

MINUTES OF REGULAR CITY COUNCIL MEETING
Wednesday, March 16, 2022, at 6:30 p.m.
City Hall, Council Chambers
2610 South Main St., Stafford, TX 77477

On March 16, 2022, at 6:30 p.m., the City Council of Stafford, Texas met in said City.

1. Call to Order.

Mayor Willis called the meeting to order at 6:30 p.m., with the following in attendance: Mayor Cecil Willis, and Councilmembers Alice Chen, Wen Guerra, Xavier Herrera, Don Jones, and Virginia Rosas. Absent: Mayor Pro Tem Ken Mathew. Others present: Camille Scott, Director Multi Media; Brandon Davis, Olson & Olson, LLP; Tatyana Luttschlager, City Planner; Richard Jones; David Russell, Vice President of External Affairs for Frontier Communications; Andy Crenshaw, Sr. Manager of Construction for South Texas.

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. Professional Conduct of the State Bar of Texas, Section 551.074 (1), to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Mayor Willis called the meeting back to order at 7:00 p.m.

3. Pledge of Allegiances.

Councilmember Jones led the Pledge to the American Flag and Councilmember Rosas to the Texas Flag.

4. Consideration of appropriate action on items discussed in Executive Session.

No action was taken.

5. Council Reports: The Mayor and Council may make announcements of community interest on the following items:

- (1) expressions of thanks, congratulations, or condolences.
- (2) information regarding holiday schedules.
- (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision.
- (4) a reminder about an upcoming event organized or sponsored by the governing body.

- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that have arisen after the posting of the agenda.

Mayor Willis introduced Brandon Davis, representing Olson & Olson. He also introduced Camille Scott, the new Director of Multi Media. Ms. Scott gave a brief statement on her previous job with KHOU and her own communications firm. She is honored to be in this position and looks forward to working with everyone in the future.

At the conclusion of the Council Reports, Mayor Willis will ask everyone to stand for a moment in support of Ukraine.

Councilmember Rosas announced that the American Caribbean Chamber of Commerce held International Women's Day on Sunday, and Stafford's own Mary Ann Smith was recognized as a phenomenal woman for her service to the community. Councilmember Rosas accepted the award in Ms. Smith's absence.

Councilmember Guerra announced that the Houston Livestock Show is at its end and reminded everyone that it supports Texas children's education. Also, he said that Mr. Rudolph Castillo, cabinet maker, passed away.

Councilmember Chen talked about the Young Ambassadors of American Foundation event taking place during spring break. The high school students are raising funds for the people of Ukraine, especially the children. She urged citizens to watch out for the children who are on break March 14-18.

Councilmember Herrera congratulated Tricia Soza Montelongo on her candidacy for SMSD Trustee. He also recognized Alicia Lacy Castille, SMSD Board secretary, on her retirement.

Councilmember Jones recognized and thanked Police Chief Ramirez and Lt. Joe Williams for arranging for him to ride along. It was an honor and a privilege.

A moment of silence followed to remember Mr. Castillo.

Everyone stood in support of Ukraine. Mayor Willis commented that we stand against tyranny and aggression anywhere on this planet.

6. Public comments on items on the agenda.

There were no public comments.

7. (a) Presentation by Frontier Communications regarding activities in the City of Stafford.

Mr. David Russell, Vice President of External Affairs for Frontier Communications spoke about the investment they are making in Stafford. He introduced Andy Crenshaw, Sr. Manager of Construction for South Texas. They have been building a fiber optic network in Stafford since last year – more than half of it completed last year and the remainder to be completed the latter part of 2022. They will extend fiber optic cables from the local switching centers directly to customers' homes and businesses. High intensity lasers will be used to send communications over different wave lengths of light. This network will not replace the existing copper network. The new network will provide broadband speeds ranging from 50 megabytes per second to 2 gigabytes per second, with the potential for faster speeds in the future. A graphic showed how fiber will reach customers. The network will be extended to homes and businesses that subscribe to the service. Two important points: (1) The network is 100% home run fiber all the way to homes. It is not shared. (2) Their network is symmetrical. If you sign up for 500 megabytes, you get that for both downloads and uploads. Mr. Russell believes this network will attract young professionals to Stafford.

The need for this type of network makes more sense since more people are working remotely.

They are working with Public Works to get the needed permits. They are doing aerial and buried facilities. Mr. Russell explained the process for a buried facility, which could require traffic control because of the equipment used, and the process for the aerial facility, which does not cause much disruption. Photos were shown of the aerial and buried facilities, and other photos showed how the cable is connected to the home.

Mayor Willis asked in what area Phase I was completed. Mr. Russell responded that the southern part of the City is pretty much completed. Work on the northern part will be conducted during May through December.

Councilmember Rosas stated that she received complaints about cable boxes remaining open without security, terminals not buried right away, no notices on doors, and no number to call. Mr. Russell replied that he became aware of the problems and terminated the contract with that vendor. A different vendor will complete the project. Mr. Crenshaw said that it takes about a day or two to get the machine in the ground, get the stem in the ground, pull the sub duct through, and pull it back out the same day. They may dig the handheld, and there should be netting around it.

Councilmember Jones asked if the end product will be aesthetically pleasing. Mr. Russell responded that the property will look as good as it looked when they

started. They take photos and videos of the property to protect themselves from a liability.

Councilmember Guerra commented that Frontier has been here before, and customers were not happy. He is not happy with Frontier, Xfinity, Comcast, or any other. He described a fall caused by an exposed cable. Mr. Russell said he is always disappointed to learn that a customer is not happy. Safety is a big issue for them. The new vendor will be attentive. If not, he wants to know about it. If necessary, he can come back or put information on the news channel in order to communicate with residents. He added that there are Wifi extenders to deal with dead zones. He pointed out that the fiber optic and data coming into the home are not affected by electronics or weather. Wifi is not wired technology and is subject to interference they can't control.

Councilmember Chen said that Frontier has solved her problems. She added that communication with the residents is important, and customer service is critical. Mr. Russell stated that they don't make their schedule public because it is a competitive business and explained. He is happy to work with the City on getting information out.

Councilmember Herrera asked about the turnaround time to restore services in case of a disaster, the difference between aerial and buried facilities, and how many of each. Mr. Crenshaw responded 80 percent underground and 20 percent aerial. Mr. Russell replied that the turnaround time varies depending on what happens. Batteries in the central switching offices power the network when commercial power goes out. Underground service can still be functional. If the aerials are destroyed, that breaks the connection. It depends on the power of the storm or if poles are down, which would require other companies or crews to help restore service. Portable cell towers, powered by generators, can be brought in so cell service can be running within 24 hours.

Richard Jones does not see any issues arising in Phase II, now that there is a new vendor.

There were no public comments.

(b) Consideration of appropriate action on item (a).

No action was taken.

Councilmember Jones made a motion to move to item 10. Councilmember Rosas seconded the motion, and it carried 6-0

8. (a) Discussion of an Ordinance of the City of Stafford, Texas amending Chapter 102 of the Code of Ordinances of the City, the same being the Comprehensive Zoning Ordinance, by granting a Specific Use Permit to Western Properties LLC

as the owner, and Noopura School of Dance as the lessee for the operation of a studio for photography, dance, music, art located at 435 FM 1092, Suite G, Stafford, Texas 77477 in the Primary Corridor (PC) Zoning District, and further identified as being a portion of a tract or parcel containing 8.65 acres of land out of the P. G. Cangelosi 19.1 acre tract as recorded in Volume 408, Page 497 of the deed records in the William Neal Survey, Abstract 64, Fort Bend County, Texas; providing requirements and conditions for this Specific Use Permit; providing for severability; and providing a penalty in an amount not to exceed two thousand dollars for violation of any provision hereof.

Ms. Luttlenschlager said that the area is zoned Primary Corridor, and dance schools were not allowed even with a Specific Use Permit. Recently, the Ordinance was changed in regard to non-conforming uses. If we had a pre-existing non-conforming use and they were going to change owner or tenant, they would be allowed to come back in with a new owner or tenant under the condition that they obtain a Specific Use Permit. The Specific Use Permit is very specific. The condition established in that Ordinance is that they bring the whole site up to current standards. Future land use here is Mixed Use. That is very broad but allows for a variety of uses. Ms. Luttlenschlager thinks a dance school in a retail space like this is appropriate. It was a dance school before and again will be a dance school for 9-12 students, 2-3 times a week. The suite is 900 square feet. Parking will not be a problem.

An on-site visit was conducted. Ms. Luttlenschlager listed the deficiencies: junk vehicles on site, parking surface and dumpster enclosures are non-compliant, removal of structure, IPMC standards, no landscaping. This does not include anything the Fire Marshal's office might ask at the time of occupancy. The owner of the building is responsible for resolving all issues. No Certificate of Occupancy will be provided until the site is brought up to code. Planning and Zoning has recommended the owner be given 180 days to bring the site up to code.

Councilmember Rosas said there are landlords who are not maintaining their properties and asked what the City can do to keep these situations from happening. Ms. Luttlenschlager's response was to have more people on the ground and to make contact with owners on a regular basis.

Mayor Willis suggested that staff meet with Legal Counsel to prepare a letter regarding violations/compliance to send to the various centers' landlords. Discussion followed. Councilmember Herrera asked how we can protect tenants, as well as the reputation and persona of Stafford. At a later date, Ms. Luttlenschlager would like to look at ways to communicate with landowners. It would be helpful to put out information about the processes beforehand. Mayor Willis again suggested working with Legal Counsel and also posting notices on the website and social media.

(b) Public Hearing on Ordinance as described in (a).

Mayor Willis opened the Public Hearing at 8:54 p.m. Mayor Willis closed the Public Hearing at 8:55 p.m.

(c) Discussion of comments made during Public Hearing.

There were no comments.

(d) Consideration of appropriate action on items (a)-(c).

Councilmember Rosas made a motion to approve the Ordinance as described in 8.(a), as presented, subject to the conditions in the City Planner's memo to Council dated March 16, 2022, and Planning and Zoning's recommendation by applying Section 102-102-6 that the SUP shall automatically expire if a building permit is not issued and construction begun within 180 days of the granting of the SUP; the use has not begun operation (if no construction is required) within 180 days of the granting of the SUP. Councilman Guerra seconded the motion, and it carried 6 – 0 with all Councilmembers present voting in favor.

9. (a) Discussion of an Ordinance of the City of Stafford, Texas, amending Chapter 102 of the Code of Ordinances of the City, the same being the Comprehensive Zoning Ordinance, by granting a Specific Use Permit to Classic Collision LLC as the owner for the operation of a paint and body shop located at 4121 S. Main St., Stafford, Texas 77477 in the Primary Corridor (PC) Zoning District, and further identified as approximately one (1) acre tract or parcel of land, lot twenty-two (22) out of Stafford Oaks Subdivision, according to the map of plat thereof recorded in Volume 255, Page 484 of the Deed Records of Fort Bend County, Texas; providing requirements and conditions for this Specific Use Permit; providing a penalty in an amount not to exceed two thousand dollars for violation of any provision hereof.

Ms. Luttlenschlager gave background information on the owner and the property. The business has operated as a paint and body shop, and an interested buyer will keep it the same. If the interested buyer chooses to purchase it, he will have to go before the Board of Zoning Adjustment in order for the property to be amortized. A few years ago, the facade was updated in order to meet the development standards that is established for paint and body shops. The future land use designation for that area is Commercial and includes light industrial use.

An on-site visit was conducted. Ms. Luttlenschlager recommends replacing the fence, adding proper landscaping, resurfacing back parking lot to all-weather, installing screening, meeting IPMC standards, and not having cars parked in the front. The owner and interested buyer are willing to make the changes. Planning and Zoning has approved the Specific Use Permit with the conditions listed.

Councilmember Rosas thinks that setting the 180-day rule is a good standard. Mayor Willis stated that the back parking lot will require engineering. Per Ms. Luttenschlager, there will not be another fee if an extension is requested. Councilmember Guerra expressed concerns about this type of business considering any future development around it. Councilmember Rosas commented that we should not abandon the people that have contributed so much to the community for many years. Ms. Luttenschlager added that the future land use map has established that corridor for commercial uses. This is a sales-tax generating business.

(b) Public Hearing on Ordinance as described in (a).

Mayor Willis called the Public Hearing to order at 9:17 p.m. Mayor Willis closed the Public Hearing at 9:17 p.m.

(c) Discussion of comments made during Public Hearing.

There were no comments.

(d) Consideration of appropriate action on items (a)-(c).

Councilmember Jones made a motion to approve the Ordinance as described in Item 9.(a), as presented and as recommended by Planning and Zoning Commission, subject to the conditions in the City Planner's memo to City Council dated March 13, 2022. Councilmember Rosas seconded the motion, and it carried 6 – 0 with all Councilmembers present voting in favor. Councilmember Guerra said he is voting in favor with reservations that this may trickle down and affect the future development of the Island area.

10. (a) Discussion of an Ordinance of the City of Stafford, Texas, amending Chapter 102 of the Code of Ordinances of the City, the same being the Comprehensive Zoning Ordinance; amending the Official Zoning District Map to rezone one approximately 5.9400 acre tract from Mixed Use District (MU) to Planned Development District (PD) to be known as "Retreat at Stafford"; establishing development standards; providing a penalty in an amount not to exceed \$2,000 for each day of violation of any provision hereof; repealing all Ordinances or parts of Ordinances in conflict herewith; providing for severability; providing an effective date.

Ms. Luttenschlager noted that this rezoning is at 610 Brand Lane. The existing zoning for this property is Mixed Use which allows for single-family residential. The purpose of this rezoning is to allow for smaller lots. The proposed use is single-family residential, both attached and detached. The future land use map designates this for medium density residential which includes town homes and attached houses. This rezoning fits in line with the future land use map.

What is being changed from the Zoning Ordinance? It will be a 38 by 70 allowed. Ms. Luttschlager talked about the setbacks, and the schematics that were shown compared the traditional setbacks and the zero lot lines. The homes will be on private streets with a common space, club house, and amenities. Everything is preliminary at this time. There will be landscape standards in order to protect from the industrial uses. Planning and Zoning requires a minimum of two enclosed parking spaces.

The recommended conditions for approval include a separate landscape plan, that the plat and construction plans be submitted at the same time, and that HOA documents be submitted and approved at the time of platting.

Discussion followed on overflow parking and police and fire requirements. Garages were also discussed.

The applicants and representatives of Page-Dawson Engineers gave some background history. Pate-Dawson's engineering team will work with the City on standards. Discussion followed regarding HOA.

Councilmembers Guerra and Chen are glad to see this new development. Councilmember Rosas asked if these homes are for young professionals or for folks just starting out. The applicants stated that the price point they are looking at is \$300,000+ - \$200 to \$225 a square foot. They will cater to the crowd that the development attracts. The homes will have options such as outlets for charging electric vehicles.

(b) Public Hearing on Ordinance as described in (a).

Mayor Willis called the Public Hearing to order at 8:21 p.m. Mayor Willis closed the Public Hearing at 8:21 p.m.

(c) Discussion of comments made during Public Hearing.

There were no comments.

(d) Consideration of appropriate action on items (a)-(c).

Councilmember Rosas made a motion to approve the Ordinance as described in Item 10.(a), as presented, subject to the conditions in the City Planner's memo to Council dated March 16, 2022, and Planning and Zoning Commission's condition that parking meet City of Stafford's parking regulation, that each single-family residential unit must have two enclosed parking spaces. Councilmember Chen seconded the motion, and it carried 5 – 0. Councilmember Herrera was away from the Council table when the vote was taken.

Mayor Willis moved back to item 8.

11. (a) Discussion of adopting the City's 2022 Goals.

Councilmember Rosas commented that perhaps one or two of Councilmembers' (group) goals might be included next year. Also, she pointed out that a number of goals are the same but worded different. This year there were 34 goals, with Mayor Willis having 7 and the Councilmembers having the remaining 27. Discussion followed. Mayor Willis will do as outlined by the Home Rule Charter. These goals will be posted on the City's website.

There were no public comments.

(b) Consideration of appropriate action on item (a).

No action was taken.

12. (a) Consent Agenda (items i-xix). 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 request from The Exchange Club of Fort Bend to erect its "Awareness Field" on the City's right of way in the esplanade at the intersection of Present Street and US Highway 90A between April 1–30, 2022.
- II. Approval of request by Larry DiCamillo, Fire Chief, for assistance with grant management via the use of a long term, semi-permanent position titled Grant Management Assistant at an hourly rate of \$20.00 per hour or \$19,980.00 annually to be paid with American Recovery Plan (ARP) funds already received by the City.
- III. Approval of City Planner, Tatyana Luttschlager, request for Mayor to execute the Certificate of Acceptance for the City of Stafford Fire Department Administration Building and Fire Station Building.
- IV. Approval of a Resolution of the City Council of the City of Stafford, Texas of Stafford, Texas, appointing Dr. Joe A. Anzaldua, Jr. as the Health Authority for the City of Stafford for 2022-2024, authorizing an agreement for Health Authority Director Services in the amount of \$12,000.00 per year and authorizing an agreement for Off-Line Medical Director Services.
- V. Approval to suspend the effective rate increase by 45 days for CenterPoint Gas Interim Rate Adjustment (GRIP) filings.
- VI. Approval of request by Larry DiCamillo for Safeware, Inc. to present a class to the fire service personnel throughout the region at a cost of \$7,000.00 and approval to use the Stafford Centre on May 2, 4 and 5 for the classes.

- VII. Approval of request by Richard Ramirez, Chief of Police, for Officer Garza and Officer Richards to receive an additional \$50.00 a month for Active FTO certification pay effective October 1, 2021.
- VIII. Approval of a Resolution of the City Council of the City of Stafford, Texas, authorizing the Mayor to sign a maintenance agreement with ERS for vertical transportation equipment (elevator) maintenance services at the Stafford Fire Station.
- IX. Approval of request by Scott McElrath, Code Compliance Administrator, to purchase a 1 Fujitsu Document Scanner and replacement of 2 desktop computer workstations in the amount of \$5,470.00.
- X. Approval of request by Scott McElrath, Code Compliance, to attend class "Workplace Conflict and Strategies for Resolving It" in Austin, TX on Friday, April 1, 2022 for a total cost of \$224.00.
- XI. Approval of request by Tatyana Luttschlager, City Planner, for Laura Morales, Senior Development Service Specialist, to attend class "Workplace Conflict and Strategies for Resolving It" in Austin, TX on Friday, April 1, 2022 for a total cost of \$374.93.
- XII. Approval for refunds or transfer of fees for cancelled events as requested by clients due to COVID-19 for Stafford Centre.
- XIII. Approval for refunds or transfer of fees for cancelled events as requested by clients due to COVID-19 for the Stafford Civic Center.
- XIV. Approval of request by Richard Ramirez, Chief of Police, for Advanced Instructor Certification training for Jeffrey McDougale on March 22-24, 2022, in Houston, Texas, at no cost to the City.
- XV. Approval of request by Ryan Young, Director of Information Technology, to allocate funds to renew the Laserfiche support contract with MCCi from May 9, 2022-May 8, 2023 at a cost of \$11,836.80.
- XVI. Approval of request by Ryan Young, Director of Information Technology, to purchase labor and materials necessary to install an independent electrical circuit for the air conditioning systems in the City's Data Center at a cost of \$5,650.00.
- XVII. Approval of request by Fire Chief Larry DiCamillo for Investigator/Inspector S. Helton with the Fire Marshal's Office to attend the Enhanced All-Hazards Incident Management/Unified Command through TEEX at a cost of \$270.00
- XVIII. Approval of request by Richard Ramirez, Chief of Police, to accept gift card the Police Department received from BreWingz in The Fountains for \$300.00.
- XIX. Approval of request by Fire Chief Larry DiCamillo to utilize ARP funding to replace station alerting system for Fire Station #1 in the amount of \$6,500.00.

There were no public comments.

(b) Consideration of appropriate action on items (i-xix).

Mayor Willis said that Consent Agenda item 12.ii has been withdrawn. Councilmember Herrera made a motion to approve the Consent Agenda items i-xix, as presented, with the removal of 12.ii. Councilmember Chen seconded the motion, and it carried 6 – 0 with all Councilmembers present voting in favor.

13. (a) Discussion of requests by Councilmembers for future agenda items.

There was no discussion.

- (b) Consideration of appropriate action on item (a).


Councilmember Rosas made a motion that discussion and action on a “Shop Local” promotion, to be paid out of the Hotel Tax Occupancy funds, be included on a future agenda. Councilmember Herrera seconded the motion, and it carried 5 – 0 with Mayor Willis opposed.

Councilmember Jones made a motion that a continuing education and training policy for employees and Councilmembers be included on a future agenda. Councilmember Rosas seconded the motion, and it carried 5 – 0 with Mayor Willis opposed.

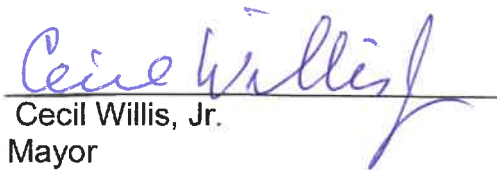
14. Adjournment.

Councilmember Herrera made a motion to adjourn. Councilmember Chen seconded the motion, and it carried 6 – 0 with all Councilmembers present voting in favor. The meeting adjourned at 9:37 p.m.

ATTEST:



Bonnie Baiamonte
Acting City Secretary



Cecil Willis, Jr.
Mayor