

MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL OF STAFFORD, TEXAS HELD
BY TELECONFERENCE, GOTOMEETING AUDIO/VIDEO
IN SAID CITY ON WEDNESDAY, APRIL 21, 2021

On the 21st day of April 2021, at 6:30 p.m., the City Council of Stafford, Texas met in regular session in the City Council Chambers and staff by teleconference, 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; Pro Tem Alice Chen, Councilmembers Ken Mathew, Virginia Rosas, and Xavier Herrera. Absent: Don Jones. The following City staff were present: Nicola Browe (Assistant City Secretary); Shanell Garcia (Human Resources Director); Larry DiCamillo, Fire Chief; Tatyana Luttschlager (City Planner); Richard Ramirez (Police Chief); Ryan Young (IT Director); 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. REGULAR SESSION BEGAN AT 7:00 P.M.
3. PLEDGE OF ALLEGIANCE
4. Consideration of appropriate action on items discussed in Executive Session.

(b) No action taken on this item.
5. Council Reports:

Mayor Willis provided information as to the beginning to return to in person meetings during the continuing pandemic. He stated that this hybrid return version is under guidance from the City's medical director Dr. Anzuldua and that SEDC and Planning and Zoning will follow suit later next month.

Mayor Willis announced that City Secretary, Tomika R. Lewis has resigned from her position at the City and will be moving out of state with her family. He and Council each provided a good wishes and thank you statement for Ms. Lewis.

Mayor Willis provided Early Voting details with times, and locations and concluded his announcements with notice that on April 28, 2021 the City Council will convene in special session to discuss a reinvestment zone for a new development within the City.

Mayor Pro Tem Chen announced the success of the recent food drive and that with 500 meals planned, ended up being two trucks therefore the event was able to distribute 1000 meals instead.

Mayor Pro Tem Chen announced that the BAPS at 1150 Brand Lane, Stafford will be hosting a COVID vaccine clinic. They were able to receive 500 vaccines. The event will be on Saturday from 9 am to 5 pm.

Councilmember Rosas stated that she was glad to be getting back to a new normal in person at City Hall for meetings.

Mayor Willis then asked for a personal narrative moment. He stated if you were a native Texan that April 21 is recognized as San Jacinto Day, 1836. At one time this day was revered and honored more than it is today. April 21, 1903 was another important time when a group of former A&M cadets gathered with premise of honoring San Jacinto Day so not to be forgotten. They also honored their comrades that had fallen in the previous year known as AGGIE MUSTER:- he requested the opportunity to answer the roll call for the City's former Mayor as he was unable to attend the muster in person.

“Leonard Leon Scarcella Class of 1962” – Mayor Willis requested a moment of silence.

6. Public comments on items on the agenda.
No members of the public addressed City Council.
7. (a) Discussion of a Final Plat Titled “Stafford Park Replat No. 1 for the creation of 2 lots.

Tatyana Luttschlager, City Planner provided an overview of the Final Plat.

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

(b) Councilmember Herrera made a motion to approve the Final Plat Titled “Stafford Park Replat No. 1” as presented. Mayor Pro Tem Chen duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Chen and Councilmembers Guerra, Mathew, Rosas, and Herrera voted “yes”; none against. Mayor Willis announced the result of the vote (6-0) and declared the motion approved. Councilmember Jones was absent for the vote.

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 for a modification of a previously approved Specific Use Permit for the construction and operation of a hotel, Ordinance 1055, to add for the construction

and operation of a grocery store with fuel sales at 12507 S. Kirkwood.

Tatyana Luttenschlager presented an introduction to this item and introduced the applicant Sugar Creek Hospitality representative, Mr. David Wallace. Mr. Wallace provided a detailed update and changes implanted in the design plan to accommodate the recommendations from City Council.

Mr. Wallace answered questions from the City Council regarding the Fire Marshal's Office concerns for Fire Lanes and Access and those discussions are ongoing.

Attorney, Art Pertile recommended that a decision not be made at this meeting, as he is uncomfortable with the fact that staff have not got all the answers and information they need regarding the Fire Lanes etc., and would prefer it is discussed at a future meeting.

(b) Mayor Willis opened the Public Hearing 8:02 P.M.

(c) Councilmember Herrera made a motion to keep the Public Hearing open until the City Council meeting May 19, 2021. Mayor Pro Tem Chen duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Chen and Councilmembers Guerra, Mathew, Rosas, and Herrera voted "yes"; none against. Mayor Willis announced the result of the vote (6-0) and declared the motion approved. Councilmember Jones was absent for the vote.

9 (a) Discussion of a Resolution of the City of Stafford, Texas expressing official intent to reimburse costs of projects.

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

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

10. (a) Quarterly presentation by City Planner, Tatyana Luttenschlager on Development Services and Public Works projects, including the following: Mobility and roadway maintenance, Drainage, Private Developments and Planned Development Districts.

Tatyana Luttenschlager provided a detailed presentation on all development project within the City.

(b) No motion was made on this item.

11. (a) Discussion of an Ordinance of the City of Stafford, Texas adopting amendment Number 4 to the original budget of the City of Stafford, Texas, for the 2020-2021 fiscal year, allocating unappropriated funds, providing detailed line item increases or decreases, providing for severability and containing other provisions relating to the subject.

John Davis III, CPA and Mayor Willis introduced the budget amendment No.4 and provided a detailed breakdown on the total amount to be amended and the impact on the Fund balance.

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

Councilmember Herrera exited the meeting.

(b) Councilmember Rosas made a motion to adopt the Ordinance for Budget Amendment No.4 as presented. Mayor Pro Tem Chen duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Chen and Councilmembers Guerra, Mathew and Rosas voted “yes”; none against. Mayor Willis announced the result of the vote (5-0) and declared the motion approved. Councilmember Jones and Herrera were absent for the vote.

12. (a) Discussion of a Resolution of the City of Stafford, Texas issuing notice of public meeting to approve an agreement with the law firm of Linebarger Goggan Blair & Sampson, LLP as special counsel to perform all legal services necessary to collect unpaid fines, fees and court costs as provided in Tx Code of Criminal Procedure Art. 103.0031 and authorizing the execution of such agreement. The agreement to be considered is necessary for the unpaid fines, fees and court costs owed to The City of Stafford to be collected in the most effective manner. The City of Stafford desires that such unpaid fines, fees and court costs be collected as provided in the Texas Code of Criminal Procedure.

The Linebarger Goggan Blair & Sampson, LLP firm is fully qualified to provide this representation, being the largest law firm specializing in the collection of governmental receivables in the State of Texas, as well as the United States, and having been engaged in this specialized legal service for more than 40 years. In addition, the Linebarger Goggan Blair and Sampson, LLP firm possesses infrastructure and technology, such as call center technology, that The City of Stafford does not currently possess.

Linebarger Goggan Blair & Sampson, LLP has represented The City of Stafford for the past eleven (11) years with competence and professionalism, in the collection of unpaid fines, fees and court costs beginning in 2010.

The specialized legal services required by this agreement cannot be adequately performed by the attorneys and supporting personnel of The City of Stafford due to the high cost of implementing the appropriate infrastructure and technology and employing sufficient in-house attorneys and staff with the level of experience and competence necessary to perform these activities.

Linebarger will be compensated on a contingent fee basis as provided in Tx Code of Criminal Procedure Art. 103.0031. This

Article specifically provides for an additional collection fee, in the amount of 30 percent, in certain cases to compensate collection attorneys. A contract to pay inside or outside attorneys on an hourly basis would represent an additional cost to The City of Stafford.

Entering into the proposed agreement is in the best interests of the residents of The City of Stafford because the unpaid fines, fees and court costs will be professionally and competently collected without the additional costs to The City of Stafford of implementing infrastructure and technology, and employing in-house personnel or paying outside counsel on an hourly fee basis, which would otherwise be required.

Councilmember Herrera entered the meeting.

Art Pertile, City Attorney provided an overview to this item and the reason for the lengthy wording for the Agenda item.

Mr. Richard Hill from Linebarger, Goggan Blair & Sampson LLP provided an overview of the services they provide for the City.

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

Councilmember Herrera made a motion to extend the meeting to 11:30 PM. Mayor Pro Tem Chen duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Chen and Councilmembers Guerra, Mathew, and Herrera voted “yes”; Councilmember Rosas voted against. Mayor Willis announced the result of the vote (5-1) and declared the motion approved. Councilmember Jones was absent for the vote.

13. (a) Discussion of an Ordinance of the City Council of the City of Stafford, Texas, adopting amendments to the City of Stafford Personnel Policies by Resolution; Repealing all ordinances or parts of ordinances inconsistent or in conflict with this ordinance; and providing for severability.
(c) Discussion of a Resolution of the City of Stafford, Texas, adopting amendments to the City's Personnel Policies and establishing an effective date for such policies.

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

Councilmember Guerra exited the meeting.

Councilmember Herrera made a motion to extend the meeting to 11:59 PM. Mayor Pro Tem Chen duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Chen, Councilmembers Mathew and Herrera voted "yes"; Councilmember Rosas voted "No". Mayor Willis announced the result of the vote (4-1) and declared the motion approved. Councilmember Jones and Guerra were absent from the vote.

Councilmember Guerra exited the meeting

- (c) All motions and votes is attached hereto as an addendum to the minutes.

Councilmember Herrera made a motion to extend the meeting to 12:45 AM. Mayor Pro Tem Chen duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Chen, Councilmembers Mathew and Herrera voted "yes"; Councilmember Guerra and Rosas voted "No". Mayor Willis announced the result of the vote (4-2) and declared the motion approved. Councilmember Jones was absent from the vote.

Councilmember Rosas made a motion to approve the Resolution to adopt the Personnel Policy as revised. Councilmember Herrera duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Chen, Councilmember Guerra, Mathew, Rosas, and Herrera voted "yes"; none against. Mayor Willis announced the result of the vote (6-0) and declared the motion approved. Councilmember Jones was absent from the vote.

14. (a) Discussion of additional compensation for added duties to the City Planner.

Ms. Shanell Garcia presented this item and provided details for the additional duties assumed by Ms. Luttenschlager and the calculations used to provide the compensation amount recommended.

- (b) Mayor Willis invited members of the public to address City Council.

Mary Ann Smith, Stafford Run, Stafford inquired if the City was looking to replace the position held by Chris Riggs and applauded Ms. Luttlenschlager for her amazing work.

Lana Hoelsing, Promenade, Stafford inquired where in the process they were to seek a replacement for Mr. Riggs.

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

15. (a) Discussion of Municipal Court Judges Compensation.

Ms. Shanell Garcia presented this item and provided details for the current policy for compensating the Judge, (Presiding Judge only) and what from her survey of neighboring cities is her recommendation.

(b) Councilmember Herrera made a motion to approve the Judges compensation to be: \$250 per docket; \$125 per hour of administrative duties; \$100 per hour for Jail visits. Councilmember Rosas duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Chen, Councilmembers Guerra, Mathew, Rosas and Herrera voted “yes”; none against. Mayor Willis announced the result of the vote (6-0) and declared the motion approved. Councilmember Jones was absent for the vote.

16. (a) Discussion of Resolution of the City of Stafford, Texas appointing Nicola Browe as Acting City Secretary.

Ms. Shanell Garcia presented this item and provided details for the additional duties assumed by Ms. Browe and the calculations used to provide the compensation amount recommended.

(b) Mayor Willis invited members of the public to address City Council. No members of the public addressed City Council.

(c) Councilmember Guerra made a motion to approve Nicola Browe as Acting City Secretary with compensation as presented. Councilmember Rosas duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Chen, Councilmember Guerra, Mathew, Rosas, and Herrera voted “yes”; none against. Mayor Willis announced the result of the vote (6-0) and declared the motion approved. Councilmember Jones was absent from the vote.

Councilmember Herrera made a motion to extend the meeting to 1:00 AM. Mayor Pro Tem Chen duly seconded the motion. Mayor Willis called the roll for a vote.

Mayor Willis, Mayor Pro Tem Chen, Councilmembers Guerra, Mathew, Rosas and Herrera voted “yes”; None against. Mayor Willis announced the result of the vote (6-0) and declared the motion approved. Councilmember Jones was absent from the vote.

17. Discussion of the proposal by Councilmember Guerra that the City plant three memorial trees.

Councilmember Guerra provided City Council with a detailed explanation of his desires to provide a memorial tree for Public Works, Police and Fire in order that family members of fallen staff from these departments have a place to honor their loved ones. Council decided this will need more discussion.

(b) No action was taken on this item.

18. (a) Consent Agenda (Items “i through 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 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 \$13,625.00

ii. Approval of Assistant City Secretary, Nicola Browe request to approve training and all related expenses for employees in the City Secretary’s Office in the amount of \$1128.71

iii. Approval of Police Chief, Richard Ramirez request to approve training and all related expenses for employees in the Police Department at Zero Cost.

iv. Approval of expenses in the Federal Asset Forfeiture and State Asset Forfeiture Funds

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

19. (a) Consideration of Statements.

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

20. Approval of the following City Council Meeting minutes.
(a) February 24, 2021 Special City Council Meeting; and
(b) April 7 Regular, 2021 City Council Meeting.

(c) Mayor Pro Tem Chen made a motion to approve the minutes of February 24, 2021 with corrections. Councilmember Guerra duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Chen, Councilmember Guerra, Mathew, Rosas, and Herrera voted “yes”; none against. Mayor Willis announced the result of the vote (6-0) and declared the motion approved. Councilmember Jones was absent from the vote.

Mayor Pro Tem Chen made a motion to approve the minutes of April 7, 2021 with corrections. Councilmember Herrera duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Chen, Councilmember Guerra, Mathew, Rosas, and Herrera voted “yes”; none against. Mayor Willis announced the result of the vote (6-0) and declared the motion approved. Councilmember Jones was absent from the vote.

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

(b) Councilmember Rosas made a motion to get an update from both Chief DiCamillo and Chief Ramirez on their new buildings/remodels. Mayor Pro Tem Chen duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Pro Tem Chen and Councilmembers Guerra, Mathew, Rosas and Herrera voted “yes”; Mayor Willis voted against. Mayor Willis announced the result of the vote (5-1) and declared the motion approved. Councilmember Jones was absent for the vote.

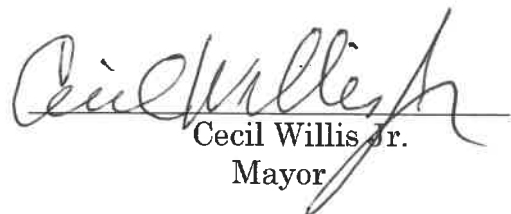
22. Councilmember Rosas made a motion to adjourn. Mayor Pro Tem Chen duly seconded the motion. Mayor Willis called the roll for a vote. Mayor Willis, Mayor Pro Tem Chen and Councilmembers Guerra, Mathew, Rosas and Herrera voted “yes”; None against. Mayor Willis announced the result of the vote (6-0)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

THE MEETING ADJOURNED AT 12:59 AM.

ATTEST:



Nicola Browe
Assistant City Secretary



Cecil Willis Jr.
Mayor