

MINUTES OF A SPECIAL MEETING
OF THE CITY COUNCIL OF STAFFORD, TEXAS HELD
BY TELECONFERENCE, GOTOMEETING AUDIO/VIDEO
IN SAID CITY ON WEDNESDAY, OCTOBER 6, 2021

On the 6th day of October 2021, at 7:00 p.m., the City Council of Stafford, Texas met in Special session in the City Council Chambers, in person and GoToMeeting Audio/Video in said City. Mayor Willis called the meeting to order. The following members of the Council were present: Councilmembers Mayor Cecil Willis; Mayor Pro Tem Ken Mathew, Councilmembers Wen Guerra, Virginia Rosas, Don Jones, Alice Chen and Xavier Herrera. Absent: None. The following City staff were present: Richard Ramirez (Chief of Police), Alka Shah, (Finance Director), Nicola Browe (Acting City Secretary); and Art Pertile (Olson & Olson, LLP).

NOTE: Items appearing in these minutes are in the order they were discussed, not necessarily in the order they appeared on the agenda.

1. CALL TO ORDER
2. Executive session as authorized by Chapter 551, Texas Government Code, Section 551.071(1)(A), pending or contemplated litigation; Section 551.071(2), authorized under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, 551.076, deliberation regarding security devices or security audits.

3. PLEDGE OF ALLEGIANCE

4. Council Reports.

Mayor and Council provided the citizens with announcements of events within the city.

5. Public comments on items on the agenda.
6. (a) Approval of Resolution of the City of Stafford, Texas selecting Dealer Broker Services for the city.

Ms. Alka Shah provided City Council with an introduction to Carol MacKoff of Multi Bank Securities and Mr. Buddy Saragusa FHN Financial, two of the three brokers selected by the Finance Committee to provided broker dealer services for the City.

Ms. Mackoff and Mr. Saragusa provided a presentation on their experience in the

industry and how they conduct their investments for their clients.

Mayor Pro Tem Mathew was most concerned that the city would lose money if there was a market crash.

Both Mr. Saragusa and Ms. Mackoff assured Mayor Pro Tem, that they are not investing in the stock market therefore, that was not an issue.

Mayor Pro Tem Mathew asserted that he is very nervous about investing the money from the City and asked each party to assure us that they will not lose a single penny of the City's money.

Ms. Shah, Mr. Saragusa and Ms. Mackoff again maintained they would not lose money for the City as Alka is investing monies to maturity. In doing that, no money is lost but instead gained.

Mayor Willis invited members of the public to address city council on this item. No members of the public addressed city council.

(b) Mayor Pro Tem Mathew made a motion to approve the recommendations of the Finance Committee for the Broker Dealers as presented. Councilmember Chen duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Mathew, and Councilmembers Guerra, Rosas, Jones, Chen and Herrera voted "yes"; none against. Mayor Willis announced the result of the vote (7-0) and declared the motion approved.

7. (a) Consent Agenda (Items i-iv). Any item tagged will be discussed and considered at the conclusion of this item or at the next regular City Council Meeting; any item approved will include payment of expenses.
 - i. Approval of Ryan Young, IT Director request to purchase equipment required to upgrade 3 Dell Power Vault NX3200 Network Storage devices in the amount of \$33,426.43
 - ii. Approval of Nicola Browe, Acting City Secretary request to purchase records retention and destruction services to be in compliance with TSLAC records retention schedule in the amount not to exceed \$15,000.00.
 - iii. Approval of refunds or transfer of fees for canceled events at the Stafford Centre as requested by clients or required by the City due to COVID-19, totaling \$5,750.00.
 - iv. Approval of Richard Ramirez, Police Chief request for training and all related expenses for employees in the Police Department in the amount of \$625.00.

Mayor Willis invited members of the public to address city council on this item. No members of the public addressed city council.

(b) Councilmember Guerra made a motion to approve the consent agenda as presented. Councilmember Chen duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Mathew, and Councilmembers Guerra, Rosas, Jones, Chen and Herrera voted “yes”; none against. Mayor Willis announced the result of the vote (7-0) and declared the motion approved.

8. (a) Discussion of Resolution of the City of Stafford, Texas to extend the agreement with Green for Life (previously WCA) for the collection of solid waste collection and disposal services within the City of Stafford for one year.

Mr. Emilio and Ms. Haboush from GLF provided the City with a presentation on their current contract, their success rates and any resolutions to minor issues since they came in as GLF. They went on to assure the city and the residents, that it is just a new company name, still offering the same service, the same routes, with the same crews.

Councilmember Herrera asked Mayor Willis, if it was possible for him to give a brief recap to how we got to today.

Mayor Willis provided an overview and summary of the current contract which was a three-year contract with 3, one-year extensions. The original contract was with WCA, the first-year extension is now up, and if we agree to the next year there will be one more extension available under the current contract.

Councilmember Herrera confirmed that if his thoughts were correct and we went out for RFP to seek another contractor, then there was a potential for a gap in service.

Councilmember Jones stated that theoretically at any point the city can if they chose to consider their options and make a move to a different vendor. He stated that to honor a healthy process he would definitely want to consider that approach.

Councilmember Guerra stated that he has been through several of these processes, and it seems to him the city is at a juncture, and it seems a new company bought out another company with a substandard contract, and he is not happy with all the extensions. He also noted that he had so many complaints all the time about the service, with trash cans be left in middle of driveway, or dumped and trash that failed to land in the truck was not cleaned up.

Councilmember Chen stated that she personally is very pleased with the service and she has not been called by residents with complaints, they even pick up on holidays. She then went on to turn her focus to the financials and specifically the

CPI being used to calculate the charges to the city and residents. Councilmember Chen urged GFL to look at the CPI and seek to lower it, if possible, to save the city money.

Councilmember Jones spoke to the representatives of GFL and suggested that they are basing their 99.9% success rate (in the presentation) off of WCA the previous company's contract and track record. He hoped they would seek to gain ideas of their own as a new company they are as yet unproven, lowering the rate is one thing and he would consider it but felt considering going out for proposals is best and GFL can come in with the best rate then based on the favorable CPI.

Mayor Pro Tem referred to the November 10, 2020, renewal letter from WCA that kept the rate the same from 2019 and asked if they could do the same again.

Councilmember Rosas stated that to achieve a 99.9% success rate in this industry is unusual, but she is thrilled as it means that both the residents and the businesses are receiving optimum service. Ms. Rosas continued by saying that she has been happy with the way things have worked so far and doesn't see the harm in doing another one-year extension, especially in light of the so few complaints with the number of residents they serve.

Mr. Emilio of GLF explained that the service had not suffered and as from a contract standpoint the CPI was the driving force behind the increases.

Mayor Willis stated that to go out for bid in the current market, would inevitably deliver a price increase, and with regards to complaints, things can only be done if the complaints are brought to attention of the right people. If you receive a complaint its important you pass it along.

Mayor Pro Tem Mathew stated that he has the GLF employees, and they are extremely hard-working people who run to do their job. No issues and no complaints in his neighborhood, and to that point at holidays his neighbors run after them to give them gifts of food.

Councilmember Jones stated that it was not his job to provide an evaluation or negotiate the here and now however, by design of this contract it clearly gives a window of opportunity. After an excruciating budget to make sure we do right by our community we need to see what GFL plans are.

Councilmember Herrera asked if this contract expires as of December 31, 2021, and of course we are now in October and we go out to RFP process can staff tell us what timeline we are looking at, as he does not want to mess with people's trash, this is a true recipe for upset.

Ms. Browe, Acting City Secretary responded that for the Administration, once staff have the RFP worked up, and it has gone through legal she would need a week lead to advertise in the paper, and two week advertisement, then receive, tabulate bids, then bring back to City Council to make the award, that there is at least a month and a half, add the complications of holidays in these timelines, in her opinion it may be a tight timeline to achieve by December 31, 2021.

Councilmember Jones asked if it was possible to do, legal to do?

Ms. Katie Rutherford, Legal Counsel advised that yes legally it could.

Councilmember Jones responded that he is not happy that people are interjecting fear with “don’t mess with people’s trash” but he is being realistic and seeking understanding.

Councilmember Herrera agreed to disagree and stated that he is being very realistic and making sure that the city doesn’t drop the ball, as we have other obligations to take care of at the same time, and we do have a fiduciary responsibility to make sure if we change services that there will not be an interruption in service.

Mayor Willis stated that it is important to note that we have started this discussion and process earlier this year to insure there is not a disruption.

Mayor Willis invited members of the public to address city council on this item.

Mr. Chris Forte -Kingsway subdivision

Mr. Forte explained that back in 2017 there as a temporary vendor who over performed and then WCA took over temporary control in 2018. The contract was for three years, last year was during the elections and therefore this was timely for th city to extend for one year, that means this is in fact the 2nd extension.

The temporary hauler billed the city at \$400,000.00 per year, however the current contract is at \$630,000.00 per year. I urge you to look at the bid process, give the residents the opportunity along with staff and council, what about offering recycle services, bulk pick up. There used to be a Citywide Pride clean up, that didn’t take place last year but in previous years he himself came and donated by giving back to the community. Mr. Forte then said as for the RFP it’s a template, its generic only a cut and paste needed, not like Ms. Browe stated no legal.

Robin Hale, General Manager of Sugar Creek HOA.

Ms. Hale stated that she has the unique opportunity to witness two sets of contractors for residential solid waste, b\being that the HOA covers both Stafford and Sugarland. She has no problems or complaints about WCA\GLF.

AJ Honoré 162 Kingsway

Mr. Honoré stated that he encourages the city to think why they shouldn't go out for RFP. It is a way to be fair and transparent in selecting a suitable service provider. He further added that the last contract was not a competitive process, and the other two vendors were disqualified, the result was that the residents ended up paying \$300,000. more.

Mr. Honoré addressed the GLF 99.9% success rate and suggested that this is not a complete survey and questions its validity, as there has been numerous calls to city hall and to several councilmembers.

Mary Ann Smith – Stafford Run Subdivision.

Ms. Smith stated that within the last year the service has gotten much better.

Mayor Willis pointed out that he would like to set the record straight, to avoid any confusion that three years ago the city entered into a contract with WCA for 3 years with a clause for 3 one-year extensions. It was heard, it was approved. It is extended by mutual agreement. And it is a FACT that there are a few things as a government you should not mess with a person's mail, and their trash service.

(b) Councilmember Rosas made a motion to approve the one-year extension with GLF. Councilmember Herrera duly seconded the motion.

Councilmember Jones led a discussion on Councilmember Rosas motion and stated he would like to make an amendment to her motion. Councilmember Jones made a motion to go out for RFP for the City's Waste Disposal contract. Councilmember Guerra duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Pro Tem Mathew, Councilmember Guerra and Jones voted "yes", and Mayor Willis, Councilmembers Rosas, Chen and Herrera voted against. Mayor Willis announced the result of the vote (3-4) and declared the motion failed.

Councilmember Chen asked legal counsel to make an amended motion herself. She spoke to Mr. Emilio and asked if he would consider reducing the CPI from 5.3 to 4.8.

Mr. Emilio agreed with Ms. Chen.

Councilmember Chen made a motion to approve the extension of the contract with Green for Life for one year at the reduced CPI rate of 4.8. Mayor Pro Tem Mathew duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Mathew and Councilmembers Rosas, Chen and Herrera voted "yes" with Councilmembers Guerra and Jones against. Mayor Willis announced the result of the vote (5-2) and declared the motion approved.

Councilmember Rosas then announced she withdrew her motion, which was the primary motion.

9. (a) Discussion on a request from “The Devils in The Details” events to place a temporary Large Cancer Strikethrough at a location(s) within the City for Cancer Awareness.

Council discussed the importance of bringing awareness to the general public of such a cruel disease.

Mayor Willis invited members of the public to address city council on this item. No members of the public addressed City Council.

Councilmember Herrera made a motion to approve the Cancer Strikethrough request as presented. Mayor Pro Tem Mathew duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Mathew and Councilmembers Guerra, Rosas, Jones, Chen and Herrera voted “yes” none against. Mayor Willis announced the result of the vote (7-0) and declared the motion approved.

- (b) Discussion on a request from “Asians Against Domestic Abuse” to place flags on the East End of the Island by the monument to create awareness to the abuse women of various ethnic backgrounds endure.

Council listened to the presentation from the groups representatives and learned about the domestic abuse suffered in silence by the Asian Community. Due to cultural background many women would not disclose they are victims of abuse, however the intent of this group is to bring awareness that these victims are not alone and that they can reach out to other without fear of retribution from their community.

Mayor Willis invited members of the public to address City Council on this item.

Richard Ramirez, resident and chief of Police for City of Stafford – stated that Domestic Violence is the most under reported offense. Staff and Officers undergo hours and hours of training to assist victims of abuse, but also those who have a cultural difference than others.

Council expressed their gratitude to providing awareness to domestic violence as it is all too common and people need to know that if they know of someone or are victims themselves, they can come forward and seek help.

Councilmember Herrera made a motion to approve the event and placement of butterflies at the east end of the Island on Saturday at 10:00 Am as presented. Councilmember Chen duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Mathew and Councilmembers Guerra, Rosas,

Jones, Chen and Herrera voted “yes” none against. Mayor Willis announced the result of the vote (7-0) and declared the motion approved.

10. Presentation by Acting City Secretary on November 2, 2021, General Election.

Ms. Browe, Acting City Secretary provided City Council with updated information for early voting for the upcoming November General Election. She advised that for this election only, Stafford City Hall is for election day only. Early voting is being served by several other locations as the Fort Bend County Elections Administrator has advised.

Councilmember Herrera exited the meeting.

11. (a) Consideration of Accounts Payable Statement.

Mayor Willis invited members of the public to address city council on this item. No members of the public addressed City Council.

(b) Councilmember Rosas made a motion to approve the Accounts Payable Statements as presented. Councilmember Chen duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Mathew and Councilmembers Guerra, Rosas, Jones, and Chen voted “yes”; none against. Mayor Willis announced the result of the vote (6-0) and declared the motion approved. Councilmember Herrera was absent from the meeting.

12. (a) Approval of the Special City Council meeting minutes of September 22, 2021.

Councilmember Chen made a motion to approve the minutes for the September 22nd with corrections as previously discussed with City Secretary office. Mayor Pro Tem Mathew duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Mathew, and Councilmembers Guerra, Rosas, Jones, and Chen voted “yes”; none against. Mayor Willis announced the result of the vote (6-0) and declared the motion approved. Councilmember Herrera was absent from the meeting.

13. Adjournment.

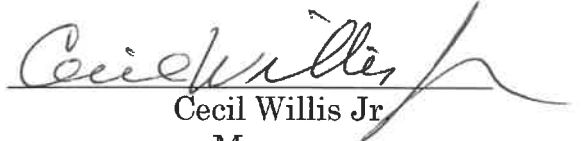
Councilmember Rosas made a motion to adjourn. Councilmember Chen duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Mathew, and Councilmembers Guerra, Rosas, Jones, and Chen voted “yes”; none against. Mayor Willis announced the result of the vote (6-0) and declared the motion approved. Councilmember Herrera was absent from the meeting.

THE MEETING ADJOURNED AT 9:29 PM.

ATTEST:



Nicola Browe
Assistant City Secretary



Cecil Willis Jr
Mayor