



CITY OF ARCOLA

CITY COUNCIL MINUTES

Arcola City Hall
13222 Highway 6
Arcola, Texas 77583

TUESDAY, APRIL 09, 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

Mayor Pro-Tem Florence Jackson gave the Invocation

PLEDGE OF ALLEGIANCE TO FLAG

Council Member Greg Abarr led the Pledge of Allegiance

ROLL CALL

Mayor Fred A. Burton and Council Member Evelyn Jones, Council Member Greg Abarr, Mayor Pro-Tem Florence Jackson, and Council Member Rosemary Bigby were present. Council Member Rosemary Bigby arrived at 6:05 p.m. Also present were City Attorneys Debra Mergel and Grady Randle, Finance Director Ruthie Cable and City Secretary Sally Cantu. City Administrator Dr. Annette Goldberg was absent.

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.

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. 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, Council Member Ebony Sanco and Council Member Rosemary Bigby

III. 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, Special Meeting February 20, 2024, Regular Meeting March 12, 2024 and Special Meeting March 26, 2024.
Sally Cantu, City Secretary

IV. REGULAR AGENDA ITEMS

- A. Discussion, consideration of and possible action on the year-to-date including; the months of December 2023, January 2024 and February 2024 Bookkeeping Reports, Financial Reports and other related matters. *Ruthie Cable, Finance Director.*
- B. Discussion, consideration of and possible action on the 2023 Racial Profiling Report and other related matters. *Arika Carr-Bryant, Police Chief*
- C. Discussion, consideration of and possible action on the approval of GILLEN Pest Control, Inc., including proposal to fog for mosquitos for the amount of \$170.00 per fog from April to December 2024, including contracts, and other related matters. *Mayor Fred A. Burton*
- D. 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
- E. 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). *Mayor Fred A. Burton*
- F. 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*

- G. Discussion, consideration of and possible action on the update of the month January 2024, February 2024, March 2024 Operator's Report and other related matters. *John Montgomery, Municipal Operations and Consulting, Inc.*
- H. 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.*
- I. 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.*
- J. 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.*
- K. Discussion, consideration of and possible action on the **CHARLESTON HEIGHTS SECTION 2 AMENDING PLAT NO. 1** A SUBDIVISION OF 3.224 ACRES OF LAND LOCATED IN THE MANUEL ESCALERA SURVEY, ABSTRACT 170 FORT BEND COUNTY, TEXAS BEING AN AMENDING PLAT OF CHARLESTON HEIGHTS SECTION 2, ACCORDING TO THE PLAT THEREOF RECORDED UNDER PLAT NO. 20200239 OF THE PLAT RECORDS OF FORT BEND COUNTY, TEXAS REASON FOR AMENDING PLAT: TO CORRECT SCRIVENERS ERROR OMITTING THE MINIMUM FINISHED FLOOR ELEVATION FOR BLOCK 1. *Llarance Turner, Kaluza, Inc.*
- L. Discussion, consideration of and possible action on the **PRELIMINARY PLAT IN THE ETJ – FENN PLATINUM GROUP, LLC**, A SUBDIVISION OF 4.239 ACRES (184,637 SQUARE FEET) OF LAND LOCATED IN M. ESCALERO SURVEY, A-170 CITY OF ARCOLA, FORT BEND COUNTY, TEXAS. 1 BLOCK, 1 RESERVE. *Llarance Turner, Kaluza, Inc.*
- M. Discussion, consideration of and possible action on the update of the Lift Station located at Arcola City Hall. *Llarance Turner, Kaluza, Inc.*
- N. Discussion, consideration of and possible action on the **FINAL PLAT OF PATEL POST ROAD DEVELOPMENT** A SUBDIVISION OF 17.8430 ACRES BEING A REPLAT OF PART OF LOT 42 AND 43 AND ALL OF LOTS 44, 45, AND 46, EACH IN NEW YORK AND TEXAS LAND COMPANY LIMITED DIVISION, A SUBDIVISION IN FORT BEND COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEROF FILED FOR RECORD IN VOL. 26, PAGE 596 OF THE FORT BEND COUNTY DEED RECORDS, SITUATED IN THE MANUEL ESCALERA SURVEY, A-170 FORT BEND COUNTY, TEXAS 70 LOTS, 2 RESERVES 2 BLOCKS FEBRUARY 1, 2024. *H.H. Doshi, Doshi Engineering & Surveying Company*

V. ORDINANCES AND RESOLUTIONS

- A. Discussion, consideration of and possible action on **CITY OF ARCOLA ORDINANCE NO. 2024-04-09** AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS, ADOPTING A MINIMUM LOT SIZE FOR NEW RESIDENTIAL DEVELOPMENT, PROVIDING FOR REPEAL, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE. *Mayor Fred A. Burton*
- B. Discussion, consideration of and possible action to approve **RESOLUTION NO. 04-09-2024, A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF ARCOLA MITIGATION ACTION PLAN UPDATE**, and other related matters. *Mayor Fred A. Burton*

VI. 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.*

VII. CLOSED EXECUTIVE SESSION

Closed Executive Session as authorized by Chapter 551, Texas Government Code, in accordance with:

Section 551.074 Personnel Matters

- A. Regarding the future of Mr. Grady Randle, City Attorney, with the City of Arcola. *Council Member Rosemary Bigby and Council Member Evelyn Jones*
- B. Regarding the future of Dr. Annette Guajardo, City Administrator, with the City of Arcola. *Council Member Rosemary Bigby and Council Member Evelyn Jones*

Section 551.071 Attorney Consultation

- A. Status of the lawsuit against the City of Arcola – Fort Bend County and Arcola Municipal Management District vs. City of Arcola, Texas. **Cause No. 23-DCV-309121.** *Council Member Rosemary Bigby and Council Member Evelyn Jones*

VIII. COUNCIL ADJOURNS CLOSED EXECUTIVE SESSION AND RECONVENE

- A. Possible action resulting from the Closed Executive Session. *Mayor Fred A. Burton*

IV. DISCUSSION, RECONSIDERATION AND/OR RESCISSION

- A. Discussion, consideration of and possible action on the Annexation of the portion of land on Fenn Road which is currently not contiguous to the proposed Broussard Bend Subdivision. *Council Member Rosemary Bigby and Council Member Evelyn Jones*

B. Reconsideration and/or rescission of the following approvals from the last City Council meeting on January 9, 2024:

- i.* Agenda Item V. E. - Plat for Patel Post Road Development in reference to the pumps and ownership. ***Council Member Rosemary Bigby and Council Member Evelyn Jones***
- ii.* Agenda Item VI. C - Contract with Ms. Lamb of Houston Plumbing and Gas. ***Council Member Rosemary Bigby and Council Member Evelyn Jones***

X. ADJOURNMENT