



The Stafford Newsletter



Volume 28, Issue 1

January 2007

ANNUAL TOWN MEETING SCHEDULED FOR WEDNESDAY, JANUARY 24, AT 7 P.M.

As is the longstanding tradition, the City will again host its Annual Town Meeting to present the current condition of the City, to address matters of public interest, to announce projections and goals and to hear from Staffordians on matters of interest. The meeting will be held on Wednesday, January 24, 2007, beginning at 7 p.m. at the Stafford Civic Center, 1415 Constitution, commencing with the State of the City and Goals for 2007 message by the Mayor, followed by presentations by the department heads and ending with comments and questions from the general public.

Included among the topics which will be discussed are:

- (a) CITY'S ECONOMY, ZERO PROPERTY TAX, SALES AND OTHER TAXES, AND FISCAL RESPONSIBILITY;
- (b) ZONING, BUILDING STANDARDS AND REVITALIZATION;
- (c) POLICE AND FIRE PROTECTION, EMERGENCY SERVICES AND MANAGEMENT PROGRAM AND HOMELAND SECURITY;
- (d) STAFFORD MUNICIPAL SCHOOL DISTRICT, HOUSTON COMMUNITY COLLEGE AND EDUCATIONAL OPPORTUNITIES;
- (e) GARBAGE COLLECTION;
- (f) STAFFORD CENTRE AND STAFFORD CIVIC CENTER;
- (g) MUNICIPAL COURT AND NEW COURT FACILITY;
- (h) PARKS;
- (i) US 90A IMPROVEMENTS PROJECT, STAFFORD/STAFFORDSHIRE ROAD IMPROVEMENTS, HIGHWAYS, STREETS, MOBILITY, DRAINAGE AND WATER;
- (j) STAFFORD MUNICIPAL EDUCATIONAL TELEVISION STATION; AND
- (k) OTHER MATTERS OF GENERAL INTEREST AFFECTING CITY.

The meeting will be televised live on S-METV, Channel 16, Warner Cable. There will also be rebroadcasts.

You are encouraged to attend and participate in this event, which is both informative and interesting.

Mayor, Three Councilmen Positions on Ballot

CITY ELECTION SET FOR MAY 12 AT CITY HALL

The 2007 City Officers Election for Mayor and three Councilmen positions will be held on Saturday, May 12, at City Hall. This May, the two-year terms for incumbents Mayor Leonard Scarcella and Councilmen John Rose, Wen Guerra and Jeff Smith will expire.

Much discussion has ensued about the best voting methods to use in conducting elections. Last year, City Council used both paper ballots and eSlate. With the controversy over the lack of a "paper trail" on ballots cast on the eSlate, City Council will be considering the most responsible approach to the casting of ballots. Further details on the election will be specified in the April *Newsletter*.

Election day and early voting will be conducted at City Hall.

IMPORTANT ELECTION DATES

February 10 - First day for filing application for place on ballot. First day for filing declaration of write-in candidacy.

March 12 - Last day for filing application for place on ballot. Must be received by 5 p.m.

March 13 - First day to accept applications for voting by mail ballot.

March 19 - Last day for a write-in candidate to declare candidacy by 5 p.m.

April 12 - Last day for submitting voter registration application in time to vote at the election.

April 30 - First day for early voting by personal appearance at City Hall.

May 8 - Last day of regular early voting by personal appearance at City Hall.

May 12 - Election Day. Polls are open 7 a.m. – 7 p.m.

Calling this year's election will be at the Council meeting on February 7.

COMPTROLLER SEEKS SALES TAX REFUND

On July 13, 2006, the City received a letter from the State Comptroller's Office stating that a refund for sales taxes had been approved for a major corporation in the City. According to the letter, the audit, which involved a period extending back for eleven years, resulted in the City's owing the Comptroller a sum of \$2,557,000.

The City immediately launched an investigation to ascertain as much information about this situation as possible. A letter from Mayor Scarcella to the then Comptroller, Carole Keeton Strayhorn, and subsequent conversations between the two resulted in an audit committee from the Comptroller's Office coming to Stafford in November. However, no resolution was arrived at during that meeting.

Meanwhile, the topic was getting significant attention in the statewide media in which it was reported that Stafford was one of several entities, including the cities of Dallas and Sherman and the Dallas Area Rapid Transit, affected by the \$130 million refund that went to this corporation. Allegedly, the consultant for the corporation received a commission exceeding \$50 million, and approximately \$2 million had flowed from the consultants to the Strayhorn Gubernatorial Campaign.

A couple of days before the election, Governor Rick Perry, in a political brochure asserting the Governor's Mansion was not for sale which was sent to tens of thousands of Texans, addressed the matter and included these quotes. "Stafford's Mayor, Leonard Scarcella, put it best, 'We have done everything in our power, played by all the rules...now we find ourselves penalized', and Mayor Scarcella, describing the outrageous fees paid to tax consultants, called it 'the new ambulance chasing'."

Mayor Scarcella has emphasized that allowing refund audits such as this one to extend back for many years could damage cities all over Texas and place the State's sales tax structure in jeopardy. City Council has expressed an intention to continue its fervent pursuit of attempting to attain the best resolution for this situation.

In view of the statewide attention this matter has generated, it is likely to become involved in proposed legislation in the recently opened legislative session. Additionally, newly-elected Comptroller Susan Combs has personally addressed the matter and said she would make a thorough review of how this situation occurred, potential remedies and possible approaches to preventing a reoccurrence.

INDICTMENT OF FIRE CHIEF STUNS CITY

Staffordians were stunned to learn shortly before Christmas that Fire Chief Mike Melton, who played an instrumental role in helping to elevate the City's Fire Department to one of the highest ranked in the nation, had been indicted on four counts of aggravated sexual assault of a child. The complainant, who is now 20 years old and living in Louisiana, said that the assaults occurred approximately seven years ago and continued for a number of years. Chief Melton is currently out on a \$400,000 bond.

Chief Melton became associated with the Stafford Volunteer Fire Department in 1998 and was named as the Chief in 2003. During his tenure

with the City, Chief Melton played a vital role guiding, training and promoting the Department. In 2006, the City received a Class 1 rating from the Insurance Services Office (ISO) placing it in the top 50 firefighting units in the nation out of more than 45,000.

Mayor Leonard Scarcella said, "We are deeply saddened to learn of this development. The City is fully cooperating with the prosecution, defense and media in the matter."

Chief Melton is on leave of absence from the Department pending City Council's determination on appropriate action. Assistant Chief Larry DiCamillo has been named Acting Chief.

CITY FILES SUIT TO PREVENT SMSD ELECTION CHANGES

The City Council has chosen to file a formal court challenge to the decision by the Stafford Municipal School District Board of Trustees to move the Trustees' election dates back from May to November and to have the elections conducted by Fort Bend and Harris Counties.

The main elements to the City's seeking of a mandamus ordering the Board to conduct the Trustees' election in May 2007 include: SMSD is the only municipal school district in the state and is not an "independent" school district as required by the legislation, and the procedure adopted by SMSD does not comply with the law.

The obvious crux of the basis for the action by the Board which passed on December 11, 2006, by a vote of five for, one against and one abstention, is to take another step to divorce itself from the City. This action by SMSD would allow all school board members to serve six months longer than the term of office to which they were elected by the people.

One clear fact: The City and SMSD conducted joint elections from 1982 to 2005, and each year the voting was conducted at City Hall.

The SMSD resolution was approved after minimal public notice

and with only a brief discussion. It would require voters to cast ballots in a myriad of precincts strewn throughout Fort Bend and Harris Counties in November instead of having voters cast all of the ballots at City Hall in May which has been the process for 23 years.

In the resolution, the SMSD asserts that it will avoid confusion and result in a greater election turnout. However, in view of the fact that all of the early voting precincts are outside of Stafford and with no City or county positions on the ballot for this November, both assertions by the resolution are faulty. In fact, the resolution blatantly dances around the fact that a portion of the District lies in Harris County.

In view of the very compressed timeframe for having a court fairly and accurately decide this matter so a May election can be conducted by SMSD, the City Council has opted to take it directly to the Civil Courts of Appeal in Houston. This is a rare but permissible approach available in election cases in view of the time-sensitive nature involved. Additionally, many Staffordians have taken steps to file complaints against SMSD over the action with the U.S. Justice Department Voting Rights Division.

CITY CO-SPONSORS *Annie* PERFORMANCE

The Stafford Municipal School Choirs will present a stirring performance of *Annie*, February 2-4, at the Stafford Centre's Performing Arts Theatre, and will involve youngsters of all ages from the Stafford schools. This event is being co-sponsored by the City of Stafford. The public is strongly encouraged to attend what promises to be a delightful show.

Ticket prices are \$25 for opera box seating, \$15 for orchestra seating, \$10 for general seating and \$5 for

student general seating. Tickets can be reserved or purchased by calling 281-261-9200, ext. 3197.

Free tickets have been reserved for Stafford citizens on a first-come, first-serve basis and can be obtained at the Stafford Centre, 10505 Cash Road.

The Stafford Centre has enjoyed phenomenal success since its opening and continues to have a wide array of fascinating events. Visit the website, www.staffordcentre.com, to view upcoming programs.



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THE NEW MUNICIPAL COURT UNVEILED

In the tradition of making the best utilization of municipal facilities, the City of Stafford unveiled the Municipal Court Building on December 13, before a sizeable group of interested observers. The very impressive building is a refurbishing and expansion of the former Police Station built in 1981.

With the opening of the new contemporary J. C. "Buster" Court Public Safety Complex in 2003, City Council determined the best use of the former Police Station would be to convert it into a facility to handle all Court matters.

"The Court Department attracts one of the largest number of persons to the City Hall Complex of any other function at the City," said Mayor Scarcella. "In order to accommodate the needs and growth of the Court's activities, it was important to create a comfortable environment for those coming for Court matters and to provide a functional, efficient workplace for the judges, prosecutors and staff."

The City acquired the First National Bank of Stafford property on Main Street in 1974 for \$250,000 and converted it into the first City-owned City Hall which included the Administrative, Police and Court facilities. Since then, the facilities have been renovated and expanded to encompass all of those activities in what is now the City Hall Complex.

With the exception of the debt obligation for the Public Safety Complex, all improvements and expansions have been accomplished with operating revenues. The Municipal Court facility is being funded totally from sales tax, court fees and general revenues.

The 6,200 square-foot Court facility, designed by Morris Architects, features a new courtroom, jury assembly area and office space for prosecutors, judges and a staff of five. The cost of the construction was \$600,000 while furniture and technical equipment totaled \$150,000.

The City acted as the General Contractor, with the construction overseen and orchestrated by Lawrence Vaccaro, Director of Municipal Services and Public Works.

Remarks at the opening ceremony were given by Mayor Leonard Scarcella and Ms. Nicole Nguyen, Court Director.

ZONING OF RELIGIOUS FACILITIES DRAWS NATIONAL MEDIA ATTENTION

The City of Stafford, which is seven square miles, has 51 religious establishments located within the City including Christian, Muslim, Buddhist and Hindu. More have made inquiries about placing facilities within Stafford. The City Council and Planning and Zoning Commission have openly stated that this is a matter that should be addressed to be sure that the health, safety and welfare of the citizenry is preserved and there is a balance of property uses within the City.

Although interesting and of prime importance to the City, never was it envisioned that the national media including *ABC World News Tonight*, *The Los Angeles Times*, *The Washington Post*, *USA Today*, Tennessee and Colorado radio stations and many other media outlets would become enamored with the story. In fact, crews from *ABC World News Tonight* spent an equivalent of two days in town filming the story.

Many different characterizations of the City evolved from these media reports. Two factors which seem to impress this large group of the media representatives were: (1) The extensive diversity of the various religious facilities and their attendees that are here, and (2) The wide range of compliments from them about Stafford and its officials. In fact, *ABC World News Tonight* completed its telecast by saying "Everybody gets along".

One of the top items on the 2007 agenda for the Planning and Zoning Commission and City Council is to consider and implement new zoning regulations to address not only the challenge presented by the religious facilities but also the many other situations that are evolving as a result of the growth of the City and the many major projects that are currently underway.

CITY FUNDS COURSES FOR STAFFORD STUDENTS

Three years ago, Councilman Mike Sachs recommended that the City approve funding for preparatory review courses for the SAT, PSAT and ACT tests to assist all Stafford students--those attending SMSD and the hundreds of Stafford students who choose not to attend SMSD.

Students in SMSD desiring to take the courses should contact Rebecca Benedict for further information. Students not attending SMSD should call City Hall for information and application forms.

In funding the \$30,000 for this program over 3 years, City Council has relied on information from Kaplan, the provider, that successful completion of the preparatory review results in an average increase of 15% in students' scores.

The effect is this will assist Stafford students to achieve their highest score on these tests and qualify for the college of their choice.

CITY PREPARES FOR NEW LEGISLATIVE SESSION

With the Legislative Session of Texas called to order on January 9, City Council has set out an aggressive agenda in what promises to be a most invigorating session. Items in the City's agenda include:

- Revising the sales tax audit process to prevent leaving cities vulnerable to huge refund claims;
- Authorizing citizens to utilize the Home Rule referendum initiative process for voting on control of SMSD by the City;
- Sanctioning joint annexations by the City and SMSD;
- Employing firemen working in other departments for service of up to 990 hours of duty session with the City;
- Strengthening cities' rights to assume control of those portions of utility districts lying within their boundaries;
- Modifying ethics requirements of public officials and those doing business with the City; and
- Enhancing income and revenues for cities.

Marta Greytok will again represent the City in its legislative efforts.

GARBAGE COLLECTION TALKS CONTINUE

In late October, Allied Waste gave notice that shortly, it intended to cease collecting residential garbage in Stafford. Several meetings later, Allied Waste agreed with the City's position that their contract required them to continue the collection of garbage in the City until December of this year.

One of the major concerns of Allied Waste was the delinquent accounts which it said was costing them about 34% of their anticipated revenues. Lengthy discussions and analyses ensued, and it was concluded that Allied Waste had an inaccurate and incomplete list of Stafford customers which was a major source of its problem with collections.

During the discussions, it was pointed out that, since Fort Bend County WC&ID No. 2 had suspended the collection of City garbage accounts in December 2005, collections had fallen dramatically. The WC&ID had collected these accounts under a contract with the garbage contractor for over 13 years but then canceled the agreement because it was not profitable or beneficial for the District to continue these collections.

Mayor Scarcella approached the WC&ID Board of Directors in November requesting that they reconsider their decision of a year earlier to drop the collections. He emphasized that each homeowner of Stafford would save several dollars per month if the Water District were to reinstitute that service. Lawrence Vaccaro, the City's Public Works Director, stressed at the meeting that the District had the utility mechanism to collect for garbage more efficiently than does the City which does

not collect for utility services.

In addition, coming into the equation was a request from residents who live in the area south of the City who had also been notified by Allied Waste that their garbage collections would be suspended effective the end of 2006. A group of about 70 people from that extraterritorial area attended a City Council Meeting on December 6 requesting assistance from the City. It was stressed during that meeting that the City had no authority to negotiate an arrangement between the nonresidents of the City in the ETJ and the garbage company but would work with Fort Bend County Commissioner Grady Prestage and the Water District to see if there was a way an arrangement for those persons could be facilitated.

During the meeting, Allied Waste agreed to extend the contract for two months until the end of this February to allow more time for a resolution to occur.

Negotiations are continuing between City, county officials and District representatives. Two things appear obvious: (1) City Council will obtain an acceptable garbage contract with Allied Waste or another contractor by December 2007, and (2) In view of rising energy, landfill and other costs related to garbage, the garbage collection fees for Staffordians will rise over the current rate of \$10.99 per month and some restrictions on the size and type of garbage collected may be required.

The City's residents will be kept informed of the progress of these negotiations through the *Newsletter*.

***Peter Pan* COMES TO STAFFORD CENTRE**

Fort Bend Theatre will present the popular Broadway musical *Peter Pan* at the Stafford Centre, March 2 and 3 at 8 p.m., and March 4, at 3 p.m. Tickets range from \$15 to \$35 and are available online at fortbendtheatre.com or by calling 281-208-3333.

Due to City of Stafford's co-sponsorship of the production, Stafford residents can enjoy free tickets by bringing proof of Stafford residency to the Fort Bend Theatre, 2815 N. Main Street, February 1 through February 16, from 10 a.m. to 3 p.m.