



# The Stafford Newsletter



Volume 28, Issue 2

April, 2007

## No Opposition to Incumbents

## CITY ELECTION IN MAY CANCELLED



Mayor Leonard Scarcella



Mayor Pro Tem Jeff Smith



Councilman Wen Guerra



Councilman John Rose

When the filing deadline of March 12 came, it appeared that the only contested race would be for Mayor. Longtime incumbent Leonard Scarcella filed for the position in mid-February. Former Alderman Ray Schenk submitted his application for Mayor shortly before the filing deadline. No one challenged Councilmen incumbents Wen Guerra, John Rose and Jeff Smith.

Only minutes before the deadline to withdraw as a contestant on March

20, Mr. Schenk withdrew from the race. This resulted in no contested positions and, thus, a cancellation of the 2007 Mayor and City Council election.

At its meeting on March 21, 2007, City Council took formal action to cancel the election and declare Leonard Scarcella elected as Mayor and Wen Guerra, John Rose and Jeff Smith re-elected as Council members.

The Mayor and Council members will start their new two-year terms of office in May.

## Council Seeking Request for Proposals

## GARBAGE CONTRACT PRESENTS HURDLES

As has been widely reported, the Allied Waste contract with the City expires in December. One of City Council's top priorities is obtaining a garbage collection agreement with a reliable contractor and preserving a continuation of a responsible collection process. Mayor Pro Tem Jeff Smith, Councilman Cecil Willis and Public Works Director Lawrence Vaccaro comprise the Committee which is working with Allied Waste and other potential contractors in an effort to provide the most efficient collection process at the most reasonable cost.

The Committee is having ongoing meetings and is expected to make a recommendation to City Council within the next few weeks. Based on preliminary proposals, it is obvious that there will be an increase in the garbage collection fee for Stafford residents.

As part of the current agreement, Allied Waste, due to higher costs, requested and Council approved an increase in quarterly collection rates starting in May. The current quarterly rate is \$32.96. The new rate through December will be \$35.05, which will be due to Allied Waste by May 15.

# FRICION CONTINUES BETWEEN CITY & SMSD

The Stafford Municipal School District announced, with fanfare, that the Court ruled in their favor in the suit by the City to require the Board election for this year to be in May. The Court in a brief opinion rejected the City's request that the election of the two Board members whose terms expire this year be held in a joint election with City officials in May, instead of in November as SMSD plans. The legal counsel and Board President of SMSD went on to state that there was no merit to the City's suit. In rebuttal, the City's attorneys responded with a presentation to Council illustrating how the election was required by law to be a joint election with the City. For 23 years the joint election had been held by SMSD with the City.

In an ironic twist the Texas Attorney General, Greg Abbott, has just issued an Opinion which conforms to the City's argument presented to the Court. Further, the opinion raises the question of whether the previously announced SMSD Board election for November 2007 can be held, since a requirement for a joint election with counties is that there must be state and county officials up for election that year and there are none in November 2007. The City is carefully scrutinizing the matter in view of the AG's Opinion.

Irrespective of what is decided regarding the 2007 Board election, it appears certain that the School Board and City Council must agree on the approval of the budget and tax rates for the coming school year. The first meeting in that discussion occurred earlier this month. Subsequent workshops are planned for each month through August with the public hearing and votes on the budget and tax rates by the two bodies scheduled for August 21 and 28, respectively.

In view of last year's contentious meeting which saw the budget proposed by the District rejected and then approved after a Memorandum of Understanding was negotiated the next day, avoiding a shutdown of the school, it appears likely that there

will be intensive discussions as to the budget goals and how to best achieve those, the budget's transparency, programs that will be funded, and developing a budget that elevates the District towards academic excellence and provides Stafford children with optimum educational opportunities.

Another area of disagreement has been related to the sale of the school's \$15,050,000 in bonds approved by the voters in November 2006. A major concern of many citizens was articulated fervently by Councilman Cecil Willis, who questioned the residency of School Board President Azalia Tennis and the potential impact on her recent purchase of a home outside the City in Sienna Plantation. SMSD attorneys have given a written opinion that Ms. Tennis' legal residence is in Stafford, and the prospectus is adequate. On a 5-2 vote, City Council approved the prospectus, which provides information for potential investors in the bonds of material conditions within the District. Since these are City bonds for school purposes, the Mayor is the official required to sign this vital document.

These and other matters, including an orchestrated theft by about three dozen high school students required to re-take the TAKS test which resulted in the media being held at bay, the expelling of some students and an attempted justification by the school administration as to how this occurred and how to prevent its reoccurrence, have caused many citizens to express concern about the state of affairs at SMSD.

The City has announced that it believes the only way a determination of the best course for the District is for the people to decide whether an elected School Board should be preserved, or whether City Council should take control of SMSD. Legislation to allow Staffordians to vote on these critical issues is currently being negotiated between City and SMSD lobbyists and State legislators. Obviously, time is of the essence as the session marches to a close.

## Mark Calendar for the Independence Day Celebration

# ACTIVITIES FOR JULY 4 EVENT IN THE WORKS



July 2006 Parade

The City will host yet another year – the 32<sup>nd</sup> – of the Independence Day celebration.

There is little change to the schedule and the same activities that the citizens expect every year and which have worked so well in the past are planned. The parade, children's rides, and street dance will be on

Tuesday, July 3, with the customary fireworks display taking place on Wednesday night, July 4.

For further information or to join the July 4<sup>th</sup> Committee, call the Civic Center at 281-499-5763.

Please watch for complete details in the next issue of *The Stafford Newsletter*.

## STAFFORD CITY POOL SHOWS OFF NEW LOOK



The City Pool has a fresh look following extensive renovations and will open to the public for use on May 26. The Project was completed in 45 days at a cost of \$162,000.



Guests will see racing lanes, new tile, concrete pavers, handrails, updated lighting, and other features. Small children will be delighted with the mosaic in the revamped Kiddie Pool.



**Swim Lessons**  
Morning & Evening  
Monday – Friday  
Ages 4 and up  
Sign up begins May 26  
Call 281-499-5763  
or 281-499-8783

### City Pool Schedule

Opens Saturday, May 26  
Closes  
Tuesday, September 4  
  
Open weekends only,  
August 18 – September 3  
  
Mondays (non holidays),  
closed  
  
Tuesday-Friday, 11 a.m.– 7  
p.m.  
Saturday, 12 noon – 8 p.m.  
Sunday, 1 p.m. – 8 p.m.



**Stafford Stingrays Swim  
Team**

**Evening Practice  
Monday – Friday**

**Begins May 1 – Ends July 17  
Call Linda May at 281-240-  
676**

A full-season pass for those living in the Stafford city limits costs \$7.50. A use fee of \$4 for non-resident adults and \$2 for children ages 2-5 will be charged each day they enter the pool. For information, call 281-499-5763.



**City of Stafford**  
**2610 South Main**  
**Stafford, TX 77477**

PRSRT STD  
 US Postage  
 Paid  
 Stafford, TX 77477  
 Permit No. 390

Or Current Resident

---

## **SALES TAX AGREEMENT IS FINALIZED**

Much has been stated and written about the State Comptroller's claim for \$2,974,473 assessed against the City resulting from the refund audits in 2006 of two major companies in Stafford. Even Governor Rick Perry expressed his objections to the activities by the former Comptroller that placed the City in this situation emphasizing the City had done everything right, yet was being penalized. City Council and its attorney have been carefully evaluating the options of the City to challenge the claims.

The matter became more urgent when in March the new Comptroller sent a proposed arrangement for the City to have its sales tax checks reduced by an amount of up to \$23,679 each month over the next ten years to reimburse the State for these claims. The Mayor sent a counterproposal setting forth the request of the City to analyze and evaluate pertinent material from the companies' audits that resulted in these claims or, in the alternative, a payment of a discounted settlement amount. The City's proposal was firmly rejected by the Comptroller's office.

In an effort to avoid an extensive legal battle, a meeting of State Comptroller Susan Combs and her top

staff and Mayor Leonard Scarcella, Finance Director Karen Austin and attorneys and lobbyists for the City was held in Austin on April 9. The meeting was intense, but constructive, with the Mayor and Comptroller having a very forthright discussion. At its conclusion, the Comptroller stated she would have a proposal of compromise to the City the next day.

At its meeting on April 11, Council considered the compromise proposal and unanimously accepted it. Under the agreement, the City will reimburse the State for payment of the claims over a 25-year period in a monthly, interest-free amount of \$9,915. The net affect of the settlement is that the City will retain in its coffers a total of \$1,900,000 during this 10-year period which otherwise would have been kept by the State. In view of legal hurdles, this was as good a resolution as the City could have obtained.



### **Tree Limb**

Monday, June 4

### **No Trash Pickup**

Memorial Day  
 Monday, May 28

