



City of Arcola

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www.arcolatexas.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, February 14, 2023, 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 7:00 p.m..
- II. INVOCATION:** Council Member Evelyn Jones 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, City Attorney Debra Mergel, Finance Director Ruthie Cable, and City Administrator Dr. Annette Guajardo.

Council Member Greg Abarr so moved to move Letter F. before PUBLIC COMMENTS; **seconded by Council Member Ebony Sanco.** All were in favor.

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

Nay: 0

Motion carried. 5-0

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

- 1. January 2023 Operator's Report and related matters.**
- 2. TCEQ SSO (Sanitary Sewer Overflow), updates and related matters.**

Mr. John Montgomery of Municipal Operations reviewed the Operations Report for the month of January 2023. He gave a report on the TCEQ SSO Program. He forwarded a document for signature to the City Administrator via email. It will take another six weeks to receive something in the mail. It is forthcoming.

Council Member Greg Abarr noticed that the flow readings and rainfall readings on the report are for the month of December 2022 and not for January 2023. Mr. Montgomery will make corrections and send everyone the corrected report for the month of January 2023.

Mayor Burton reported that he is getting inquiries about getting water to the Eva Apartments off Highway 6. Mayor Burton suggested that he, John Montgomery and Llarance Turner get together to figure out what can be done and the distance to run the lines. Mr. Montgomery asked if they are going to submit a set of plans and what their intentions are. Mayor responded that they have 10 units now and anticipate building more multi-family units.

Mr. Montgomery noted that more information is needed.

Mayor Pro-Tem Florence Jackson so moved to approve January 2023 Operation's Report; **seconded by Council Member Evelyn Jones.** All were in favor.

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

Nay: 0

Motion carried. 5-0

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 Brandon McNallon, Board Member of Plantation Oak Estates Property Owner's Association.

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. 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.

Council Member Ebony Sanco's comments were on the State of the City. There were no comments from the other Council Members.

VII. PUBLIC HEARINGS: Public hearing on the proposed speed humps on Masterson Street, North Pine, and South Pine.

Mayor Fred Burton opened a public hearing on the proposed speed humps on Masterson Street, North Pine, and South Pine. Mayor Burton announced that the plan is to install 3 speed humps on North Pine, 3 speed humps on South Pine and 5 speed humps on Masterson.

There were no public comments on the proposed speed humps on Masterson Street, North Pine, and South Pine.

Mayor Fred Burton closed the public hearing on the proposed speed humps on Masterson Street, North Pine, and South Pine.

VIII. CONSENT AGENDA: None

IX. REGULAR AGENDA:

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

After review of previous meeting minutes, **Council Member Greg Abarr so moved** to approve the minutes of January 10, 2023; **seconded by Council Member Rosemary Bigby**. All were in favor..

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

Nay: 0

Motion carried. 5-0

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

- 1. Arcola City Hall Electronic Sign and related matters.**
- 2. Fort Bend County Chamber of Commerce and related matters.**
- 3. Post Oak Pointe and Arcola MMD update and related matters.**

Mayor Burton gave an update on the Arcola City Hall Electronic Board. It is an information board to give notice to the public of the city meetings. He announced to contact Ms. Furlow if there is something anyone wants to place on the board.

Mayor Burton reported that he was happy to speak about the State of the City. The event was at the Fort Bend County Chamber of Commerce. Mayor Burton's motto is "The City is Open for Business".

Mayor Burton deferred Post Oak Pointe and Arcola MMD to Nino Corbett. Mr. Corbett gave an update on the MMD. He also gave an update on Post Oak Pointe proposed development, water well and sewer system.

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

- 1. Arcola Multi-Service Center (AMC) committee members, nominees, appointment, and related matters.**
- 2. Fort Bend County Day, Austin, Texas, and related matters.**
- 3. City of Arcola Newsletter and related matters.**

City Administrator Dr. Annette Guajardo gave a report on the Arcola Multi-Service Center (AMC). She reported that the Arcola Multi-Service Center has been established. Dr. Veeda Williams is the Chair of the committee. The other members are King Williams, Council Member Ebony Sanco, Beth Midland, Robert White and Priscilla Graham. It is a two- year commitment.

Dr. Guajardo reported that she and Mayor Burton are going to Austin, Texas for Fort Bend County Day sponsored by the Fort Bend Chamber of Commerce. The topic was to amend the state law to allow hotel occupancy tax to be collected for cities like Arcola that are less than 5,000 people.

Dr. Guajardo presented the 3rd City of Arcola newsletter to City Council. The newsletter will go out in the February water bill.

D. Discussion, Consideration and Possible Action—Update from R. Cable, Finance Director, including; Month of January 2023 Bookkeeping Report and Financial Report and related matters.

Finance Director Ruthie Cable reviewed the month of January 2023 Bookkeeping Report and Financial Report. After review,

Mayor Pro-Tem Florence Jackson so moved to approve the month of January 2023 Bookkeeping Report and Financial Report; **seconded by Council Member Ebony Sanco**. All were in favor.

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

Nay: 0

Motion carried. 5-0

E. Discussion, Consideration and Possible Action—Update from L. Garrette, Permit Administrator, including;

1. Month of January 2023 Permit Report and related matters.

Permit Administrator Lyneshia Garrette was absent. City Administrator Dr. Annette Guajardo reviewed the January 2023 Permit Report.

Mayor Pro-Tem Florence Jackson so moved to approve the January 2023 Permit Report presented by Dr. Guajardo; **seconded by Council Member Ebony Sanco**. All were in favor.

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

Nay: 0

Motion carried. 5-0

F. This item was moved up before Public Comments.

G. Discussion, Consideration and Possible Action—Update from Kaluza, Inc. including:

1. Water Plant update, and related matters.

Dr. Annette Guajardo noted that Llarance Turner from Kaluza, Inc. provided a two-page memo with his updates. Dr. Guajardo reviewed the memo.

Council Member Greg Abarr noted that the report on the Wastewater Treatment Plant is incorrect because LJA Engineers have already advertised the expansion of the wastewater treatment plant and they did approve the low bid last week. They are just waiting on the contractors to get started on the work. Council Member Abarr recommended notifying FWSD NO. 1 that the contract was advertised and the award of the bid because the City has a contract with them.

Council Member Greg Abarr so moved to request Kelly Kaluza, Inc. to update his report to reflect the change on the status of the Wastewater Treatment Plant; **seconded by Council Member Ebony Sanco**. All were in favor.

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

Nay: 0

Motion carried. 5-0

Council Member Ebony Sanco so moved to approve the updated report from Kelly Kaluza, Inc. once the corrections have been made; **seconded by Council Member Rosemary Bigby**. All were in favor.

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

Nay: 0

Motion carried. 5-0

H. Discussion, Consideration and Possible Action—ORDINANCE NO. 2023-02-14; AN ORDINANCE CALLING AND ORDERING A GENERAL ELECTION TO ELECT COUNCIL MEMBERS POSITION ONE, POSITION THREE, AND POSITION FIVE, AND CALLING AND ORDERING A SPECIAL ELECTION TO ALLOW VOTERS TO VOTE FOR OR AGAINST PROPOSITION 1 INCREASING THE TERM OF OFFICE FOR THE MAYOR AND ALL CITY COUNCIL MEMBERS FROM TWO-YEAR TERMS TO FOUR-YEAR

TERMS, ON MAY 6, 2023, AND CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT.

Council Member Greg Abarr so moved to approve ORDINANCE NO. 2023-02-14; AN ORDINANCE CALLING AND ORDERING A GENERAL ELECTION TO ELECT COUNCIL MEMBERS POSITION ONE, POSITION THREE, AND POSITION FIVE, AND CALLING AND ORDERING A SPECIAL ELECTION TO ALLOW VOTERS TO VOTE FOR OR AGAINST PROPOSITION 1 INCREASING THE TERM OF OFFICE FOR THE MAYOR AND ALL CITY COUNCIL MEMBERS FROM TWO-YEAR TERMS TO FOUR-YEAR TERMS, ON MAY 6, 2023; **seconded by Council Member Evelyn Jones.** All were in favor.

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

Motion carried. 5-0

I. Discussion, Consideration and Possible Action—Approval of JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES for the May 6, 2023 City of Arcola General Election and Special Election, and related matters.

Mayor Pro-Tem Florence Jackson so moved to approve JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES for the May 6, 2023 City of Arcola General Election and Special Election; **seconded by Council Member Evelyn Jones.** All were in favor.

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

Motion carried. 5-0

J. Discussion, Consideration and Possible Action—ORDINANCE NO. 2023-02-14A; AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS AMENDING ORDINANCE NO. 2022-11-08; A SPEED HUMPS POLICY TO BE INCLUDED IN THE CODE OF ORDINANCES, PROVIDING FOR REPEAL, AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member Evelyn Jones so moved to approve ORDINANCE NO. 2023-02-14A; AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS AMENDING ORDINANCE NO. 2022-11-08; A SPEED HUMPS POLICY TO BE INCLUDED IN THE CODE OF ORDINANCES, PROVIDING FOR REPEAL, AND PROVIDING FOR AN EFFECTIVE DATE; **seconded by Council Member Ebony Sanco.** All were in favor.

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

Motion carried. 5-0

K. Discussion, Consideration and Possible Action—Speed Humps, including installation on Masterson, North Pine, and South Pine, in that order and related matters.

Mayor Pro-Tem Florence Jackson so moved to approve installation of speed humps on Masterson, North Pine, and South Pine; in that order; **seconded by Council Member Evelyn Jones.** All were in favor.

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

Motion carried. 5-0

L. Discussion, Consideration and Possible Action—Acceptance of proposal from Enterprise Commercial Paving for the installation of Speed Humps on Masterson, North Pine, and South Pine.

Council Member Greg Abarr so moved to approve the proposal from Enterprise Commercial Paving for the installation of Speed Humps on Masterson, North Pine, and South Pine, not to exceed \$50,000.00; **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, Rosemary Bigby
Nay: 0

Motion carried. 5-0

M. Discussion, Consideration and Possible Action—City Council meetings; including approval to change the time from 7:00 p.m. to 6:00 p.m. and related matters.

Mayor Burton introduced the possibility of changing the city council meetings beginning time from 7:00 p.m. to 6:00 p.m.

After discussion, **Mayor Pro-Tem Florence Jackson so moved** to approve changing the City Council meetings beginning time to 6:00 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

N. Discussion, Consideration and Possible Action—Appointment of two (2) citizens of the City of Arcola experienced with airport business from the past as members on the Arcola-Missouri City-Ft. Bend County-Brazoria County Joint Airport Zoning Board and related matters.

Mayor Burton noted that the City of Arcola appointed two members to the Arcola-Missouri City-Ft. Bend County-Brazoria County Joint Airport Zoning Board years ago and the time has come to appoint new members who are also citizens of Arcola and have past experiences with airport business. Two candidates have been selected. City Administrator Dr. Annette Guajardo noted that they are recommending Council Member Greg Abarr and Tom Hilton to represent the City of Arcola on this committee. They have a lot of years of experience, they are long term residents, and they are closest to the airport and will make sure the City of Arcola is protected.

After discussion, **Council Member Rosemary Bigby so moved** to appoint Council Member Greg Abarr and Tom Hilton as board members to the Arcola-Missouri City-Ft. Bend County-Brazoria County Joint Airport Zoning Board; **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

O. Discussion, Consideration and Possible Action—RESOLUTION NO. 02-14-2023; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS, APPROVING A FEE SCHEDULE FOR FISCAL YEAR 2023/2024. Chief A. Carr proposed to make a change in the fee schedule for permits. The proposed change is that any work that is performed prior to the issuance of required permits will result in the assessment of penalty fees equal to double the fees of the required permit.

After discussion, **Council Member Rosemary Bigby so moved** to approve RESOLUTION NO. 02-14-2023; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS, APPROVING A FEE SCHEDULE FOR FISCAL YEAR 2023/2024; **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

P. Discussion, Consideration and Possible Action—ORDINANCE NO. 2023-02-14B; AN ORDINANCE GRANTING TO CENTERPOINT ENERGY RESOURCES CORP., DBA CENTERPOINT ENERGY TEXAS GAS OPERATIONS, THE RIGHT, PRIVILEGE AND FRANCHISE TO CONSTRUCT, INSTALL, EXTEND, REMOVE, REPLACE, ABANDON, OPERATE AND MAINTAIN ITS FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF ARCOLA, TEXAS FOR THE TRANSPORTATION, DELIVERY, SALE AND DISTRIBUTION OF NATURAL GAS; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Mayor Burton noted that natural gas is now flowing through the City of Arcola. Giving CenterPoint Energy the rights of way through the city, the city can acquire franchise fees. Dr. Guajardo noted that the franchise fee is 5%.

After discussion, **Council Member Greg Abarr so moved** to approve ORDINANCE NO. 2023-02-14B; AN ORDINANCE GRANTING TO CENTERPOINT ENERGY RESOURCES CORP., DBA CENTERPOINT ENERGY TEXAS GAS OPERATIONS, THE RIGHT, PRIVILEGE AND FRANCHISE TO CONSTRUCT, INSTALL, EXTEND, REMOVE, REPLACE, ABANDON, OPERATE AND MAINTAIN ITS FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF ARCOLA, TEXAS FOR THE TRANSPORTATION, DELIVERY, SALE AND DISTRIBUTION OF NATURAL GAS; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE; **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

Q. Discussion, Consideration and Possible Action—ORDINANCE NO. 2023-02-14C; AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS AMENDING SEC. 22.08 OF THE CODE OF ORDINANCES OF THE CITY OF ARCOLA TO MAKE SEVERAL MODIFICATIONS TO FENCE REGULATIONS; PROVIDING FOR A PENALTY; PROVIDING FOR SAVINGS, REPEALING AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Burton explained the proposed changes on fence regulations.

Council Member Greg Abarr so moved to approve ORDINANCE NO. 2023-02-14C; AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS AMENDING SEC. 22.08 OF THE CODE OF ORDINANCES OF THE CITY OF ARCOLA TO MAKE SEVERAL MODIFICATIONS TO FENCE REGULATIONS; PROVIDING FOR A PENALTY; PROVIDING FOR SAVINGS, REPEALING AND SEVERABILITY CLAUSES; 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 Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby

Nay: 0

Motion carried. 5-0

R. Discussion, Consideration and Possible Action—Update from Chief A. Carr, Arcola Police Department; including;

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

Chief A. Carr reviewed the Police Report for the month of January 2023.

S. ADJOURNMENT.

Mayor Pro-Tem Florence Jackson so moved to adjourn at 8:21 p.m.; **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