



CITY OF ARCOLA

CITY COUNCIL MINUTES

Arcola City Hall
13222 Highway 6
Arcola, Texas 77583

TUESDAY, FEBRUARY 13, 2024
CITY COUNCIL REGULAR MINUTES

6:00 P.M.

CITY COUNCIL CHAMBER

CALL TO ORDER

Mayor Fred A. Burton called the meeting to order at 6:00 p.m.

INVOCATION

Council Member Evelyn Jones gave the Invocation.

PLEDGE OF ALLEGIANCE TO FLAG

Mayor Pro-Tem Florence Jackson led the Pledge of Allegiance to the Flag.

ROLL CALL

Mayor Fred A. Burton, Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, and 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,

Council Member Evelyn Jones made comments leading up to Council Member Ebony Sanco's agenda item.

Mayor Burton showed a flyer that was being passed out calling him roadblock Burton. He does not know where it is coming from or from whom it is coming.

Mayor Burton announced that now we are going to Roman Number 1, Letter A, and that Council Member Jones started discussing the item before it was even brought up. He said that you must follow Robert's Rules of Order. You bring it up and then you discuss it.

- I. A. **Discussion and possible action regarding the residency of council Member Ebony Sanco.**
City Attorney Debra Mergel provided information to the City Council on this matter. She said that a resident of the City of Arcola informed the Mayor that Council Member Sanco is not living in the city limits. That resident approached the mayor, recently. Maybe that is why you have not heard of it. The City Attorney asked Council Member Evelyn Jones if she was listening. Council Member Jones said that she is listening but does not believe it. Ms. Mergel asked Ms. Jones if she did not believe her. Ms. Jones replied that she does not believe what she is reading. If it came from her, she did not believe that because she knows better. The city attorney replied that it came from her.

Ms. Mergel continued to say that after exercising due diligence, because of the residents' statements, the mayor has good reasons to believe that the residents' concerns are legitimate. The Mayor and the City Administrator have received additional information that confirms the resident's original report, and that Council Member Sanco is living in Missouri City. She signed a lease dated August 25, 2023. At this time, a video was shown with additional information. Council Member Evelyn Jones had comments regarding the video.

The City Attorney stated that Texas Government Code Section 22.008(b) quotes, "If a member of the governing body changes the member's place of residence to a location outside the corporate boundaries of the municipality, the member is automatically disqualified from holding the member's office and the office is considered vacant." Ms. Mergel also quoted from the Texas Election Code, Eligibility for Public Office.

The City Attorney told Ms. Sanco that this was her opportunity to resign. Ms. Sanco replied, I do not.

The City Attorney also noted that there was a resolution for her consideration.

Ms. Sanco said that she is a resident of Arcola, her kids go to school out here, she stays out here, she has been on this Council since 2019, her husband served on this council, and she is going to continue to serve on this Council. She also said that she will not be bullied by the Mayor and Annette because she wants to vote the way she chooses for what is right for this city.

**CITY ATTORNEY DEBRA MERGEL ADVISED THAT COUNCIL SHOULD
TABLE ALL OTHER ITEMS ON THIS AGENDA FOR TONIGHT. THERE IS A
CONCERN THAT ANY VOTE MADE BY COUNCIL MEMBER SANCO MAY BE
UNAUTHORIZED. IT APPEARS SHE MAY HAVE DISQUALIFIED HERSELF
FROM VOTING.**

**EVELYN JONES MOVED TO TABLE ALL ITEMS LISTED ON THE AGENDA;
SECONDED BY COUNCIL MEMBER GREG ABARR. 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

PUBLIC COMMENTS

GENERAL 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.

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.

III. CITY COUNCIL COMMENTS

Notice is hereby given in accordance with Section 551.0415 of the Texas Government Code, the City Council of the City of Arcola may receive reports about items of community interest from City staff and/or a member of the City Council, but no action or possible action shall be taken or discussed concerning the subject of such report, except as provided by Section 551.042 of the Texas Government Code.

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

IV. CONSENT AGENDA

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- A. Consideration of and action on the approval of the minutes of the regular meeting of January 9, 2024. ***Sally Cantu, City Secretary***

V. PUBLIC HEARING: NONE

VI. REGULAR AGENDA ITEMS

- A. Discussion, consideration of and possible actions on streets, updates and other related matters; parking lot, updates and other related matters. ***Mayor Fred A. Burton***
- B. Discussion, consideration of and possible action on the update of the month of December 2023 Bookkeeping Report, Financial Report and other related matters. ***Ruthie Cable, Finance Director.***
- C. Discussion, consideration of and possible action on the update of the month of January 2024 Permit Report and other related matters. ***Lyneshia Garrette, Permits Administrator***
- D. Discussion, consideration of and possible action on the update of the month of January 2024 Police Report, including introduction of the New Chaplain, Reverend Homer Moore and other related matters. ***Chief Arika Carr-Bryant***
- E. Discussion, consideration of and possible action on the 2023 Racial Profiling Report and Annual Arcola Police Department Report and other related matters. ***Chief Arika Carr-Bryant***
- F. Discussion, consideration of and possible action on eligible vehicle maintenance companies to be used by the Arcola Police Department and other related matters. ***Chief Arika Carr-Bryant***
- G. Discussion, consideration of and possible action on the update of the month January 2024

Operator's Report and other related matters. **John Montgomery, Municipal Operations and Consulting, Inc.**

- H. Discussion, consideration of and possible action to suggest replacement board members for Arcola Municipal Management District No. 1 and authorize mayor to sign letter suggesting those members (Jasmine Blackmon and Morgan Elizabeth Mosley).
Debra Mergel, City Attorney
- I. Discussion, consideration of and possible action on the recommendations for board members received from the Arcola Municipal Management District No. 1 (Jon Jones and Donyelle Robinson). **Debra Mergel, City Attorney**
- J. Reconsideration and/or rescission of the following approvals from last City Council meeting on January 9, 2024: **Council Member Evelyn Jones and Council Member Ebony Sanco**
 - 1) Agenda Items V.E. - Plat for Patel Post Road Development in reference to the pumps and ownership, and
 - 2) Agenda Item VI. C. - Contract with Ms. Lamb of Houston Plumbing and Gas

Discussion of Lawsuit.

- K. Discussion, consideration of and possible action on the Final Plat—GLENDALE LAKES SECTION 11, A SUBDIVISION OF 82.272 ACRES OF LAND LOCATED IN THE I & G.N. RAILROAD CO. SURVEY, A—352 FORT BEND COUNTY, TEXAS. 205 LOTS, 5 BLOCKS, 15 RESERVES. **Llarance Turner, Kaluza, Inc.**
- L. Discussion, consideration of and possible action on the Lift Station at City Hall. **Llarance Turner, Kaluza, Inc.**

VII. CONTRACTS AND AGREEMENTS

- A. Discussion, consideration of and possible action on the **JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES** between Fort Bend County and the City of Arcola for a joint May 4, 2024 election. **Sally Cantu, City Secretary**

VIII. ORDINANCES AND RESOLUTIONS

- A. Discussion, consideration of and possible action on **ORDINANCE NO. 2024-02-13; AN ORDINANCE CALLING AND ORDERING A GENERAL ELECTION TO ELECT A MAYOR AND A COUNCIL MEMBER AT-LARGE POSITION 2 AND AT-LARGE COUNCIL MEMBER POSITION 4 ON MAY 4, 2024, AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.**
Sally Cantu, City Secretary
- B. Discussion, consideration of and possible action on **ORDINANCE NO. 2024-02-13A, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS, AMENDING A FEE SCHEDULE FOR FISCAL YEAR 2024/2025.**
Lyneshia Garrette, Permit Administrator

- C. Discussion, consideration of and possible action to approve **ORDINANCE NO. 2024-02-13B**,
SETTING A MINIMUM LOT SIZE FOR NEW RESIDENTIAL DEVELOPMENT.
Mayor Fred A. Burton

IX. **ADJOURNMENT**
Meeting adjourned at 6:18 p.m.