Burton responded that the proposed project is in a mobile home park.

Mr. Patel also showed other manufactured home developments he has developed.

The City Council and Mr. Patel discussed the proposed Patel Project Development in great length. Mayor Burton thanked Mr. Patel for the presentation. The City Council wanted to know what his plan is. This was a discussion item only.

E. **ADJOURNMENT.**

Council Member Greg Abarr moved to adjourn at 6:58 p.m.; **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