



CITY OF ARCOLA

CITY COUNCIL MINUTES

Arcola City Hall
13222 Highway 6
Arcola, Texas 77583

TUESDAY, MARCH 12, 2024

CITY COUNCIL REGULAR MINUTES

6:00 P.M.

CITY COUNCIL CHAMBER

Mayor Fred A. Burton announced that this meeting will be held in an orderly fashion. If it becomes unruly, order will be kept in the room.

CALL TO ORDER

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

INVOCATION

Mayor Pro-Tem Florence Jackson gave the Invocation.

PLEDGE OF ALLEGIANCE TO FLAG

Council Member Greg Abarr led the Pledge of Allegiance to the Flag

ROLL CALL

Mayor Fred A. Burton and Council Members Evelyn Jones, Greg Abarr, Mayor Pro-Tem Florence Jackson, Ebony Sanco and Rosemary Bigby were present. Also present were City Administrator Dr. Annette Guajardo, Finance Director Ruthie Cable, City Attorney Ms. Debra Mergel, and City Secretary Sally Cantu

I. 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. The City Council heard comments from Veeda Williams, Evelyn Jones, Betty Hall, Dr. Annette Goldberg deferred her 3 minutes to Ronnie Jefferson, and Fred A. Burton.

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.

II. A. Discussion of and Action on adopting Ordinance No. 2024-03-12, An Ordinance declaring Position 5 of the City Council of Arcola, vacant. Mayor Fred A. Burton

Ms. Debra Mergel noted that Texas Government Code, Chapter 22, Aldermanic form of government in Type A General Law Municipality, Section 22.008, Disqualification from office Subsection B: If a member of the governing body changes the members 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.

Council Member Evelyn Jones noted that because Number II. A. is illegal and is out of order. She did not think this meeting should continue and she thinks everyone on this council who is in agreement with her that this is an illegal meeting when you are trying to make a position vacant when the position is not because no district judge has said its vacant. Until that time, that member was still a member of the city council. She also noted that all this stuff is coming up, not because of her residency, but because of her non-compliance with what she should to go along with whatever he said, and she does not anymore. She stated that at this time, she is leaving because the meeting is illegal from this point on.

Council Member Greg Abarr moved to discuss and take action on Ordinance No. 2024-03-12.

At this point, Council Members Evelyn Jones, Ebony Sanco, and Rosemary Bigby left the meeting and no longer has a quorum.

Mayor Fred A. Burton announced that at this time, since the Council decided to walk out of the meeting, the meeting adjourned at 6:27 p.m.

III. A. Discussion of and Action on filling vacancy for Position 5; including Statement of Appointed Officer and Oath of Office. Mayor Fred A. Burton

IV. 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 Greg Abarr, and Council Member Rosemary Bigby

V. 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, Special Meeting January 30, 2024, Regular Meeting February 13, 2024, and Special Meeting February 20, 2024. *Sally Cantu, City Secretary*

VI. PUBLIC HEARING: NONE

VII. REGULAR AGENDA ITEMS

- A. Discussion, consideration of and possible actions on the streets, speed humps, ditches, and relationship with Fort Bend County, and other related matters. **Mayor Fred A. Burton**
- B. Discussion, consideration of and possible action on the update of the month of December 2023 and January 2024 Bookkeeping Report, Financial Report and other related matters. **Ruthie Cable, Finance Director.**
- C. Discussion, consideration of and possible action on the 2023 Racial Profiling Report and other related matters. **Chief Arika Carr-Bryant**
- D. Discussion, consideration of and possible action on the update of the month January 2024 and February 2024 Operator's Report and other related matters. **John Montgomery, Municipal Operations and Consulting, Inc.**
- E. Discussion, consideration of and possible action on the update on the I. & I. Project and other related matters. **John Montgomery, Municipal Operations and Consulting, Inc.**
- F. Discussion, consideration of and possible action to suggest replacement board members for the Arcola Municipal Management District No. 1 and authorize the Mayor to sign a letter suggesting those members (Jasmine Blackmon and Morgan Elizabeth Mosley). **Debra Mergel, City Attorney**
- G. Discussion, consideration of and possible action on the report from Council Member Evelyn Jones on the list of names, addresses, and signatures regarding permits given by Mayor Fred A. Burton. **Mayor Fred A. Burton**
- H. 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**
- I. Discussion, consideration of and possible action to approve a Sanitary Sewer Easement granted to the City of Arcola, related to the sale of property to TxDOT, and authorize the Mayor to sign and the City Secretary to record in the Fort Bend County Official Public Records and other related matters. **Llarance Turner, Kaluza, Inc.**
- J. 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.**
- K. Discussion, consideration of and possible action on the Preliminary Plat—MBBT521, A SUBDIVISION OF 2.00 ACRES OF LAND LOCATED IN THE DAVID FITZGERALD LEAGUE, ABSTRACT 26, CITY OF ARCOLA, FORT BEND COUNTY, TEXAS. 1 BLOCK, 1 RESERVE. **Llarance Turner, Kaluza, Inc.**
- L. Discussion, consideration of and possible action on the update of the Lift Station located at Arcola City Hall. **Llarance Turner, Kaluza, Inc.**

VIII. CONTRACTS AND AGREEMENTS

- A. Discussion, consideration of and possible action on the approval of a Contract in the amount of \$384,322.50 with Express Heavy Machinery for Bid ITB# COA-002 Construction of Proposal Parking Lot with the City of Arcola. *Llarance Turner, Kaluza, Inc.*

IX. ORDINANCES AND RESOLUTIONS

- A. Discussion, consideration of and possible action to approve **RESOLUTION NO. 03-12-2024, A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF ARCOLA AUTHORIZING THE ADOPTION OF THE 2024 FORT BEND COUNTY HAZARD MITIGATION ACTION PLAN UPDATE**, and other related matters.
Mayor Fred A. Burton

X. ADJOURNMENT