

MINUTES
REGULAR CITY COUNCIL MEETING
CITY OF STAFFORD, TEXAS
WEDNESDAY, NOVEMBER 16, 2022

On the 16th day of November, 2022, at 7:00 p.m., the City Council of Stafford, Texas met in regular session in the Council Chambers. Mayor Willis called the meeting to order. The following members of City Council were present: Mayor Cecil Willis Jr., Mayor Pro Tem Don Jones (arrived at 6:33 p.m.), and Council Members William Bostic Jr., Alice Chen, Wen Guerra, Xavier Herrera, and Ken Mathew. Absent: none. The following City staff were present: City Secretary Roxanne Benitez, Director of Public Works/Development Services Jose Pastrana, City Planner Thomas Coon, Code Compliance Administrator Scott McElrath, City Attorney Art Pertile, and Olson & Olson Attorney Mary Ann Powell.

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.

Mayor Willis called the meeting to order at 6:30 p.m.

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 employee.

City Council reconvened at 7:00 p.m.

3. Pledges of Allegiance.

Council Member Mathew led the pledge to the United States flag. Mayor Willis led the pledge to the Texas flag.

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

No action was taken.

5. Public Comments on items on the agenda.

- Esther De Ipolyi, who lives at 319 Longview Drive, spoke in favor of proposed Oak Lofts independent senior living facility.
- Barbara Thomas, who lives at 900 Winston, spoke in favor of proposed Oak Lofts Crossing independent senior living facility.
- Phil Edwards, who lives in Houston and works at a senior living facility in Moody Park, advised that Oak Lofts Crossing was a good addition to Stafford.

6. Presentation of Proclamation for November Family Court Awareness Month.

High school students, Andrew Ross, Daniel Wunder, and David Wunder spoke on behalf of Family Court Awareness Month. Mayor Willis read a proclamation proclaiming the month of November as Family Court Awareness Month in the City of Stafford.

7. (a) Discussion of Appointment(s) to the Juneteenth Freedom Celebration Committee.

Mayor Pro Tem Jones advised of the demographics of the City as well as history of Juneteenth. He submitted a list of his recommendations to Council.

Council Members Guerra and Mathew commended Mayor Pro Tem Jones on his efforts.

Mayor Willis advised of the past and current demographics in Stafford.

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

Council Member Guerra made a motion to appoint the following members to the Juneteenth Freedom Celebration Committee as presented:

- Don Jones
- Alice Chen
- A.J. Honore
- Sadie Williams
- Clint Mendonca
- Al Mock
- Tim Wood
- Alex Rios
- Gelesta Kamau
- Ash Hamarani
- Jacqueline Jean-Baptiste
- Angela Le Cour
- Adam Sanchez
- Gwen Goodwin
- Lana Hoelsing

and to select Mayor Pro Tem Jones as the Chair, and Council Member Chen seconded the motion. Mayor Willis, Mayor Pro Tem Jones and Council Members Bostic, Chen, Guerra, Herrera, and Mathew voted "Aye". "Nay" – none. Motion carried 7-0.

Council Member Guerra made a subsequent motion to change the group name of subcommittee to advisory committee, and Council Member Chen seconded the motion. Mayor Willis, Mayor Pro Tem Jones and Council Members Bostic, Chen, Guerra, Herrera, and Mathew voted "Aye". "Nay" – none. Motion carried 7-0.

8. (a) Discussion of the addition of a new Land Use Designation titled “Day Habilitation Center”, placed within the Health Services section of the Permitted Use Table (Sec. 102-83.). Businesses that identify as Day Habilitation Centers provide care for adults with intellectual or developmental disabilities, children transitioning to adulthood, or any adult child seeking to build skills and schedule their days. A new Land Use Designation would be necessary for this categorization.

City Planner Thomas Coon advised that this was a new land use designation and would be in the health services section. He also advised of the proposed zoning districts where this type of use would be allowed.

Code Compliance Administrator Scott McElrath advised that the current tenant was occupying the space without a certificate of occupancy.

The public hearing opened at 7:43 p.m.

Public Comments were received from the following:

- Timothy Wood, who lives at 2022 Secretariat Drive, spoke in favor of adding the permitted use. He asked why this type of business would be allowed in an arts and entertainment area. City Attorney Art Pertile advised that the business was situated in an office building.

The public hearing closed at 7:47 p.m.

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

Council Member Guerra made a motion to the addition of a new land use designation titled “Day Habilitation Center”, placed within the Health Services section of the Permitted Use Table (Sec. 102-83.), and Council Member Chen seconded the motion. Mayor Willis, Mayor Pro Tem Jones, and Council Members Bostic, Chen, Guerra, Herrera, and Mathew voted “Aye”. “Nay” – none. Motion carried 7-0.

9. (a) Discussion of an ordinance amending Chapter 102 of the Code of Ordinances, the same being the City’s Comprehensive Zoning Ordinance, to grant a Specific Use Permit for the operation of an independent senior living facility located at the southwest corner of S. Kirkwood Parkway and Techniplex Drive.

City Planner Thomas Coon advised that the proposed development, Oak Loft Crossing on Techniplex Drive, would be an independent senior living facility.

City Attorney Pertile exited the meeting at 7:50 p.m.

Council Member Herrera asked why the submittal was a specific use permit. Code Compliance Administrator Scott McElrath advised that the property was currently an empty parcel, and this type of use was currently not allowed for that specific property.

Russ Michaels, with CSH Oak Lofts Crossing, LTD, advised that the proposed property would contain forty-eight units. He thanked the Planning & Zoning Commission and City Council for their assistance.

Jervon Harris, with SuperUrban Realty Ventures, LLC, advised that the facility would be rental property for independent seniors and answered questions from Council Members Chen, Herrera, Guerra, and Mayor Willis.

Public Comments were received from the following:

- Taro Chellaram, with TC Global Commercial located in Stafford, spoke on behalf of owner of Days Inn, who was out of town and in favor of the project.

The public hearing opened at 8:18 p.m.

Public Comments were received from the following:

- Barbara Thomas, who lives at 900 Winston, advised of events that are held in this type of facility.
- Virginia Rosas, who lives at 619 Elm View Court, spoke in favor of the proposed project.

City Attorney Pertile entered the meeting at 8:20 p.m.

- Cliff Cowperthwait, who lives at 111 Squires Bend, asked if a new permit would be required if the specific use permit were to change. City Attorney Art Pertile advised that the specific use permit would need to be amended if any proposed changes were to occur.
- Tim Wood, who lives at 2022 Secretariat Drive, spoke in favor of the proposed development.

The public hearing closed at 8:23 p.m.

Mayor Willis advised that he believed the proposed development was in the wrong location.

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

Council Member Guerra motioned to approve Ordinance No. 1233, granting a specific use permit for the operation of an independent senior living facility located at the southwest corner of S. Kirkwood Parkway and Techniplex Drive, as presented, and Council Member Herrera seconded the motion. Mayor Pro Tem Jones, and Council Members Bostic, Chen, Guerra, Herrera, and Mathew voted "Aye". "Nay" – Mayor Willis. Motion carried 6-1.

At this time, Council Member Guerra made a motion to hold a five-minute recess of the meeting, and Council Member Mathew seconded. Mayor Willis, Mayor Pro Tem Jones, and Council Members Bostic, Chen, Guerra, Herrera, and Mathew voted "Aye". "Nay" – none. Motion carried 7-0.

The City Council meeting recessed at 8:28 p.m.

The City Council meeting reconvened at 8:34 p.m., with Mayor Willis, Mayor Pro Tem Jones, and Council Members Herrera and Mathew present.

10. (a) Discussion of appointment(s) to the Planning & Zoning Commission.

Mayor Willis advised that he received seven applications and met with each applicant. He also advised that his recommendations were Virginia Rosas and Clint Mendonca. Mayor Willis advised that their terms would end in July 2023.

Council Members Chen, Bostic, and Guerra entered the meeting at 8:35 p.m.

Council discussed the seven applicants that Mayor Willis interviewed.

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

Council Member Guerra motioned to appoint Clint Mendonca to the Planning & Zoning Commission, and Council Member Herrera seconded the motion. Mayor Willis and Council Members Bostic, Chen, Guerra, Herrera, and Mathew voted "Aye". "Nay" – Mayor Pro Tem Jones. Motion carried 6-1.

Council Member Mathew motioned to appoint Virginia Rosas to the Planning & Zoning Commission, and Council Member Herrera seconded the motion. After a brief discussion, Mayor Willis, and Council Members Chen, Herrera, and Mathew voted "Aye". "Nay" – Mayor Pro Tem Jones and Council Members Bostic and Guerra. Motion carried 4-3.

Council Members Herrera and Mathew congratulated the newly appointed Planning & Zoning Commission Members. Council Member Chen thanked Tim Wood for his application.

Virginia Rosas and Clint Mendonca thanked the City Council for their appointments.

11. Council Reports

Mayor Willis

- Wished everyone a Happy Thanksgiving.
- Advised that the Children's Christmas Festival would be held on Tuesday, November 29, from 6:00 p.m. – 8:00 p.m. at the Stafford Centre.

City Attorney Pertile exited the meeting at 8:54 p.m.

Council Member Guerra

- Advised that the flu virus was booming and recommended that everyone get the flu vaccine.
- Challenged Council Members to donate 1/6 of their wages to the Stafford Police Department's Behind the Badge foundation.

- Advised that his church was selling fried turkeys with the proceeds going to the Knights of Columbus. He also advised that his church was accepting food donations.
- Advised that Mary Ann Smith was coordinating a food giveaway, to be held on Friday, November 18 at the school.
- Advised of the retirement ceremony held for Colonel Thomas Ellinger on November 11.

Council Member Bostic

- Advised of a food drive, to be held on Friday, November 18.
- Advised of the HCC ideas event / townhall meeting.
- Wished everyone a Happy Thanksgiving.

City Attorney Pertile entered the meeting at 9:01 p.m.

Council Member Chen

- Advised of the HCC townhall meeting. She also advised that the Stafford HCC campus added many new courses.
- Wished everyone a Happy Thanksgiving.

Mayor Pro Tem Jones

- Wished everyone a Happy Thanksgiving and added that it was a time for family.

City Attorney Pertile exited the meeting at 9:03 p.m.

Council Member Herrera

- Thanked everyone for their condolences and visitation regarding his loss.
- Wished everyone a Happy Thanksgiving.
- Advised that Holy Family Catholic Church was selling fried turkeys.
- Advised that Mary Ann Smith was conducting a food drive.

Council Member Mathew

- Wished everyone a Happy Thanksgiving.

12. (a) Consent Agenda (Items i.-x.). 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.) Resolution adopting City of Stafford Investment Policy for Fiscal Year 2022-2023.
- (ii.) Request by Director of Public Works / Development Services Jose Pastrana for approval of work for miscellaneous remodeling and painting in City Hall, not to exceed a total amount of \$6,492.00.
- (iii.) Request by Director of Court Nicole Nguyen for Judge Debra Sinclair to attend the TMCEC Regional Judges Seminar in Galveston on February 1-3, 2023, in the amount of \$445.63.

(iv.) Request by Fire Chief Larry Di Camillo for Two Firefighters to attend the Structural Collapse School in College Station on December 6-13, 2022, in the amount of \$8,271.48.

(v.) Training requests by Chief of Police Richard Ramirez for the following:

- Ratification of New Supervisor Course #3737, for M. Dostal, in the amount of \$00.00.
- Flying While Armed #3303 Training, for Police Department Personnel, in the amount of \$00.00.
- Firearms Instructor Class #2222, for M. Dostal, in the amount of \$200.00.-*
- Basic Telecommunication Licensing Course, for P. Toussaint, in the amount of \$375.00.
- Executive Leadership Institute (ELI) Training, for L. Lopez, in the amount of \$695.00.
- Field Training Officer #3702 Training, for Police Department Personnel, in the amount of \$00.00.
- LIFE at LEMIT Annual Conference, for A. Love, in the amount of \$986.28.

(vi.) Request by Director of Public Works / Development Services Jose Pastrana for amendment to the agreement with Comcate Software, in the amount of \$4,668.00.

(vii.) Ratification of Preparing for Year-End Virtual Training, for Chief Financial Officer Alka Shah, in the amount of \$540.00.

(viii.) Request by Director of Court Nicole Nguyen for Assistant Court Administrator Gloria Orea to attend the TML Tony Koriath Supervisor Academy in West University Place on January 10-11, 2023, in the amount of \$30.50.

(ix.) Resolution approving Contract with Texas Star Alliance for Legislative Consulting Services for the City of Stafford.

(x.) Resolution approving Contract with Texas Star Alliance for Legislative Consulting Services for the Stafford Municipal School District.

City Attorney Pertile entered the meeting at 9:08 p.m.

The Council discussed items (ix.) and (x.).

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

Council Member Guerra made a motion to approve all items on the Consent Agenda as presented, and Council Member Chen seconded the motion. Mayor Willis, Mayor Pro Tem Jones, and Council Members Bostic, Chen, Guerra, Herrera, and Mathew voted "Aye". "Nay" – none. Motion carried 7-0.

13.(a) Approval of Minutes from the September 7, 2022 Regular City Council Meeting.

(b) Approval of Minutes from the September 8, 2022 Special Called City Council Meeting.

(c) Approval of Minutes from the September 21, 2022 Regular City Council Meeting.

- (d) Approval of Minutes from the September 26, 2022 Special Called City Council Meeting.
- (e) Approval of Minutes from the September 28, 2022 Special Called City Council Meeting.
- (f) Approval of Minutes from the October 12, 2022 Joint Meeting with the Stafford Economic Development Corporation (SEDC) Board.
- (g) Approval of Minutes from the October 19, 2022 Regular City Council Meeting
- (h) Approval of Minutes from the November 2, 2022 Regular City Council Meeting
- (i) Consideration of appropriate action on items (a)-(h).

Council Member Chen made a motion to approve all minutes with corrections to the minutes for the September 7, 2022 and October 19, 2022 Regular City Council Meetings, and Council Member Guerra seconded the motion. Mayor Willis, Mayor Pro Tem Jones, and Council Members Bostic, Chen, Guerra, Herrera, and Mathew voted “Aye”. “Nay” – none. Motion carried 7-0.

- 14. (a) Discussion of requests by Council Members for future agenda items.

No requests were made.

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

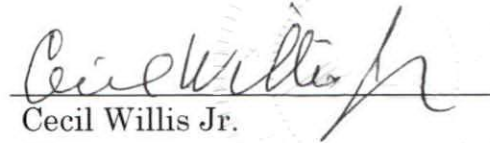
No action was taken.

- 15. Adjournment.

Council Member Herrera made a motion to adjourn the meeting at 9:23 p.m., and Mayor Pro Tem Jones seconded the motion. Mayor Willis, Mayor Pro Tem Jones, and Council Members Bostic, Chen, Guerra, Herrera, and Mathew voted “Aye”. “Nay” – none. Motion carried 7-0.

ATTEST:


Roxanne Benitez
City Secretary


Cecil Willis Jr.
Mayor