AGENDA

CITY COUNCIL REGULAR MEETING

JUNE 7, 2022 @ 7:00 PM

Notice is hereby given the City Council for the City of Parker will meet on Tuesday, June 7, 2022, at 7:00 P.M. at the Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002. The City Council meeting will be open to the public and live streamed.

Pursuant to Texas Government Code § 551.127, notice is given that it is the intent of the City Council that a quorum of the Council will be physically present for the above-referenced meeting at Parker City Hall, 5700 E. Parker Road, Parker Texas. Some council members or City employees may participate in this meeting remotely by means of video conference call in compliance with state law.

CALL TO ORDER – Roll Call and Determination of a Quorum

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: I pledge allegiance to the flag of the United States of America; and to the republic for which it stands, one nation under God, indivisible with liberty and justice for all.

TEXAS PLEDGE: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

PUBLIC COMMENTS **The City Council invites any person with business before the Council to speak to the Council. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.**

ITEMS OF COMMUNITY INTEREST

i. REMINDER – HOME HAZARDOUS WASTE - http://www.parkertexas.us/416/Home-Hazardous-Waste

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, JUNE 8, 2022, 4 PM

COMPREHENSIVE PLAN (COMP) COMMITTEE - WEDNESDAY, JUNE 15, 2022, 6 PM

COUNCIL MEETING SCHEDULE

CONSENT AGENDA **Routine Council business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Councilmember or member of staff.**

1. APPROVAL OF MEETING MINUTES FOR APRIL 19, 2022.
2. APPROVAL OF MEETING MINUTES FOR MAY 17, 2022.
3. APPROVAL OF RESOLUTION NO. 2022-699 ON THE ELECTRONIC COMMUNICATIONS POLICY.

INDIVIDUAL CONSIDERATION ITEMS

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ACCEPTING A DONATION IN THE TOTAL AMOUNT OF $26,500 FROM THE PARKER WOMEN'S CLUB (PWC), TO BE ALLOCATED AS FOLLOWS:

   $500 FOR T-SHIRTS FOR ADMINISTRATION;

   $2,000 FOR BOOTS FOR POLICE DEPARTMENT;

$10,000 FOR LIFE PACKS FOR FIRE DEPARTMENT;

$14,000 FOR NEW BENCHES AND PICNIC TABLES, PARK REPAIRS; AND IMPROVEMENTS FOR TH PARKS AND RECREATION COMMISSION

5. **POSSIBLE TEMPORARY MORATORIUM EXTENSION:**

A. PUBLIC HEARING REGARDING EXTENSION OF THE TEMPORARY MORATORIUM ON THE ACCEPTANCE, REVIEW, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, OR CONSTRUCTION WITHIN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION OF THE CITY OF PARKER.

B. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 815 EXTENDING THE TEMPORARY MORATORIUM ENACTED BY ORDINANCE NO. 812 ON THE ACCEPTANCE, REVIEW, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, OR CONSTRUCTION WITHIN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION OF THE CITY OF PARKER.

6. **DONIHOO FARMS, LTD.:**

DONIHOO FARMS, LTD. SERVICE AGREEMENT

A. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 816 REGARDING A MUNICIPAL SERVICES AGREEMENT, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 43.0672, BETWEEN THE CITY OF PARKER AND DONIHOO FARMS, LTD. FOR THE PROVISION OF CITY SERVICES TO APPROXIMATELY 44.786 ACRES OF LAND REQUESTED BY OWNER TO BE ANNEXED, GENERALLY LOCATED IN THE THOMAS ESTES SURVEY, ABSTRACT NO. 298; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

DONIHOO FARMS, LTD. ANNEXATION

B. PUBLIC HEARING FOR DONIHOO FARMS, LTD. ANNEXATION

C. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 817, ANNEXING APPROXIMATELY 44.786 ACRES INTO THE CITY LIMITS (THE DONIHOO FARMS, LTD. ANNEXATION).

7. **LOVEJOY NEW VENTURE:**

LOVEJOY NEW VENTURE SERVICE AGREEMENT

A. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 818 REGARDING A MUNICIPAL SERVICES AGREEMENT, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 43.0672, BETWEEN THE CITY OF PARKER AND LOVEJOY NEW VENTURE LLC FOR THE PROVISION OF CITY SERVICES TO APPROXIMATELY 14.926 ACRES OF LAND REQUESTED BY OWNER TO BE ANNEXED, GENERALLY LOCATED AT 3501 MCCREARY ROAD IN THE RICHARD SPARKS SURVEY, ABSTRACT NO. 850, TRACTS 1 THROUGH 4; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

LOVEJOY NEW VENTURE ANNEXATION

B. PUBLIC HEARING FOR LOVEJOY NEW VENTURE ANNEXATION

C. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 819, ANNEXING APPROXIMATELY 14.926 ACRES INTO (THE LOVEJOY NEW VENTURE ANNEXATION).

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-700 APPROVING AN INTERLOCAL AGREEMENT BETWEEN COLLIN COUNTY (CC) AND THE CITY OF PARKER FOR ROAD AND BRIDGE IMPROVEMENTS.

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-701 APPOINTING 2022-2024 COURT OFFICIALS.

10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-702 ON CONFIRMING INVESTMENT OFFICERS AND APPOINTING INVESTMENT OFFICIALS.

11. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-703 FOR NEWSLETTER COMMITTEE APPOINTMENTS.

12. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON CANCELING THE JULY 5, 2022 REGULAR CITY COUNCIL MEETING, DUE TO JULY 4TH HOLIDAY.

ROUTINE ITEMS

13. UPDATE(S):

ANY COMMITTEE UPDATES, AS NEEDED.

ACCEPTANCE OF DONATION(S) FOR POLICE, FIRE, AND CITY STAFF DUE TO FOR THE RECORD (Each valued at between $0 - $500)

Bobby and Michelle Varner donated three dozen Bundtinis valued $75.00

Presbyterian Church (Pastor Kelly) donated muffins valued of $15.00

Scott Jeffries and Andrea Petro donated $500 to the Parker Police Department

FUTURE AGENDA ITEMS

14. FUTURE AGENDA ITEMS

EXECUTIVE SESSION START TO FINISH - Pursuant to the provisions of Chapter 551, Texas Government Code the City Council may hold a closed meeting.

RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:

Government Code Section 551.074 Personnel—To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Government Code Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation.

Government Code Section 551.071(2) – Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly conflicts with this chapter (Open Meetings Act).

RECONVENE REGULAR MEETING.

ANY APPROPRIATE DELIBERATION AND/OR ACTION ON ANY OF THE EXECUTIVE SESSION SUBJECTS LISTED ABOVE.

ADJOURN

In addition to any specifically identified Executive Sessions, Council may convene into Executive Session at any point during the open meeting to discuss any item posted on this Agenda. The Open Meetings Act provides specific exceptions that require that a meeting be open. Should Council elect to convene into Executive Session, those exceptions will be specifically identified and announced. Any subsequent action, as a result of this Executive Session, will be taken and recorded in open session.

I certify that this Notice of Meeting was posted on or before June 3, 2022, by 5:00 p.m. at the Parker City Hall, and as a courtesy, this Agenda is also posted to the City of Parker Website at www.parkertexas.us.

The Parker City Hall is Wheelchair accessible. Sign interpretations or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972 442 6811.

Date Notice Removed	Patti Scott Grey City Secretary

The Parker City Hall is Wheelchair accessible. Sign interpretations or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972 442 6811.

/

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey
Estimated Cost:		Date Prepared:	May 17, 2022
Exhibits:	**None**		

AGENDA SUBJECT

REMINDER – HOME HAZARDOUS WASTE - http://www.parkertexas.us/416/Home-Hazardous-Waste

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, JUNE 8, 2022, 4 PM

COMPREHENSIVE PLAN (COMP) COMMITTEE - WEDNESDAY, JUNE 15, 2022, 6 PM

COUNCIL MEETING SCHEDULE

SUMMARY

Please review information provided.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	Patti Scott Grey	Date:	06/02/2022
City Attorney:	Trey Lansford	Date:	06/02/2022 via Municode Software
City Administrator:	Luke B. Olson	Date:	06/03/2022

CITY OF PARKER

Tentative Budget Calendar

May 2023						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June 2023						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July 2023						
S	M	T	W	T	F	S
					1	
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

August 2023						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September 2023						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October 2023						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

	Days City Is Closed
	Current Council & Workshop Meeting Dates

Date	Time	Description
5/23	2:00	Planning Workshop (not budget)
6/6	2:00 – 4:30 PM	Council Workshop (for Council to set goals, TOMA, & Ethics Overview)
6/20	3:00 – 5:00 PM	Budget Workshop (presentation/overview)
6/28	2:00 – 5:00 PM	Staff Evaluations and salary adjustments
7/12	2:00 – 5:00 PM	Budget workshop (directors' wants and needs)
7/26	2:00 – 5:00 PM	Budget workshop (adjustments, overall discussion, hopefully will have final numbers from CAD)
8/2	7:00	Council Meeting: Set proposed tax rate
8/16	7:00	Council Meeting: Public Hearing on tax rate and budget – No Vote
9/6	7:00	Council Meeting Public Hearing and Vote on Tax Rate and Budget

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	City Secretary
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey
Estimated Cost:		Date Prepared:	April 22, 2022
Exhibits:	• **Proposed Minutes**		

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR APRIL 19, 2022.

SUMMARY

Please review the attached minutes. If you have any questions, comments, and/or corrections, please contact the City Secretary at PGrey@parkertexas.us prior to the City Council meeting.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	Patti Scott Grey	Date:	06/02/2022
City Attorney:	Trey Lansford	Date:	06/02/2022 via Municode Software
City Administrator:	Luke B. Olson	Date:	06/03/2022

MINUTES

CITY COUNCIL MEETING

APRIL 19, 2022

CALL TO ORDER – Roll Call and Determination of a Quorum

The Parker City Council met in a regular meeting on the above date at Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002.

Mayor Lee Pettle called the meeting to order at 7:00 p.m. Mayor Pro Tem Cindy Meyer and Councilmembers Diana M. Abraham, Terry Lynch, Jim Reed, and Michael Slaughter were present.

Staff Present: City Administrator Luke Olson, Asst. City Administrator/City Secretary Patti Scott Grey, Finance/Human Resources Director Grant Savage, City Attorney Trey Lansford, Public Works Director Gary Machado, and Police Chief Richard Brooks

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Ed Standridge led the pledge.

TEXAS PLEDGE: Joe Cordina led the pledge.

PUBLIC COMMENTS The City Council invites any person with business before the Council to speak. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

Joe Cordina, 4302 Boulder Drive, spoke regarding Mayor and Council integrity and performance.

ITEMS OF COMMUNITY INTEREST

REMINDER – HOME HAZARDOUS WASTE - http://www.parkertexas.us/416/Home-Hazardous-Waste

COMPREHENSIVE PLAN (COMP) COMMITTEE - WEDNESDAY, APRIL 20, 2022, 6 PM

CANDIDATES NIGHT – THURSDAY, APRIL 21, 2022, 7 PM – VICTORY CHURCH

NATIONAL PRESCRIPTION DRUG TAKE BACK - SATURDAY, APRIL 30, 2022, 10AM-2PM

REMINDER – MAY 7, 2022 – GENERAL ELECTION (EV AND ED INFO)

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Apr 24	Apr 25 Early Voting 8am to 5pm	Apr 26 Early Voting 8am to 5pm	Apr 27 Early Voting 8am to 5pm	Apr 28 Early Voting 8am to 5pm	Apr. 29 Early Voting 8am to 5pm	Apr. 30 Early Voting 8am to 5pm
May 1	May 2 Early Voting 7am to 7pm	May 3 Early Voting 7am to 7pm	May 4	May 5	May 6	May 7 Election Day 7am to 7pm

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, May 11, 2022, 4 PM

CITY COUNCIL MEETING - TUESDAY, MAY 17, 2022, 7 PM – RELOCATED TO THE FIRE DEPARTMENT

PRIMARY RUNOFF ELECTION – TUESDAY, MAY 24, 2022

PROPOSED

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
15-May	16-May Early Voting 7am-7pm	17-May Early Voting 7am-7pm	18-May Early Voting 7am-7pm	19-May Early Voting 7am-7pm	20-May Early Voting 7am-7pm	21-May
22-May	23-May	24-May Election Day 7am-7pm	25-May	26-May	27-May	28-May

Mayor Pettle reviewed the ***Items of Community Interest*** and noted there would be a Police Department promotional exam May 20, 2022, 2 PM – 3 PM.

CONSENT AGENDA Routine Council business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Councilmember or member of staff.

1. APPROVAL OF MEETING MINUTES FOR APRIL 5, 2022.
2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION CANCELING THE MAY 3, 2022, REGULAR MEETING DUE TO MAY 7, 2022, GENERAL AND SPECIAL ELECTION EARLY VOTING, 7AM-7PM.

   MOTION: Councilmember Slaughter moved to approve consent agenda items 1 and 2 as presented. Councilmember Abraham seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

INDIVIDUAL CONSIDERATION ITEMS

3. CONSIDERATION, DISCUSSION, AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-688 ON THE 2021-2022 INVESTMENT POLICY. [*This item was originally on the December 7, 2021, City Council agenda.*]

   After discussion, Council decided to move the "Glossary of Common Treasury Terms" to the front of the Investment Policy and to include for clarity purposes the language "for a term of one year and until successor is qualified and appointed by the Council." in **Article XIII, Investment Committee (A) Members**. [***See Exhibit 1 – 2021-2022 Investment Policy w/change note and clean versions, dated April 20, 2022***.]

   MOTION: Councilmember Slaughter moved to approve Resolution No. 2022-688 on the 2021-2022 Investment Policy, as amended. Councilmember Reed seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-695, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE MASTER EQUITY LEASE AGREEMENT AND RELATED DOCUMENTS TO ENTERPRISE FLEET MANAGEMENT.

   Nick A. Hardwick, Enterprise Fleet Management, Inc. North Texas Senior Account Executive, reviewed the Enterprise Fleet synopsis and agreements.

   MOTION: Councilmember Lynch moved to approve Resolution No. 2022-695, approving and authorizing the Mayor to execute the Master Equity Lease

PROPOSED

Agreement and related documents with direction to staff to review, compile and recommend a list of vehicles for Council's review and final approval. Councilmember Slaughter seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

Council decided to meet Monday, April 25, 2022, 2:30 PM to make final vehicle selections, so Enterprise Fleet Management can order vehicles this year.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-696, REGARDING NOMINATION OF A BOARD OF DIRECTOR POSITION FOR THE COLLIN COUNTY CENTRAL APPRAISAL DISTRICT.

   Councilmember Slaughter nominated Ed Standridge, 3607 Hogge Drive, Parker, Texas for Collin County Central Appraisal District Board of Directors, if he would be willing to serve the City in such a capacity.

   Ed Standridge said he would be happy to serve the City and thanked everyone involved for the honor.

   MOTION: Councilmember Slaughter moved to formally nominate Ed Standridge. Mayor Pro Tem Meyer seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ACCEPTING AN ONGOING DONATION IN AN AMOUNT EXCEEDING $500, NOT EXPECTED TO EXCEED $2,500 FROM MUSLIMS GIVING BACK.

   MOTION: Councilmember Slaughter moved to accept an ongoing food donation (Box lunches for staff.) in an amount exceeding $500, but not expected to exceed $2,500 from Muslims Giving Back (MGB). Councilmember Abraham seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

   City Administrator Olson noted Courts Administrator Newton would be keeping track of the donations.

ROUTINE ITEMS

7. UPDATE(S):

   ANY COMMITTEE UPDATES, AS NEEDED.

   EMERGENCY PREPAREDNESS COMMITTEE

   Councilmember Abraham reported on the Emergency Preparedness Committee stating David Driver, who has Emergency Medical Technician (EMT) and military training, is helping to keep the City update-to-date on its emergency preparedness. The Committee planned to have discussions and tabletop exercises to combat natural disasters and keep the City prepared. They will discuss a Disaster Recovery Plan and a City Citizen Committee, a committee of volunteers in which neighbors check on neighbors during and after certain events.

   MONTHLY/QUARTERLY REPORTS (Links below.)

   Mar 2022 - Building Permit/Code Report

PROPOSED

Mar 2022 - Court Report
Mar 2022 – Finance (monthly financials) Report
Investment 1st Qtr. Report 2022
Mar 2022 – Police Report
Mar 2022 – Republic Services Inc., dba Allied Waste Services of Plan
Mar 2022 – Website (PIWIK) Report

ACCEPTANCE OF DONATION(S) FOR POLICE, FIRE, AND CITY STAFF DUE TO FOR THE RECORD (Each valued at between $0 - $500).

- James & Cindy Henderson/Anthony Cordova donated snacks values at $120.00

Mayor Pettle, on behalf of herself, City Council, and City Staff, thanked the Hendersons for their kind and generous donations.

FUTURE AGENDA ITEMS

8. FUTURE AGENDA ITEMS

Mayor Pettle asked if there were any items to be added to the future agenda.

Hearing no requests, Mayor Pettle encouraged everyone to email her any requests. She noted the next regularly scheduled meeting would be Tuesday, May 17, 2022, for canvassing, as City Council canceled the Tuesday, May 3, 2022, meeting, due to the May 7, 2022, General and Special Election Early Voting at Parker City Hall.

WORKSHOP

9. WORKSHOP ITEMS

- REVIEW FEE SCHEDULE.
- DISCUSSION AND STAFF DIRECTION ON DRAFT ELECTRONIC COMMUNICATION POLICY.

EXECUTIVE SESSION - Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes Annotated the City Council may hold a closed meeting.

10. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:

Government Code Section 551.074 Personnel—To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
Government Code Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation.
Government Code Section 551.071(2) – Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly conflicts with this chapter (Open Meetings Act).

Mayor Lee Pettle recessed the regular meeting to Executive Session at 9:46 p.m.

PROPOSED

RECONVENE REGULAR MEETING.

Mayor Lee Pettle reconvened the meeting at 10:14 p.m.

ANY APPROPRIATE DELIBERATION AND/OR ACTION ON ANY OF THE EXECUTIVE SESSION SUBJECTS LISTED ABOVE.

No action was taken.

Mayor Lee Pettle adjourned the meeting at 10:14 p.m.

APPROVED:

_____
Mayor Lee Pettle

ATTESTED:

Approved on the __7th___ day of _____June_____, 2022.

_____
Patti Scott Grey, City Secretary

PROPOSED

EXHIBIT 1

City of Parker

2021-2022 Investment Policy

GLOSSARY of COMMON TREASURY TERMS

Agencies: Federal agency securities.

Asked: The price at which securities are offered.

Bid: The price offered for securities.

Bankers' Acceptance (BA): A draft of bill or exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

Broker: A broker brings buyers and sellers together for a commission paid by the initiator of the transaction or by both sides; he does not position. In the money market, brokers are active in markets in which banks buy and sell money and in interdealer markets.

CDARS: Certificate of Deposit Account Registry Service – A program that allows a depositor to deposit funds at one bank in excess of the FDIC insured limit, with the excess funds being divided and deposited in other banks in the CDARs program. The purpose of CDARS is to help depositors who invest in money market accounts or certificate of deposits (CD's) to stay below FDIC insurance limits at any given bank. Usually, to avoid exceeding FDIC limits at a single bank, consumers deposit their money in different banks. CDARS is a program that eliminates the need to go from bank to bank in order to deposit money and is comprised of a network of banks.

Certificate of Deposit (CD): A time deposit with a specific maturity evidenced by a certificate. Large-denomination CD's are typically negotiable.

Collateral: Securities, evidence of deposit or other property that a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

Comprehensive Annual Financial Report (CAFR): The official annual report for the City includes five combined statements and basic financial statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed statistical section.

Coupon: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

Dealer: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

Debenture: A bond secured only by the general credit of the issuer.

Delivery versus Payment (DVP): There are two methods of delivery of securities: delivery versus payment and delivery versus receipt (DVR) (also called free). Delivery versus payment means delivery of securities with an exchange of money for the securities. Delivery versus receipt means delivery of securities with an exchange of a signed receipt for the securities.

Discount: The difference between the cost price of a security and its value at maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

Discount Securities: Non-interest-bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, for example, U.S. Treasury bills.

Diversification: Dividing investment funds among a variety of securities offering independent returns.

Federal Credit Agencies: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, for example, S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

Federal Deposit Insurance Corporation (FDIC): A federal agency that insures bank deposits, currently up to $250,000 per deposit.

Federal Funds Rate (the "Fed Rate"): The rate of interest at which Federal funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

Federal Home Loan Banks (FHLB): The institutions that regulate and lend to savings and loan associations. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks in relation to member commercial banks.

Federal National Mortgage Association (FNMA or Fannie Mae): FNMA, like GNMA, was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development, H.U.D. It is the largest single provider of residential mortgage funds in the United States. Fannie Mae is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and secondary loans in addition to fixed rate mortgages. FNMA's securities are highly liquid and widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

Federal Open Market Committee (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The president of the New York Federal Reserve Bank is a permanent member while the other presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines

regarding purchases and sales of government securities in the open market as a means of influencing the volume of bank credit and money.

Federal Reserve System: The central bank of the United States was created by Congress and consisting of a seven-member Board of Governors in Washington, D.C., twelve (12) regional banks, and numerous ~~about 5,700~~ commercial banks that are members of the system.

Finance Director: Shall reference the head of the Finance Department which position may be titled Finance Manager.

Government National Mortgage Association (GNMA or Ginnie Mae): Securities guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. The security holder is protected by the full faith and credit of the U.S. Government. Ginnie Mae securities are backed by FHA, VA, or FMHM mortgages. The term pass-through is often used to describe Ginnie Maes.

Investment Committee: Consists of the Mayor, City Administrator, Finance Director, and two other Council Members appointed by resolution.

Investment Officer: Consists of the City Administrator and Finance Director.

Investment Official: Consists of the Mayor, City Administrator, Finance Director, two other Council Members appointed by resolution, or staff selected by the Investment Committee.

Liquidity: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable quantities can be purchased at those quotes.

Local Government Investment Pool (LGIP): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

Market Value: The price at which a security is trading and could presumably be purchased or sold.

Master Repurchase Agreement: To protect investors, many public investors will request that repurchase agreements be preceded by a master repurchase agreement between the investor and the financial institution or dealer. The master agreement should define the nature of the transaction, identify the relationship between the parties, establish normal practices regarding ownership and custody of the collateral securities during the term of the investment, provide remedies in the case of default by either party, and clarify issues of ownership. The master repurchase agreement protects the investor by eliminating the

uncertainty of ownership and hence, allows investors to liquidate collateral if a bank or dealer defaults during the term of the agreement.

Maturity: The date on which the principal or stated value of an investment becomes due and payable.

Money Market: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

Offer: The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See Asked and Bid.

Open Market Operations: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

Portfolio: Collection of securities held by an investor.

Primary Dealer: A primary dealer is made up of a group of government securities dealers that submits daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and is subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC) registered securities broker-dealers, banks and a few unregulated firms.

Prudent Person Rule: An investment standard. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Qualified Public Depositories: A financial institution that does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, and that has segregated for the benefit of the Public Deposit Protection Commission eligible collateral having a value of not less than its maximum liability and which has been approved by the commission to hold public deposits.

Rate of Return: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

Repurchase Agreement (RP or REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to finance

their positions. Exception: When the Fed is said to be doing RP, it is lending money that is, increasing bank reserves.

Safekeeping: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

SEC Rule 15C3-1: See Uniform Net Capital Rule.

Secondary Market: A market made for the purchase and sale of outstanding issues following the initial distribution.

Securities & Exchange Commission (SEC): Agency created by Congress to protect investors in securities transactions by administering securities legislation.

Structured Notes: Notes issued by Government Sponsored Enterprises (FHLB, FNMA, SLMA, etc.) and Corporations, which have imbedded options (e.g., call features, step-up coupons, floating rate coupons, derivative-based returns) into their debt structure. Their market performance is impacted by the fluctuation of interest rates, the volatility of the imbedded options and shifts in the shape of the yield curve.

Treasury Bills (T Bills): A non-interest-bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months or one year.

Treasury Bond: Long-term U.S. Treasury securities having initial maturities of more than ten years.

Treasury Notes: Intermediate-term, coupon-bearing U.S. Treasury securities having initial maturities from one to ten years.

Uniform Net Capital Rule: Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called *net capital rule* and *net capital ratio*. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

Yield: The rate of annual income return on an investment, expressed as a percentage. (a) **Income Yield** is obtained by dividing the current dollar income by the current market price of the security. (b) **Net Yield** or **Yield to Maturity** is the current income yield minus any premium above par.

ARTICLE I
PURPOSE AND NEED FOR POLICY

Chapter 2256 of the Government Code, as amended from time to time by the Texas State Legislature ("Public Funds Investment Act") requires each city to adopt rules governing its investment practices and to define the authority of the Investment Officer and any additional Investment Committee members. The 2021-2022 Investment Policy addresses the methods, procedures and practices that must be exercised to ensure effective and prudent fiscal management of the City of Parker, Collin County, Texas funds.

ARTICLE II
SCOPE

The Investment Policy applies to the investment and management of all funds under direct authority of the City of Parker, Collin County, Texas.

A. These funds are accounted for in the City's Annual Financial Report and include the following:

(1) General Fund;
(2) Special Revenue Funds;
(3) Capital Project Funds;
(4) Enterprise Funds;
(5) Trust and Agency Funds, to the extent not required by law or existing contract to be kept segregated and managed separately;
(6) Debt Service Funds, including reserves and sinking funds to the extent not required by law or existing contract to be kept segregated and managed separately; and
(7) Any new fund created by the City unless specifically exempted from this policy by the City or by law.

This investment policy shall apply to all transactions involving the financial assets and related activity of all the foregoing funds.

B. This policy ~~excludes:~~ shall not govern funds which are managed under separate investment programs in accordance with Section 2256.004 of the Public Fund Investment Act. Such funds currently include the Other Post-Employment Funds and the Deferred Compensation Funds.

~~(1) Employee Retirement and Pension Funds administered or sponsored by the City.~~
~~(2) Defeased bond funds held in trust escrow accounts.~~

C. Review and Amendment

The City Council is required by state statute and by this investment policy to review this investment policy and investment strategies not less than annually and to adopt a resolution stating the review has been completed and recording any changes made to either the policy or strategy statements.

ARTICLE III
PRUDENCE

Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived.

In determining whether an Investment Officer ~~Official~~ has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

(1) the investment of all funds, or funds under the entity's control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment; and

(2) whether the investment decision was consistent with the written investment policy of the City.

All participants in the investment program will seek to act responsibly as custodians of the public trust. Investment Officers ~~Officials~~ will avoid any transaction that might impair public confidence in the City's ability to govern effectively. Investment Officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism which is worthy of the public trust. Nevertheless, the City recognizes that in a marketable, diversified portfolio, occasional measured losses are inevitable and must be considered within the context of the overall portfolio's investment rate of return.

Investment Officials, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for market price changes, provided that these deviations from expectations are reported immediately to the Mayor and the City Council of the City of Parker, and that appropriate action is taken by the Finance Director ~~Investment Officer~~ to control adverse developments.

ARTICLE IV
OBJECTIVES

A. Preservation and Safety of Principal

Preservation of capital is the foremost objective of the City. Each investment transaction shall seek first to ensure that capital losses are avoided, whether the loss occurs from the default of a security or from erosion of market value.

B. Liquidity

The City's investment portfolio will remain liquid to enable the City to meet all operating requirements, which can be reasonably anticipated. Liquidity will be achieved by matching investment maturities with forecasted cash flow requirements and by investing in securities with active secondary markets.

C. Yield

The investment portfolio of the City shall be designed to meet or exceed the average rate of return on 91-day U.S. treasury bills throughout budgetary and economic cycles, taking into account the City's investment risk constraints and the cash flow characteristics of the portfolio. Legal constraints on debt proceeds that are not exempt from federal arbitrage regulations are limited to the arbitrage yield of the debt obligation. Investment Officers ~~Officials~~ will seek to maximize the yield of these funds in the same manner as all other City funds. However, if the yield achieved by the City is higher than the arbitrage yield, positive arbitrage income will be averaged over a five-year period, netted against any negative arbitrage income and the net amount shall be rebated to the federal government as required by federal regulations.

ARTICLE V
RESPONSIBILITY AND CONTROL

A. Delegation - Investment Officers; ~~Investment Committee~~

Management responsibility for the investment program is hereby delegated to the Finance Director. The City Administrator and Finance Director are hereby designated as "Investment Officers" pursuant to the Public Fund Investment Act Section 2256.005 subsection f.

~~Management responsibility to establish written procedures for the operation of the investment program consistent with this investment policy has been assigned to the Investment Officer, who shall be appointed by the City Council. The appointment is for a term of one year, and until a successor is qualified and appointed by the Council. Appointments are to be made for the Investment Officer, and the Investment Committee within June of each year, or as soon thereafter as possible. The review of this investment policy shall also take place in June of each year, as noted in Article IIC, above. Such procedures shall include explicit delegation of authority to persons responsible for the daily cash management operation, the execution of investment transactions, overall portfolio management and investment reporting. The Investment Officer shall be the chair of the Investment Committee and may delegate the daily investment responsibilities to either an internal Investment Official or an external investment advisor in combination with an internal Investment Official. The Investment Officer and/or his or her representative(s) will be limited by conformance with all federal regulations, ordinances, and the statements of investment strategy. The Investment Officer and members of the Investment Committee are collectively referred to as "Investment Officials." The Mayor is a non-voting member and the City Administrator is a full member of the Investment Committee.~~

B. Subordinates

No person shall engage in an investment transaction except as provided under the terms of this policy, the procedures established by the City Council and the explicit authorization by the Finance Director ~~Investment Officer, with approval of the City Council,~~ to withdraw, transfer, deposit and invest the City's funds. ~~The City Council, by resolution,~~

~~has authorized and appointed these individuals.~~ The Finance Director ~~Investment Officer~~ shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinates. ~~Investment Officials, if any are appointed by the City Council.~~

C. Internal Controls

Internal controls shall be designed to prevent losses of public funds arising from fraud, employee error, and misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by Investment Officials. Controls deemed most important would include: control of collusion, separation of duties, third-party custodial safekeeping, avoidance of bearer-form securities, clear delegation of authority, specific limitations regarding securities losses and remedial action, written confirmation of telephone transactions, minimizing the number of authorized Investment Officials, and documentation of and rationale for investment transactions.

In conjunction with the annual independent audit, a compliance audit of management controls on investments and adherence to the Investment Policy and the Investment Strategy shall be performed by the City's independent auditor.

D. Ethics and Conflicts of Interest

Any Investment Official of the City who has a personal business relationship with a business organization offering to engage in an investment transaction with the City shall file a statement disclosing that personal business interest. Investment Officials ~~An investment officer~~ who are ~~is~~ related within the second degree of affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship with the Texas Ethics Commission and the City Council. For purposes of this section, an Investment Official has a personal business relationship with a business organization if:

(1) the Investment Official owns 10 percent or more of the voting stock or shares of the business organization or owns $5,000 or more of the fair market value of the business organization;
(2) funds received by the Investment Officer ~~investment officer~~ from the business organization exceed 10 percent of the Investment Officer's ~~investment officer's~~ gross income for the previous year; or
(3) the Investment Official has acquired from the business organization during the previous year investments with a book value of $2,500 or more for the personal account of the Investment Official.

Investment Officials of the City shall refrain from personal and business activities involving any of the City's custodians, depositories, broker/dealers or investment advisors, which may influence the official's ~~officer's~~ ability to conduct his duties in an unbiased manner. Investment Officials will not utilize investment advice concerning specific securities or classes of securities obtained in the transaction of the City's business for personal investment decisions, will in all respects subordinate their personal investment

transactions to those of the City, particularly with regard to the timing of purchase and sales and will keep all investment advice obtained on behalf of the City and all transactions contemplated and completed by the City confidential, except when disclosure is required by law.

E. Investment Training Requirements

The Investment Officers, and all members of the Investment Committee as may be required, or prudent, shall attend at least one ten-hour training session relating to their investment responsibilities within 12 months after assuming their duties. In addition to this ten-hour requirement, all members of the Investment Committee should receive not less than eight hours of instruction in their investment responsibilities at least once in every two-year period that begins on the first day of the fiscal year. This training is optional but preferred as long as the City continues to invest in interest-bearing deposit accounts or certificates of deposit only. The investment training session shall be provided by an independent source approved by the investment committee. For purposes of this policy, an "independent source" from which investment training shall be obtained shall include a professional organization, an institute of higher learning or any other sponsor other than a Business Organization with whom the City of Parker may engage in an investment transaction. Such training shall include education in investment controls, credit risk, market risk, investment strategies, and compliance with investment laws, including the Texas State Public Funds Investment Act. ~~A list will be maintained of the number of hours and conferences attended for each Investment Official and a report of such information will be provided to the City Council.~~ Investment "officials" include the Mayor, City Administrator, Finance Director, two Council Members appointed by resolution, or staff selected by the Investment Committee. ~~Investment "officials" includes the Investment Officers and may include the Mayor or other member(s) of the City Council, or staff selected by the City Council as alternate Budget or Investment Officer(s).~~

ARTICLE VI
INVESTMENT STRATEGY STATEMENTS

The City of Parker portfolio will be structured to benefit from anticipated market conditions and to achieve a reasonable return. Relative value among asset groups shall be analyzed and pursued as part of the investment program within the restrictions set forth by the investment policy.

The City of Parker maintains portfolios, which utilize four specific investment strategy considerations designed to address the unique characteristics of the fund groups represented in the portfolios.

A. Operating Funds

Suitability - All investments authorized in the Investment Policy are suitable for Operating Funds.

Preservation and Safety of Principal - All investments shall be high quality securities with no perceived default risk.

Liquidity - Investment strategies for the pooled operating funds have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The dollar-weighted average maturity of operating funds, based on the stated final maturity date of each security, will be calculated and limited to one year or less. Constant $1 NAV investment pools and money market mutual funds shall be an integral component in maintaining daily liquidity. Investments for these funds shall not exceed an 18-month period from date of purchase.

Marketability - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

Diversification - Maturities shall be staggered throughout the budget cycle to provide cash flows based on anticipated needs. Investment risks will be reduced through diversification among authorized investments.

Yield - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for Operating Funds shall be the 91-day Treasury bill.

B. Reserve and Deposit Funds

Suitability - All investments authorized in the Investment Policy are suitable for Reserve and Deposit Funds.

Preservation and Safety of Principal - All investments shall be high quality securities with no perceived default risk.

Liquidity - Investment strategies for reserve and deposit funds shall have as the primary objective the ability to generate a dependable revenue stream to the appropriate reserve fund from investments with a low degree of volatility. Except as may be required by the bond ordinance, specific to an individual issue, investments should be of high quality, with short-to-intermediate-term maturities. The dollar-weighted average maturity of reserve and deposit funds, based on the stated final maturity date of each security, will be calculated and limited to three years or less.

Marketability - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

Diversification - Maturities shall be staggered throughout the budget cycle to provide cash flows based on anticipated needs. Investment risks will be reduced through diversification among authorized investments.

Yield - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for Reserve and Deposit Funds shall be the 91-day Treasury bill.

C. Bond and Certificate Capital Project Funds and Special Purpose Funds

Suitability - All investments authorized in the Investment Policy are suitable for Bond and Certificate Capital Project Funds and Special Purpose Funds.

Preservation and Safety of Principal - All investments shall be high quality securities with no perceived default risk.

Liquidity - Investment strategies for bond and certificate capital project funds, special projects and special purpose funds portfolios will have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The stated final maturity dates of investments held should not exceed the estimated project completion date or a maturity of no greater than five years. The dollar-weighted average maturity of bond and certificate capital project funds and special purpose funds, based on the stated final maturity date of each security, will be calculated and limited to three years or less.

Marketability - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

Diversification - Maturities shall be staggered throughout the budget cycle to provide cash flows based on anticipated needs. Investment risks will be reduced through diversification among authorized investments.

Yield - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for Bond and Certificate Capital Project Funds and Special Purpose Funds shall be the 91-day Treasury bill. A secondary objective of these funds is to achieve a yield equal to or greater than the arbitrage yield of the applicable bond or certificate.

D. Debt Service Funds

Suitability - All investments authorized in the Investment Policy are suitable for Debt Service Funds.

Preservation and Safety of Principal - All investments shall be high quality securities with no perceived default risk.

Liquidity - Investment strategies for debt service funds shall have as the primary objective the assurance of investment liquidity adequate to cover the debt service obligation on the required payment date. Securities purchased shall not have a stated final maturity date which exceeds the debt service payment date. The dollar-weighted average maturity of debt service funds, based on the stated final maturity date of each security, will be calculated and limited to one year or less.

Marketability - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

Diversification - Maturities shall be staggered throughout the budget cycle to provide cash flows based on anticipated needs. Investment risks will be reduced through diversification among authorized investments.

Yield - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for Debt Service Funds shall be the 91-day Treasury bill.

ARTICLE VII
AUTHORIZED INVESTMENTS

A. Obligations of the United States or its agencies and instrumentalities.

B. Direct obligations of the State of Texas or its agencies and instrumentalities.

C. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, the State of Texas, or the United States or its instrumentalities.

D. Obligations of states, agencies, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than "A" or its equivalent.

E. Joint Investment Pools of political subdivisions in the State of Texas, which invest in instruments and follow practices allowed by current law. A pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service.

F. Certificates of Deposit issued by a depository institution that has its main office or branch office in Texas:

(1) and such Certificates of Deposit are:

a. Guaranteed or insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund or their successors; or
b. Secured by obligations described in Article VI, sections A through D above.

(2) or such depository institution contractually agrees to place the funds in federally insured depository institutions in accordance with the conditions prescribed in Section 2256.010(b) of the Government Code (Public Funds Investment Act) as amended.

G. Fully collateralized repurchase or reverse repurchase agreements, including flexible repurchase agreements (flex repo), with a defined termination date secured by obligations of the United States or its agencies and instrumentalities pledged to the City held in the City's name by a third party selected by the City. Repurchase agreements must be purchased through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in Texas. The securities received for

repurchase agreements must have a market value greater than or equal to 103 percent at the time funds are disbursed. All transactions shall be governed by a Master Repurchase Agreement between the City and the primary government securities dealer or financial institution initiating Repurchase Agreement transactions.

The term of any reverse security repurchase agreement may not exceed 90 days after the date the reverse security repurchase agreement is delivered. Money received under the terms of a reverse security repurchase agreement shall be used to acquire additional authorized investments, but the term of the authorized investments acquired must mature not later than the expiration date stated in the reverse security repurchase agreement.

H. No-load money market mutual funds if the mutual fund:

(1) Is registered with and regulated by the Securities and Exchange Commission;
(2) Has a dollar-weighted average stated maturity of 90 days or fewer; and
(3) Includes in its investment objectives the maintenance of a stable net asset value of one dollar for each share.

I. Investments in compliance with Texas Government Code section 2256.010(b), generally known as the CDAR's program. ~~(Resolution 2008-245 amendment to Investment Policy)~~

J. Investment instruments not authorized for purchase by the City of Parker include the following:

(1) Bankers Acceptances;
(2) "Bond" Mutual Funds;
(3) Collateralized Mortgage Obligations of any type; and
(4) Commercial Paper, except that the City can invest in local government investment pools and money market mutual funds that have commercial paper as authorized investments. A local government investment pool or money market mutual fund that invests in commercial paper must meet the requirements of Article VI, Sections E and H above.

ARTICLE VIII
PORTFOLIO AND INVESTMENT ASSET PARAMETERS

A. Bidding Process for Investments

It is the policy of the City to require competitive bidding for all investment transactions (securities and bank C.D.s) except for:

(1) transactions with money market mutual funds and local government investment pools (which are deemed to be made at prevailing market rates); and
(2) treasury and agency securities purchased at issue through an approved broker/dealer.

At least three bids or offers must be solicited for all other investment transactions. In a situation where the exact security being offered is not offered by other dealers, offers on

the closest comparable investment may be used to establish a fair market price of the security. Security swaps are allowed as long as maturity extensions, credit quality changes and profits or losses taken are within the other guidelines set forth in this policy.

B. Maximum Maturities

The City of Parker will manage its investments to meet anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than five years from the date of purchase.

C. Maximum Dollar-Weighted Average Maturity

Under most market conditions, the composite portfolio will be managed to achieve a one-year or less dollar-weighted average maturity. However, under certain market conditions. Investment Officials may need to shorten or lengthen the average life or duration of the portfolio to protect the City. The maximum dollar-weighted average maturity based on the stated final maturity, authorized by this investment policy for the composite portfolio of the City shall be three years.

D. Diversification

The allocation of assets in the portfolios should be flexible depending upon the outlook for the economy and the securities markets. In establishing specific diversification strategies, the following general policies and constraints shall apply.

(1) Portfolio maturities and call dates shall be staggered in a way that avoids undue concentration of assets in a specific sector. Maturities shall be selected which provide for stability of income and reasonable liquidity.

(2) To attain sufficient liquidity, the City shall schedule the maturity of its investments to coincide with known disbursements. Risk of market price volatility shall be controlled through maturity diversification such that aggregate realized price losses on instruments with maturities exceeding one year shall not be greater than coupon interest and investment income received from the balance of the portfolio.

(3) The following maximum limits, by instrument, are established for the City's total portfolio:

- U.S Treasury Notes/Bills 100%
- U.S. Government Agencies & Instrumentalities..... 100%
- U.S. Treasury & U.S. Agency Callables..... 25%
- Certificates of Deposit 25%
- Repurchase Agreements *(See D. (4) below)*..... 50%
- Money Market Mutual Funds *(See D.(5) below)* 100%
- Local Government Investment Pools *(See D.(5) below)*..... 100%
- State of Texas Obligations & Agencies 25%
- Obligations of states, agencies, cities and other political subdivisions of any state ……...25%
- CDARS 100%

(4) The City shall not invest more than 50% of the investment portfolio in repurchase agreements, excluding bond proceeds and reserves.

(5) The City shall not invest more than 90% of the investment portfolio in any individual money market mutual fund or government investment pool. ~~(Revised per Resolution No. 2018-588)~~

(6) The investment committee shall review diversification strategies and establish or confirm guidelines on at least an annual basis regarding the percentages of the total portfolio that may be invested in securities other than U.S. Government Obligations. The investment committee shall review quarterly investment reports and evaluate the probability of market and default risk in various investment sectors as part of its consideration.

ARTICLE IX
AUTHORIZED BROKER/DEALERS AND FINANCIAL INSTITUTIONS

A. The Investment Committee ~~Investment Officials~~ will maintain a list of financial institutions and broker/dealers selected by credit worthiness, who are authorized to provide investment services to the City. These firms may include:

(1) all primary government securities dealers; and

(2) those regional broker/dealers who qualify under Securities and Exchange Commission Rule 15C3-1(uniform net capital rule), and who meet other financial credit criteria standards in the industry.

The Investment Committee ~~Officials~~ may select up to six firms from the approved list to conduct a portion of the daily City investment business. These firms will be selected based on their competitiveness, participation in agency selling groups and the experience and background of the salesperson handling the account. The approved broker/dealer list will be reviewed and approved along with this investment policy at least annually by the investment committee if applicable.

B. All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the Investment Officers ~~Officials~~ with the following:

(1) Audited financial statements;

(2) Proof of National Association of Securities Dealers (N.A.S.D.) certification, unless it is a bank;

(3) Resumes of all sales representatives who will represent the financial institution or broker/dealer firm in dealings with the City; and

(4) An executed written instrument, by the qualified representative, in a form acceptable to the City and the business organization substantially to the effect that the business organization has received and reviewed the investment policy of the City and acknowledges that the business organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted

between the City and the organization that are not authorized by the City's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio or requires an interpretation of subjective investment standards.

ARTICLE X
SAFEKEEPING AND CUSTODY OF INVESTMENT ASSETS

All security transactions, including collateral for repurchase agreements entered into by the City shall be conducted using the delivery vs. payment (DVP) basis. That is, funds shall not be wired or paid until verification has been made that the correct security was received by the safekeeping bank. The only exceptions to DVP settlement shall be wire transactions for money market funds and government investment pools. The safekeeping or custody bank is responsible for matching up instructions from the City's Investment Officers ~~Officials~~ on an investment settlement with what is wired from the broker/dealer, prior to releasing the City's designated funds for a given purchase. The security shall be held in the name of the City or held on behalf of the City in a bank nominee name. Securities will be held by a third-party custodian designated by the Investment Committee ~~Officials~~ and evidenced by safekeeping receipts or statements. The safekeeping bank's records shall assure the notation of the City's ownership of or explicit claim on the securities. The original copy of all safekeeping receipts shall be delivered to the City. A safekeeping agreement must be in place, which clearly defines the responsibilities of the safekeeping bank.

ARTICLE XI
COLLATERAL

The City's depository bank shall comply with Chapter 2257 of the Government Code, Collateral for Public Funds, as required in the City's bank depository contract.

A. Market Value

The Market Value of pledged Collateral must be equal to or greater than 102% of the principal and accrued interest for cash balances in excess of the Federal Deposit Insurance Corporation (FDIC) or National Credit Union Share Insurance Fund (NCUSIF) insurance coverage. The Federal Reserve Bank and the Federal Home Loan Bank are designated as custodial agents for collateral. An Investment Officer ~~authorized City representative~~ will approve and release all pledged collateral. The securities comprising the collateral will be marked to market on a monthly basis using quotes by a recognized market pricing service quoted on the valuation date, and the City will be sent reports monthly.

B. Collateral Substitution

Collateralized investments often require substitution of collateral. The Safekeeping bank must contact an Investment Officer ~~the City~~ for approval and settlement. The substitution will be approved if its value is equal to or greater than the required collateral value.

C. Collateral Reduction

Should the collateral's market value exceed the required amount, the Safekeeping bank may request approval from an Investment Officer ~~the City~~ to reduce Collateral. Collateral reductions may be permitted only if the collateral's market value exceeds the required amount.

D. Holding Period

The City intends to match the holding periods of investment funds with liquidity needs of the City. In no case will the average maturity of investments of the City's operating funds exceed one year. The maximum final stated maturity of any investment shall not exceed five years. Investments in all funds shall be managed in such a way that the market price losses resulting from interest rate volatility would be offset by coupon income and current income received from the volume of the portfolio during a twelve-month period.

E. Insurance or Collateral

All deposits and investments of City funds other than direct purchases of U.S. Treasuries or Agencies shall be secured by pledged collateral. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 102% of market value of principal and accrued interest on the deposits or investments less an amount insured by the FDIC or FSLIC. Evidence of the pledged collateral shall be maintained by the Finance Director or a third-party financial institution. Repurchase agreements shall be documented by a specific agreement noting the collateral pledge in each agreement. Collateral shall be reviewed weekly to assure that the market value of the pledged securities is adequate.

ARTICLE XII
INVESTMENT REPORTS

A. Reporting Requirements

The Finance Director ~~Investment Officials~~ shall prepare a quarterly investment report in compliance with section 2256.023 of the Public Funds Investment Act of the State of Texas. The report shall be submitted to the City Council and the Investment Committee within 60 ~~45~~ days following the end of the quarter.

B. Investment Records

The Finance Director ~~Investment Officer~~ shall handle inquiries relating to the investment records, be responsible for the recording of investment transactions and the maintenance of the investment records with reconciliation of the accounting records and of investments carried out by an accountant. Information to maintain the investment program and the reporting requirements, including pricing or marking to market the portfolio, may be derived from various sources such as: broker/dealer research reports, newspapers, financial

on-line market quotes, direct communication with broker/dealers, market pricing services, investment software for maintenance of portfolio records, spreadsheet software, or external financial consulting services relating to investments.

C. Auditor Review

The City's independent external auditor must formally review the quarterly investment reports annually to ensure ~~insure~~ compliance with the State of Texas Public Funds Investment Act and any other applicable State Statutes. To protect and ensure the independent nature of the audit the Finance Director shall be the sole point of contact for the external auditor.

ARTICLE XIII
INVESTMENT COMMITTEE

A. Members

An Investment Committee, consisting of the Mayor, City Administrator, Finance Director, and two other Council Members appointed by resolution for a term of one year and until successor is qualified and appointed by the Council, ~~The Investment Committee, consisting of the Mayor or his or her designee, the City Administrator, and the Investment Officer, and any other designated Investment Officials, if any,~~ shall review the City's investment strategies and monitor the results of the investment program at least quarterly. This review can be done by reviewing the quarterly written reports and by holding committee meetings as necessary. The committee will be authorized to invite other advisors to attend meetings as needed.

B. Scope

The Investment Committee shall include in its deliberations such topics as economic outlook, investment strategies, portfolio diversification, maturity structure, potential risk to the City's funds, evaluation and authorization of broker/dealers, rate of return on the investment portfolio, review and approval of training providers and compliance with the investment policy. The Investment Committee will also advise the City Council of any future amendments to the investment policy that are deemed necessary or recommended.

C. Procedures

The investment policy shall require the Investment Committee to provide minutes of investment information discussed at any meetings held. The committee should meet at least annually to discuss the investment program and policies.

City of Parker

2021-2022 Investment Policy

GLOSSARY of COMMON TREASURY TERMS

Agencies: Federal agency securities.

Asked: The price at which securities are offered.

Bid: The price offered for securities.

Bankers' Acceptance (BA): A draft of bill or exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

Broker: A broker brings buyers and sellers together for a commission paid by the initiator of the transaction or by both sides; he does not position. In the money market, brokers are active in markets in which banks buy and sell money and in interdealer markets.

CDARS: Certificate of Deposit Account Registry Service – A program that allows a depositor to deposit funds at one bank in excess of the FDIC insured limit, with the excess funds being divided and deposited in other banks in the CDARs program. The purpose of CDARS is to help depositors who invest in money market accounts or certificate of deposits (CD's) to stay below FDIC insurance limits at any given bank. Usually, to avoid exceeding FDIC limits at a single bank, consumers deposit their money in different banks. CDARS is a program that eliminates the need to go from bank to bank in order to deposit money and is comprised of a network of banks.

Certificate of Deposit (CD): A time deposit with a specific maturity evidenced by a certificate. Large-denomination CD's are typically negotiable.

Collateral: Securities, evidence of deposit or other property that a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

Comprehensive Annual Financial Report (CAFR): The official annual report for the City includes five combined statements and basic financial statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed statistical section.

Coupon: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

Dealer: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

Debenture: A bond secured only by the general credit of the issuer.

Delivery versus Payment (DVP): There are two methods of delivery of securities: delivery versus payment and delivery versus receipt (DVR) (also called free). Delivery versus payment means delivery of securities with an exchange of money for the securities. Delivery versus receipt means delivery of securities with an exchange of a signed receipt for the securities.

Discount: The difference between the cost price of a security and its value at maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

Discount Securities: Non-interest-bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, for example, U.S. Treasury bills.

Diversification: Dividing investment funds among a variety of securities offering independent returns.

Federal Credit Agencies: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, for example, S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

Federal Deposit Insurance Corporation (FDIC): A federal agency that insures bank deposits, currently up to $250,000 per deposit.

Federal Funds Rate (the "Fed Rate"): The rate of interest at which Federal funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

Federal Home Loan Banks (FHLB): The institutions that regulate and lend to savings and loan associations. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks in relation to member commercial banks.

Federal National Mortgage Association (FNMA or Fannie Mae): FNMA, like GNMA, was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development, H.U.D. It is the largest single provider of residential mortgage funds in the United States. Fannie Mae is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and secondary loans in addition to fixed rate mortgages. FNMA's securities are highly liquid and widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

Federal Open Market Committee (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The president of the New York Federal Reserve Bank is a permanent member while the other presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of government securities in the open market as a means of influencing the volume of bank credit and money.

Federal Reserve System: The central bank of the United States was created by Congress and consisting of a seven-member Board of Governors in Washington, D.C., twelve (12) regional banks, and numerous commercial banks that are members of the system.

Finance Director: Shall reference the head of the Finance Department which position may be titled Finance Manager.

Government National Mortgage Association (GNMA or Ginnie Mae): Securities guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. The security holder is protected by the full faith and credit of the U.S. Government. Ginnie Mae securities are backed by FHA, VA, or FMHM mortgages. The term pass-through is often used to describe Ginnie Maes.

Investment Committee: Consists of the Mayor, City Administrator, Finance Director, and two other Council Members appointed by resolution.

Investment Officer: Consists of the City Administrator and Finance Director.

Investment Official: Consists of the Mayor, City Administrator, Finance Director, two other Council Members appointed by resolution, or staff selected by the Investment Committee.

Liquidity: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable quantities can be purchased at those quotes.

Local Government Investment Pool (LGIP): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

Market Value: The price at which a security is trading and could presumably be purchased or sold.

Master Repurchase Agreement: To protect investors, many public investors will request that repurchase agreements be preceded by a master repurchase agreement between the investor and the financial institution or dealer. The master agreement should define the nature of the transaction, identify the relationship between the parties, establish normal practices regarding ownership and custody of the collateral securities during the term of the investment, provide remedies in the case of default by either party, and clarify issues of ownership. The master repurchase agreement protects the investor by eliminating the uncertainty of ownership and hence, allows investors to liquidate collateral if a bank or dealer defaults during the term of the agreement.

Maturity: The date on which the principal or stated value of an investment becomes due and payable.

Money Market: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

Offer: The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See Asked and Bid.

Open Market Operations: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

Portfolio: Collection of securities held by an investor.

Primary Dealer: A primary dealer is made up of a group of government securities dealers that submits daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and is subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC) registered securities broker-dealers, banks and a few unregulated firms.

Prudent Person Rule: An investment standard. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Qualified Public Depositories: A financial institution that does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, and that has segregated for the benefit of the Public Deposit Protection Commission eligible collateral having a value of not less than its maximum liability and which has been approved by the commission to hold public deposits.

Rate of Return: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

Repurchase Agreement (RP or REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money that is, increasing bank reserves.

Safekeeping: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

SEC Rule 15C3-1: See Uniform Net Capital Rule.

Secondary Market: A market made for the purchase and sale of outstanding issues following the initial distribution.

Securities & Exchange Commission (SEC): Agency created by Congress to protect investors in securities transactions by administering securities legislation.

Structured Notes: Notes issued by Government Sponsored Enterprises (FHLB, FNMA, SLMA, etc.) and Corporations, which have imbedded options (e.g., call features, step-up coupons, floating rate coupons, derivative-based returns) into their debt structure. Their market performance is impacted by the fluctuation of interest rates, the volatility of the imbedded options and shifts in the shape of the yield curve.

Treasury Bills (T Bills): A non-interest-bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months or one year.

Treasury Bond: Long-term U.S. Treasury securities having initial maturities of more than ten years.

Treasury Notes: Intermediate-term, coupon-bearing U.S. Treasury securities having initial maturities from one to ten years.

Uniform Net Capital Rule: Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called *net capital rule* and *net capital ratio*. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

Yield: The rate of annual income return on an investment, expressed as a percentage. (a) **Income Yield** is obtained by dividing the current dollar income by the current market price of the security. (b) **Net Yield** or **Yield to Maturity** is the current income yield minus any premium above par.

ARTICLE I
PURPOSE AND NEED FOR POLICY

Chapter 2256 of the Government Code, as amended from time to time by the Texas State Legislature ("Public Funds Investment Act") requires each city to adopt rules governing its investment practices and to define the authority of the Investment Officer and any additional Investment Committee members. The 2021-2022 Investment Policy addresses the methods, procedures and practices that must be exercised to ensure effective and prudent fiscal management of the City of Parker, Collin County, Texas funds.

ARTICLE II
SCOPE

The Investment Policy applies to the investment and management of all funds under direct authority of the City of Parker, Collin County, Texas.

A. These funds are accounted for in the City's Annual Financial Report and include the following:

(1) General Fund;
(2) Special Revenue Funds;
(3) Capital Project Funds;
(4) Enterprise Funds;
(5) Trust and Agency Funds, to the extent not required by law or existing contract to be kept segregated and managed separately;
(6) Debt Service Funds, including reserves and sinking funds to the extent not required by law or existing contract to be kept segregated and managed separately; and
(7) Any new fund created by the City unless specifically exempted from this policy by the City or by law.

This investment policy shall apply to all transactions involving the financial assets and related activity of all the foregoing funds.

B. This policy shall not govern funds which are managed under separate investment programs in accordance with Section 2256.004 of the Public Fund Investment Act. Such funds currently include the Other Post-Employment Funds and the Deferred Compensation Funds.

C. Review and Amendment

The City Council is required by state statute and by this investment policy to review this investment policy and investment strategies not less than annually and to adopt a resolution stating the review has been completed and recording any changes made to either the policy or strategy statements.

ARTICLE III
PRUDENCE

Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived.

In determining whether an Investment Officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

(1) the investment of all funds, or funds under the entity's control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment; and
(2) whether the investment decision was consistent with the written investment policy of the City.

All participants in the investment program will seek to act responsibly as custodians of the public trust. Investment Officers will avoid any transaction that might impair public confidence in the City's ability to govern effectively. Investment Officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism which is worthy of the public trust. Nevertheless, the City recognizes that in a marketable, diversified portfolio, occasional measured losses are inevitable and must be considered within the context of the overall portfolio's investment rate of return.

Investment Officials, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for market price changes, provided that these deviations from expectations are reported immediately to the Mayor and the City Council of the City of Parker, and that appropriate action is taken by the Finance Director to control adverse developments.

ARTICLE IV
OBJECTIVES

A. Preservation and Safety of Principal

Preservation of capital is the foremost objective of the City. Each investment transaction shall seek first to ensure that capital losses are avoided, whether the loss occurs from the default of a security or from erosion of market value.

B. Liquidity

The City's investment portfolio will remain liquid to enable the City to meet all operating requirements, which can be reasonably anticipated. Liquidity will be achieved by matching investment maturities with forecasted cash flow requirements and by investing in securities with active secondary markets.

C. Yield

The investment portfolio of the City shall be designed to meet or exceed the average rate of return on 91-day U.S. treasury bills throughout budgetary and economic cycles, taking into account the City's investment risk constraints and the cash flow characteristics of the portfolio. Legal constraints on debt proceeds that are not exempt from federal arbitrage regulations are limited to the arbitrage yield of the debt obligation. Investment Officers will seek to maximize the yield of these funds in the same manner as all other City funds. However, if the yield achieved by the City is higher than the arbitrage yield, positive arbitrage income will be averaged over a five-year period, netted against any negative arbitrage income and the net amount shall be rebated to the federal government as required by federal regulations.

ARTICLE V
RESPONSIBILITY AND CONTROL

A. Delegation - Investment Officers

Management responsibility for the investment program is hereby delegated to the Finance Director. The City Administrator and Finance Director are hereby designated as "Investment Officers" pursuant to the Public Fund Investment Act Section 2256.005 subsection f.

B. Subordinates

No person shall engage in an investment transaction except as provided under the terms of this policy, the procedures established by the City Council and the explicit authorization by the Finance Director to withdraw, transfer, deposit and invest the City's funds. The Finance Director shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinates

C. Internal Controls

Internal controls shall be designed to prevent losses of public funds arising from fraud, employee error, and misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by Investment Officials. Controls deemed most important would include: control of collusion, separation of duties, third-party custodial safekeeping, avoidance of bearer-form securities, clear delegation of authority, specific limitations regarding securities losses and remedial action, written confirmation of telephone transactions, minimizing the number of authorized Investment Officials, and documentation of and rationale for investment transactions.

In conjunction with the annual independent audit, a compliance audit of management controls on investments and adherence to the Investment Policy and the Investment Strategy shall be performed by the City's independent auditor.

D. Ethics and Conflicts of Interest

Any Investment Official of the City who has a personal business relationship with a business organization offering to engage in an investment transaction with the City shall file a statement disclosing that personal business interest. Investment Officials who are related within the second degree of affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship with the Texas Ethics Commission and the City Council. For purposes of this section, an Investment Official has a personal business relationship with a business organization if:

(1) the Investment Official owns 10 percent or more of the voting stock or shares of the business organization or owns $5,000 or more of the fair market value of the business organization;
(2) funds received by the Investment Officer from the business organization exceed 10 percent of the Investment Officer's gross income for the previous year; or
(3) the Investment Official has acquired from the business organization during the previous year investments with a book value of $2,500 or more for the personal account of the Investment Official.

Investment Officials of the City shall refrain from personal and business activities involving any of the City's custodians, depositories, broker/dealers or investment advisors, which may influence the official's ability to conduct his duties in an unbiased manner. Investment Officials will not utilize investment advice concerning specific securities or classes of securities obtained in the transaction of the City's business for personal investment decisions, will in all respects subordinate their personal investment transactions to those of the City, particularly with regard to the timing of purchase and sales and will keep all investment advice obtained on behalf of the City and all transactions contemplated and completed by the City confidential, except when disclosure is required by law.

E. Investment Training Requirements

The Investment Officers, and all members of the Investment Committee as may be required, or prudent, shall attend at least one ten-hour training session relating to their investment responsibilities within 12 months after assuming their duties. In addition to this ten-hour requirement, all members of the Investment Committee should receive not less than eight hours of instruction in their investment responsibilities at least once in every two-year period that begins on the first day of the fiscal year. This training is optional but preferred as long as the City continues to invest in interest-bearing deposit accounts or certificates of deposit only. The investment training session shall be provided by an independent source approved by the investment committee. For purposes of this policy, an "independent source" from which investment training shall be obtained shall include a professional organization, an institute of higher learning or any other sponsor other than a Business Organization with whom the City of Parker may engage in an investment transaction. Such training shall include education in investment controls, credit risk, market risk, investment strategies, and compliance with investment laws, including the Texas State Public Funds Investment Act. Investment "officials" include the Mayor, City

Administrator, Finance Director, two Council Members appointed by resolution, or staff selected by the Investment Committee.

ARTICLE VI
INVESTMENT STRATEGY STATEMENTS

The City of Parker portfolio will be structured to benefit from anticipated market conditions and to achieve a reasonable return. Relative value among asset groups shall be analyzed and pursued as part of the investment program within the restrictions set forth by the investment policy.

The City of Parker maintains portfolios, which utilize four specific investment strategy considerations designed to address the unique characteristics of the fund groups represented in the portfolios.

A. Operating Funds

Suitability - All investments authorized in the Investment Policy are suitable for Operating Funds.

Preservation and Safety of Principal - All investments shall be high quality securities with no perceived default risk.

Liquidity - Investment strategies for the pooled operating funds have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The dollar-weighted average maturity of operating funds, based on the stated final maturity date of each security, will be calculated and limited to one year or less. Constant $1 NAV investment pools and money market mutual funds shall be an integral component in maintaining daily liquidity. Investments for these funds shall not exceed an 18-month period from date of purchase.

Marketability - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

Diversification - Maturities shall be staggered throughout the budget cycle to provide cash flows based on anticipated needs. Investment risks will be reduced through diversification among authorized investments.

Yield - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for Operating Funds shall be the 91-day Treasury bill.

B. Reserve and Deposit Funds

Suitability - All investments authorized in the Investment Policy are suitable for Reserve and Deposit Funds.

Preservation and Safety of Principal - All investments shall be high quality securities with no perceived default risk.

Liquidity - Investment strategies for reserve and deposit funds shall have as the primary objective the ability to generate a dependable revenue stream to the appropriate reserve fund from investments with a low degree of volatility. Except as may be required by the bond ordinance, specific to an individual issue, investments should be of high quality, with short-to-intermediate-term maturities. The dollar-weighted average maturity of reserve and deposit funds, based on the stated final maturity date of each security, will be calculated and limited to three years or less.

Marketability - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

Diversification - Maturities shall be staggered throughout the budget cycle to provide cash flows based on anticipated needs. Investment risks will be reduced through diversification among authorized investments.

Yield - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for Reserve and Deposit Funds shall be the 91-day Treasury bill.

C. Bond and Certificate Capital Project Funds and Special Purpose Funds

Suitability - All investments authorized in the Investment Policy are suitable for Bond and Certificate Capital Project Funds and Special Purpose Funds.

Preservation and Safety of Principal - All investments shall be high quality securities with no perceived default risk.

Liquidity - Investment strategies for bond and certificate capital project funds, special projects and special purpose funds portfolios will have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The stated final maturity dates of investments held should not exceed the estimated project completion date or a maturity of no greater than five years. The dollar-weighted average maturity of bond and certificate capital project funds and special purpose funds, based on the stated final maturity date of each security, will be calculated and limited to three years or less.

Marketability - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

Diversification - Maturities shall be staggered throughout the budget cycle to provide cash flows based on anticipated needs. Investment risks will be reduced through diversification among authorized investments.

Yield - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for Bond and Certificate Capital Project Funds and Special Purpose Funds shall be the 91-day Treasury bill. A secondary

objective of these funds is to achieve a yield equal to or greater than the arbitrage yield of the applicable bond or certificate.

D. Debt Service Funds

Suitability - All investments authorized in the Investment Policy are suitable for Debt Service Funds.

Preservation and Safety of Principal - All investments shall be high quality securities with no perceived default risk.

Liquidity - Investment strategies for debt service funds shall have as the primary objective the assurance of investment liquidity adequate to cover the debt service obligation on the required payment date. Securities purchased shall not have a stated final maturity date which exceeds the debt service payment date. The dollar-weighted average maturity of debt service funds, based on the stated final maturity date of each security, will be calculated and limited to one year or less.

Marketability - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

Diversification - Maturities shall be staggered throughout the budget cycle to provide cash flows based on anticipated needs. Investment risks will be reduced through diversification among authorized investments.

Yield - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for Debt Service Funds shall be the 91-day Treasury bill.

ARTICLE VII
AUTHORIZED INVESTMENTS

A. Obligations of the United States or its agencies and instrumentalities.

B. Direct obligations of the State of Texas or its agencies and instrumentalities.

C. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, the State of Texas, or the United States or its instrumentalities.

D. Obligations of states, agencies, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than "A" or its equivalent.

E. Joint Investment Pools of political subdivisions in the State of Texas, which invest in instruments and follow practices allowed by current law. A pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service.

F. Certificates of Deposit issued by a depository institution that has its main office or branch office in Texas:

(1) and such Certificates of Deposit are:

a. Guaranteed or insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund or their successors; or
b. Secured by obligations described in Article VI, sections A through D above.

(2) or such depository institution contractually agrees to place the funds in federally insured depository institutions in accordance with the conditions prescribed in Section 2256.010(b) of the Government Code (Public Funds Investment Act) as amended.

G. Fully collateralized repurchase or reverse repurchase agreements, including flexible repurchase agreements (flex repo), with a defined termination date secured by obligations of the United States or its agencies and instrumentalities pledged to the City held in the City's name by a third party selected by the City. Repurchase agreements must be purchased through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in Texas. The securities received for repurchase agreements must have a market value greater than or equal to 103 percent at the time funds are disbursed. All transactions shall be governed by a Master Repurchase Agreement between the City and the primary government securities dealer or financial institution initiating Repurchase Agreement transactions.

The term of any reverse security repurchase agreement may not exceed 90 days after the date the reverse security repurchase agreement is delivered. Money received under the terms of a reverse security repurchase agreement shall be used to acquire additional authorized investments, but the term of the authorized investments acquired must mature not later than the expiration date stated in the reverse security repurchase agreement.

H. No-load money market mutual funds if the mutual fund:

(1) Is registered with and regulated by the Securities and Exchange Commission;
(2) Has a dollar-weighted average stated maturity of 90 days or fewer; and
(3) Includes in its investment objectives the maintenance of a stable net asset value of one dollar for each share.

I. Investments in compliance with Texas Government Code section 2256.010(b), generally known as the CDAR's program.

J. Investment instruments <u>not</u> authorized for purchase by the City of Parker include the following:

(1) Bankers Acceptances;
(2) "Bond" Mutual Funds;
(3) Collateralized Mortgage Obligations of any type; and

(4) Commercial Paper, except that the City can invest in local government investment pools and money market mutual funds that have commercial paper as authorized investments. A local government investment pool or money market mutual fund that invests in commercial paper must meet the requirements of Article VI, Sections E and H above.

ARTICLE VIII
PORTFOLIO AND INVESTMENT ASSET PARAMETERS

A. Bidding Process for Investments

It is the policy of the City to require competitive bidding for all investment transactions (securities and bank C.D.s) except for:

(1) transactions with money market mutual funds and local government investment pools (which are deemed to be made at prevailing market rates); and
(2) treasury and agency securities purchased at issue through an approved broker/dealer.

At least three bids or offers must be solicited for all other investment transactions. In a situation where the exact security being offered is not offered by other dealers, offers on the closest comparable investment may be used to establish a fair market price of the security. Security swaps are allowed as long as maturity extensions, credit quality changes and profits or losses taken are within the other guidelines set forth in this policy.

B. Maximum Maturities

The City of Parker will manage its investments to meet anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than five years from the date of purchase.

C. Maximum Dollar-Weighted Average Maturity

Under most market conditions, the composite portfolio will be managed to achieve a one-year or less dollar-weighted average maturity. However, under certain market conditions. Investment Officials may need to shorten or lengthen the average life or duration of the portfolio to protect the City. The maximum dollar-weighted average maturity based on the stated final maturity, authorized by this investment policy for the composite portfolio of the City shall be three years.

D. Diversification

The allocation of assets in the portfolios should be flexible depending upon the outlook for the economy and the securities markets. In establishing specific diversification strategies, the following general policies and constraints shall apply.

(1) Portfolio maturities and call dates shall be staggered in a way that avoids undue concentration of assets in a specific sector. Maturities shall be selected which provide for stability of income and reasonable liquidity.

(2) To attain sufficient liquidity, the City shall schedule the maturity of its investments to coincide with known disbursements. Risk of market price volatility shall be controlled through maturity diversification such that aggregate realized price losses on instruments with maturities exceeding one year shall not be greater than coupon interest and investment income received from the balance of the portfolio.

(3) The following maximum limits, by instrument, are established for the City's total portfolio:

- U.S Treasury Notes/Bills 100%
- U.S. Government Agencies & Instrumentalities..... 100%
- U.S. Treasury & U.S. Agency Callables..... 25%
- Certificates of Deposit 25%
- Repurchase Agreements (*See D. (4) below*)..... 50%
- Money Market Mutual Funds *(See D. (5) below)* 100%
- Local Government Investment Pools *(See D. (5) below)*.... 100%
- State of Texas Obligations & Agencies 25%
- Obligations of states, agencies, cities and other political subdivisions of any state ……...25%
- CDARS 100%

(4) The City shall not invest more than 50% of the investment portfolio in repurchase agreements, excluding bond proceeds and reserves.

(5) The City shall not invest more than 90% of the investment portfolio in any individual money market mutual fund or government investment pool.

(6) The investment committee shall review diversification strategies and establish or confirm guidelines on at least an annual basis regarding the percentages of the total portfolio that may be invested in securities other than U.S. Government Obligations. The investment committee shall review quarterly investment reports and evaluate the probability of market and default risk in various investment sectors as part of its consideration.

ARTICLE IX
AUTHORIZED BROKER/DEALERS AND FINANCIAL INSTITUTIONS

A. The Investment Committee will maintain a list of financial institutions and broker/dealers selected by credit worthiness, who are authorized to provide investment services to the City. These firms may include:

(1) all primary government securities dealers; and

(2) those regional broker/dealers who qualify under Securities and Exchange Commission Rule 15C3-1(uniform net capital rule), and who meet other financial credit criteria standards in the industry.

The Investment Committee may select up to six firms from the approved list to conduct a portion of the daily City investment business. These firms will be selected based on their competitiveness, participation in agency selling groups and the experience and background of the salesperson handling the account. The approved broker/dealer list will be reviewed and approved along with this investment policy at least annually by the investment committee if applicable.

B. All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the Investment Officers with the following:

(1) Audited financial statements;
(2) Proof of National Association of Securities Dealers (N.A.S.D.) certification, unless it is a bank;
(3) Resumes of all sales representatives who will represent the financial institution or broker/dealer firm in dealings with the City; and
(4) An executed written instrument, by the qualified representative, in a form acceptable to the City and the business organization substantially to the effect that the business organization has received and reviewed the investment policy of the City and acknowledges that the business organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the organization that are not authorized by the City's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio or requires an interpretation of subjective investment standards.

ARTICLE X
SAFEKEEPING AND CUSTODY OF INVESTMENT ASSETS

All security transactions, including collateral for repurchase agreements entered into by the City shall be conducted using the delivery vs. payment (DVP) basis. That is, funds shall not be wired or paid until verification has been made that the correct security was received by the safekeeping bank. The only exceptions to DVP settlement shall be wire transactions for money market funds and government investment pools. The safekeeping or custody bank is responsible for matching up instructions from the City's Investment Officers on an investment settlement with what is wired from the broker/dealer, prior to releasing the City's designated funds for a given purchase. The security shall be held in the name of the City or held on behalf of the City in a bank nominee name. Securities will be held by a third-party custodian designated by the Investment Committee and evidenced by safekeeping receipts or statements. The safekeeping bank's records shall assure the notation of the City's ownership of or explicit claim on the securities. The original copy of all safekeeping receipts shall be delivered to the City. A safekeeping agreement must be in place, which clearly defines the responsibilities of the safekeeping bank.

ARTICLE XI
COLLATERAL

The City's depository bank shall comply with Chapter 2257 of the Government Code, Collateral for Public Funds, as required in the City's bank depository contract.

A. Market Value

The Market Value of pledged Collateral must be equal to or greater than 102% of the principal and accrued interest for cash balances in excess of the Federal Deposit Insurance Corporation (FDIC) or National Credit Union Share Insurance Fund (NCUSIF) insurance coverage. The Federal Reserve Bank and the Federal Home Loan Bank are designated as custodial agents for collateral. An Investment Officer will approve and release all pledged collateral. The securities comprising the collateral will be marked to market on a monthly basis using quotes by a recognized market pricing service quoted on the valuation date, and the City will be sent reports monthly.

B. Collateral Substitution

Collateralized investments often require substitution of collateral. The Safekeeping bank must contact an Investment Officer for approval and settlement. The substitution will be approved if its value is equal to or greater than the required collateral value.

C. Collateral Reduction

Should the collateral's market value exceed the required amount, the Safekeeping bank may request approval from an Investment Officer to reduce Collateral. Collateral reductions may be permitted only if the collateral's market value exceeds the required amount.

D. Holding Period

The City intends to match the holding periods of investment funds with liquidity needs of the City. In no case will the average maturity of investments of the City's operating funds exceed one year. The maximum final stated maturity of any investment shall not exceed five years. Investments in all funds shall be managed in such a way that the market price losses resulting from interest rate volatility would be offset by coupon income and current income received from the volume of the portfolio during a twelve-month period.

E. Insurance or Collateral

All deposits and investments of City funds other than direct purchases of U.S. Treasuries or Agencies shall be secured by pledged collateral. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 102% of market value of principal and accrued interest on the deposits or investments less an amount insured by the FDIC or FSLIC. Evidence of the pledged collateral shall be maintained by the Finance Director or a third-party financial institution. Repurchase agreements shall be documented by a specific agreement noting the collateral pledge in

each agreement. Collateral shall be reviewed weekly to assure that the market value of the pledged securities is adequate.

ARTICLE XII
INVESTMENT REPORTS

A. Reporting Requirements

The Finance Director shall prepare a quarterly investment report in compliance with section 2256.023 of the Public Funds Investment Act of the State of Texas. The report shall be submitted to the City Council and the Investment Committee within 60 days following the end of the quarter.

B. Investment Records

The Finance Director shall handle inquiries relating to the investment records, be responsible for the recording of investment transactions and the maintenance of the investment records with reconciliation of the accounting records and of investments carried out by an accountant. Information to maintain the investment program and the reporting requirements, including pricing or marking to market the portfolio, may be derived from various sources such as: broker/dealer research reports, newspapers, financial on-line market quotes, direct communication with broker/dealers, market pricing services, investment software for maintenance of portfolio records, spreadsheet software, or external financial consulting services relating to investments.

C. Auditor Review

The City's independent external auditor must formally review the quarterly investment reports annually to ensure compliance with the State of Texas Public Funds Investment Act and any other applicable State Statutes. To protect and ensure the independent nature of the audit the Finance Director shall be the sole point of contact for the external auditor.

ARTICLE XIII
INVESTMENT COMMITTEE

A. Members

An Investment Committee, consisting of the Mayor, City Administrator, Finance Director, and two other Council Members appointed by resolution for a term of one year and until successor is qualified and appointed by the Council, shall review the City's investment strategies and monitor the results of the investment program at least quarterly. This review can be done by reviewing the quarterly written reports and by holding committee meetings as necessary. The committee will be authorized to invite other advisors to attend meetings as needed.

B. Scope

The Investment Committee shall include in its deliberations such topics as economic outlook, investment strategies, portfolio diversification, maturity structure, potential risk to the City's funds, evaluation and authorization of broker/dealers, rate of return on the investment portfolio, review and approval of training providers and compliance with the investment policy. The Investment Committee will also advise the City Council of any future amendments to the investment policy that are deemed necessary or recommended.

C. Procedures

The investment policy shall require the Investment Committee to provide minutes of investment information discussed at any meetings held. The committee should meet at least annually to discuss the investment program and policies.

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	City Secretary
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey
Estimated Cost:		Date Prepared:	May 17, 2022
Exhibits:	• **Proposed Minutes**		

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR MAY 17, 2022.

SUMMARY

Please review the attached minutes. If you have any questions, comments, and/or corrections, please contact the City Secretary at PGrey@parkertexas.us prior to the City Council meeting.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	Patti Scott Grey	Date:	06/02/2022
City Attorney:	Trey Lansford	Date:	06/02/2022 via Municode Software
City Administrator:	Luke B. Olson	Date:	06/03/2022

CITY OF PARKER

MINUTES

CITY COUNCIL MEETING

MAY 17, 2022

CALL TO ORDER – Roll Call and Determination of a Quorum

The Parker City Council met in a regular meeting on the above date at Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002, Fire Department Training Room.

Mayor Lee Pettle called the meeting to order at 5:31 p.m. Mayor Pro Tem Cindy Meyer and Councilmembers Diana M. Abraham, Terry Lynch, Jim Reed, and Michael Slaughter were present.

Staff Present: City Administrator Luke Olson, Asst. City Administrator/City Secretary Patti Scott Grey, Finance/Human Resources Director Grant Savage, City Attorney Trey Lansford, Public Works Director Gary Machado, Fire Chief Mike Sheff, and Police Chief Richard Brooks

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: City Attorney Trey Lansford led the pledge.

TEXAS PLEDGE: Police Chief Richard Brooks led the pledge.

EXECUTIVE SESSION - Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes Annotated the City Council may hold a closed meeting.

RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:

Government Code Section 551.074 Personnel—To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
Government Code Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation.
Government Code Section 551.071(2) – Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly conflicts with this chapter (Open Meetings Act).

Mayor Lee Pettle recessed the regular meeting to Executive Session at 5:33 p.m.

RECONVENE REGULAR MEETING.

Mayor Lee Pettle reconvened the meeting at 7:07 p.m.

ANY APPROPRIATE DELIBERATION AND/OR ACTION ON ANY OF THE EXECUTIVE SESSION SUBJECTS LISTED ABOVE.

MOTION: Councilmember Slaughter moved to approve Police Chief Richard Brooks' proposed reorganization of the Parker Police Department and approve the promotions of Kenneth Price to Assistant Chief of Police, Michelle Hsieh to Support Manager, and Ralph Burdick to Sergeant. Councilmember Lynch seconded with

PROPOSED

Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

MOTION: Councilmember Slaughter moved to approve the implementation as modified by Council of the Pay Plan presented by Police Chief Richard Brooks. Councilmember Lynch seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

PUBLIC COMMENTS **The City Council invites any person with business before the Council to speak. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.**

Henry Shell, 6704 Stafford Drive, said he would like to propose the City of Parker look into a tax ceiling for Parker residents who are disabled and/or seniors over 65.

INDIVIDUAL CONSIDERATION ITEMS

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION OF RESOLUTION NO. 2022-697 CANVASSING THE ELECTION RETURNS AND DECLARATION OF RESULTS OF AN ELECTION HELD IN THE CITY OF PARKER, TEXAS ON MAY 7, 2022.

   The election was held on May 7, 2022, to elect a Mayor and two Councilmembers at large. The final certification document and official May 7, 2022,election results from Collin County Elections Administrator Bruce Sherbet are, as follows:

   FOR MAYOR:

Lee Pettle	**496**

   FOR CITY COUNCIL:

Michael Slaughter	**510**
Terry Lynch	**407**
Edwin Smith	339

   Mayor Lee Pettle ran unopposed. Michael Slaughter and Terry Lynch received the highest number of votes of the three candidates for the two contested offices of City Councilmember. Therefore, Lee Pettle is hereby declared as re-elected Mayor and Michael Slaughter and Terry Lynch are hereby each declared as re-elected City Councilmembers. All are to serve immediately after qualifying for the terms commencing May 17, 2022.

   MOTION: Councilmember Abraham moved to approve Resolution No. 2022-697 with final numbers received May 16, 2022. Councilmember Reed seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0. (See Exhibit 1 - Collin County Elections Administrator Bruce Sherbet's final certification document and official May 7, 2022 election results, dated May 16, 2022.)

2. ADMINISTER OATH OF OFFICE TO RE-ELECTED OFFICIALS MAYOR LEE PETTLE AND COUNCILMEMBERS MICHAEL SLAUGHTER AND TERRY LYNCH.

PROPOSED

City Secretary Scott Grey administered the Oath to re-elected Mayor Lee Pettle. Mayor Pettle administered the Oaths of Office to re-elected Councilmembers Michael Slaughter and Terry Lynch. The Councilmembers took their seats at the dais.

3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-698, APPOINTING THE 2022-2023 MAYOR PRO TEM.

Councilmember Lynch nominated Councilmember Slaughter for the 2022-2023 Mayor Pro Tem and there being no other nominations the nominations were closed. Several Councilmembers asked Councilmember Slaughter if he was willing to serve as 2022-2023 Mayor Pro Tem. Councilmember Slaughter said he was willing to serve.

Councilmember Abraham thanked outgoing Mayor Pro Tem Meyer for her service as Mayor Pro Tem and Council agreed.

MOTION: Councilmember Lynch moved to approve Resolution No. 2022-698, appointing Councilmember Slaughter to the position of Mayor Pro Tem. Councilmember Reed seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

ADJOURN

Mayor Lee Pettle adjourned the meeting at 7:16 p.m.

RECEPTION FOR RE-ELECTED OFFICIALS

APPROVED:

_____
Mayor Lee Pettle

ATTESTED:

Approved on the __7th____ day of _____June_____, 2022.

_____
Patti Scott Grey, City Secretary

PROPOSED

Exhibit 1

STATE OF TEXAS § **CANVASS OF THE CITY OF PARKER GENERAL ELECTION**

COUNTY OF COLLIN § **MAY 7, 2022**

I, Bruce Sherbet, the undersigned Elections Administrator of Collin County, do hereby certify that I have made an actual check and comparison of all the ballots tabulated as voted with the Return Sheets, and the unused ballots as recorded on the Register of Official Ballots. I, therefore, make the following report of my findings from the May 7, 2022 City of Parker General and Special Election that was held in Collin County, Texas.

I hereby certify the results to be a full, true and correct tabulation, audit and count of the votes cast in the said election.

WITNESS, my hand on this the 16th day of May 2022.

Bruce Sherbet

Bruce Sherbet
Elections Administrator
Collin County

Parker, City of - Mayor Parker
Vote For 1

	TOTAL	VOTE %	Election Day	Early Voting	Ballot By Mail	Provisional Ballots
Lee Pettle	496	100.00%	168	305	23	0
Total Votes Cast	496	100.00%	168	305	23	0
Overvotes	0		0	0	0	0
Undervotes	256		94	153	9	0
Contest Totals	752		262	458	32	0

Parker, City of - Councilmember-At-Large Parker
Vote For 2

	TOTAL	VOTE %	Election Day	Early Voting	Ballot By Mail	Provisional Ballots
Michael Slaughter	510	40.61%	173	315	22	0
Terry Lynch	407	32.40%	140	254	13	0
Edwin Smith	339	26.99%	119	203	17	0
Total Votes Cast	1,256	100.00%	432	772	52	0
Overvotes	0		0	0	0	0
Undervotes	248		92	144	12	0
Contest Totals	1,504		524	916	64	0

Report generated with Electionware Copyright © 2007-2020

Council Workshop Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Council
Fund Balance-before expenditure:		Prepared by:	City Administrator Olson
Estimated Cost:		Date Prepared:	June 1, 2022
Exhibits:	1. Proposed Resolution 2. Electronic Communication Policy		

AGENDA SUBJECT

APPROVAL OF RESOLUTION NO. 2022-699 ON THE ELECTRONIC COMMUNICATIONS POLICY.

SUMMARY

At the April 5, 2022, City Council meeting Council directed staff to bring back a policy concerning electronic communication for the City of Parker. Staff had a couple of questions, which need clarification from Council and is seeking feedback on attached policy. City Staff was able to get those clarifications at the Council Workshop on April 19, 2022. The draft copy of the policy reflects the comments from the Council Workshop

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	Patti Scott Grey	Date:	06/02/2022
Interim City Attorney:	Trey Lansford	Date:	06/02/2022
City Administrator:	Luke B. Olson	Date:	06/03/2022

RESOLUTION NO. 2022-699
(2021-2022 Electronic Communications Policy)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS ADOPTING THE ELECTRONIC COMMUNICATIONS POLICY ATTACHED HERETO AS EXHIBIT A; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has considered the need for an Electronic Communications Policy ("ECP") for the City; and

WHEREAS, the City Council has reviewed the attached ECP and determined it is in the best interest of the City to approve of the policy;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS AS FOLLOWS:

SECTION 1. The recitals contained in the preamble of this resolution are incorporated into the body of this resolution as is set out fully herein.

SECTION 2. The City of Parker Electronic Communications Policy attached hereto as Exhibit A is hereby adopted and shall govern the use of electronic communications for the City from and after the effective date of this resolution.

SECTION 3. All provisions of the resolutions of the City of Parker, Texas, in conflict with the provisions of this resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this resolution shall remain in full force and effect.

SECTION 4. Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this resolution be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said resolution which shall remain in full force and effect.

SECTION 5. This resolution shall become effective immediately from and after its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Parker, Texas, on this the _7th__ day of __June__, 2022.

Proposed

CITY OF PARKER:

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

_____
Larence M. Lansford, III, City Attorney

Proposed

ADMINISTRATIVE POLICIES AND PROCEDURES

DESCRIPTION: ELECTRONIC COMMUNICATIONS POLICY

I. Policy

Email and other forms of electronic communications (hereinafter referred to collectively as "electronic communications") are an integral part of the ability of City of Parker ("City") Users("Users') to efficiently and effectively conduct City business. Such technology has the potential to enhance employee productivity and provide a higher level of service to the citizens of Parker. However, with such technology in the work environment, the City must ensure it continues to meet its legal obligations with respect to public information and records retention.

The objectives of this policy are to outline appropriate and inappropriate use of the City's electronic communication systems in order to support City business functions to their fullest capacity, as well as comply with applicable policies and laws. This policy also advises employees and management of their responsibilities and provides guidance in managing information communicated electronically.

This policy is intended to supplement and not replace any existing policy in effect either City- wide or in any other departments of the City. City departments may have department-specific electronic communication policies that may conflict with and/or take precedence over this policy. Users should consult with their management to determine whether additional or different policies apply to their positions.

It is the policy of the City that, for all electronic communications made in connection with the transaction of official City business, Users who have a City e-mail address use only this City account, and not use a personal e-mail account or other personal electronic communication device or media, so as to ensure that all information regarding the transaction of official business involving public information is open and available to members of the public as required by the Texas Public Information Act ("TPIA") and as allowed by law. In the event that a personal electronic communication account or device is used for official City business, such communications must be safeguarded and maintained as required by this policy and any applicable laws.

II. Definitions

As used in this policy:

"City of Parker" is referred to as City

"Electronic Communications" include, but are not limited to, emails, text messages, internet postings, and instant messages, and include any attachments thereto.

"Official City Business" is any matter over which the City has any authority, administrative duties, or advisory duties.

"City Account" is any electronic communication account issued to an employee or elected official by the City whose access to or use of electronic mail, computer or other electronic communication device use is funded by the City or is available through equipment owned or leased by the City.

"Personal Account" is any electronic communication account used by an employee or elected official for communication that is not issued by the City.

"Personal Electronic Communication Device" is any device or media used by the employee or elected official for electronic communication that is not issued by the City.

"Users" is city employees and elected officials

III. Scope

This policy applies, as a default policy, to all electronic communication systems owned' or operated by the City of Parker, and all electronic communication account users/holders at the City, including contractors and other agents, who utilize or are granted access privileges to the City's electronic communication systems.

IV. Use of City Electronic Communication Accounts

City email accounts, like other means of City-provided electronic communications, are to be used to support City business. Users may use electronic communications to communicate outside of the City when such communications are related to legitimate City activities and are within their job assignments or responsibilities.

Users **will not** use City email or other electronic communications for disruptive, discriminatory, unethical or unprofessional activities, or for personal gain, or for purposes of political activities, lobbying or campaigning, or for any purpose that would jeopardize the legitimate interests of the City, or violate any City, state or federal law. The distribution, display or forwarding of electronic communications containing non-work related items

such as sales offers, jokes, graphics, cartoons, videos, etc., is prohibited.

The use of personal taglines in City emails and electronic communications is prohibited. Users may use the City official brand or tagline, or official department taglines, only.

V. Receipt of Inappropriate Electronic Communications

If you receive an electronic communication that you believe violates this policy, immediately notify your supervisor or Human Resources Department for guidance.

VI. Privacy and Access

In general, the City reserves the right to access all electronic communications created, received, or stored on City electronic communication systems without prior notification, as they are the property of the City of Parker. All user activity on the City of Parker Communications network is subject to monitoring and review. Therefore, Users should not have an expectation of privacy when using City electronic communication devices or accounts.

In addition, Users should not access another user's email or electronic communication account or device without authorization; or send emails or other forms of electronic communications under another user's name without authorization. Generally, users should not allow other people to use their electronic communication device or accounts.

VII. Texas Public Information Act and Other Disclosures

Emails and other electronic communications sent, received or stored on the City's electronic communication systems may be subject to release to the public upon request under the Texas Public Information Act (TPIA} (Tex. Gov't Code, Chapter 552}. However, there may be instances when certain records, including electronic communications, may be withheld from release if an applicable exception applies. Users should consult with the management of their departments, as well as with the City Attorney's Office in appropriate cases, to determine whether a particular record should be withheld.

In addition, electronic communications may be subject to disclosure due to litigation or other reasons. Users should consult with their management and the City Attorney's Office for the proper procedures to follow in these situations.

No email or electronic communication should be deleted if the employee has any reason to believe that the email may be related to any possible dispute or litigation where the City or the employee is a party. This policy does not apply to any email message that is subject to a "litigation hold" which has been issued by the City Attorney. Emails that have been identified as significant for any business purpose, to include litigation, involving the City must not be deleted during the pendency of the related matter/litigation.

VIII. **Security**

Electronic communication security is a joint responsibility of the City's technical staff and users. Users must take reasonable precautions to prevent the use of their electronic communication account(s) by unauthorized individuals. In addition, caution must be exercised to safeguard passwords and to periodically change passwords to protect against prohibited use. Technical staff should institute sufficient precautions to safeguard the user's confidential information.

Individuals will safeguard all confidential or sensitive City of Parker information obtained while utilizing any non-City-issued personal electronic communication device, as provided in Section XI, below.

IX. Management and Retention of Electronic Communications

Email is a resource-intensive communications system, and storage space is at a premium. To help conserve City resources, all City Users will make every attempt to manage email records efficiently and not keep emails that are considered spam . Each employee should make a decision regarding the need to keep a specific email, electronic communication or document, considering its relationship to the business of the City and the potential value to or impact on third parties. Emails that are routine and not significant should not be deleted. Once read and action taken, if required, on said communication, the email should be archived appropirately. If an employee has a question about the value of or the need to preserve a specific email then he or she should consult the City Attorney before deleting the subject email.

The "Deleted Items" folder should not be used for storage. System purges of "Deleted Items" can be done without notice.

X. Personal Folders

Personal folders use up valuable City resources and should be kept to a minimum. The employee is fully responsible for the content of personal email folder, including backup. All superfluous and unnecessary email should be actively reviewed and deleted as appropriate.

E-mails contained in personal folders may be subject to Open Records requests. Users will have no expectation of privacy in any of the communications stored on the City's equipment.

XI. Protocol and Procedures for use of Personal Electronic Communication Devices

City Users must use City accounts to transmit written communications involving official City business whenever feasible.

In the event that a communication involving or made in connection with the transaction of official City business is sent from or received on a personal electronic communication account and/or using a personal electronic communication device or media, the employee who sent/received the communication shall, as soon as practicable, forward such communication to his or her City email address to be maintained and managed as an official public record.

Once a communication has been forwarded to a City account, the communication should be maintained according to any applicable records retention schedule.

Any application needed to facilitate this transfer of information to a City account is the responsibility of the employee or elected official.

Department Directors should ensure that this policy is communicated to all department Users.

The requirements of this policy do not waive any exceptions under the Texas Public Information Act.

XII. Failure to Comply with Policy

Employees who fail to comply with the procedural requirements of this policy may be subject to disciplinary action, up to and including termination of employment.

Elected Officials who fail to comply with this policy may be subject to disciplinary action from the Council, up to and including public censure.

/

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey
Estimated Cost:		Date Prepared:	May 17, 2022
Exhibits:	• **Check – TBD**		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ACCEPTING A DONATION IN THE TOTAL AMOUNT OF $26,500 FROM THE PARKER WOMEN'S CLUB (PWC), TO BE ALLOCATED AS FOLLOWS:

$500 FOR T-SHIRTS FOR ADMINISTRATION;
$2,000 FOR BOOTS FOR POLICE DEPARTMENT;
$10,000 FOR LIFE PACKS FOR FIRE DEPARTMENT;
$14,000 FOR NEW BENCHES AND PICNIC TABLES, PARK REPAIRS; AND IMPROVEMENTS FOR TH PARKS AND RECREATION COMMISSION

SUMMARY

Please review information provided.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	Patti Scott Grey	Date:	06/02/2022
City Attorney:	Trey Lansford	Date:	06/02/2022 via Municode Software
City Administrator:	Luke B. Olson	Date:	06/03/2022

/

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey
Estimated Cost:		Date Prepared:	May 17, 2022
Exhibits:	1. Proposed Ordinance (w-Exhibits) 2. Public Hearing Notice 3. Ord. No. 812 (Temporary Moratorium on Acceptance of Development Applications)		

AGENDA SUBJECT

POSSIBLE TEMPORARY MORATORIUM EXTENSION:

PUBLIC HEARING REGARDING EXTENSION OF THE TEMPORARY MORATORIUM ON THE ACCEPTANCE, REVIEW, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, OR CONSTRUCTION WITHIN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION OF THE CITY OF PARKER.

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 815 EXTENDING THE TEMPORARY MORATORIUM ENACTED BY ORDINANCE NO. 812 ON THE ACCEPTANCE, REVIEW, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, OR CONSTRUCTION WITHIN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION OF THE CITY OF PARKER.

SUMMARY

Please review information provided.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	Patti Scott Grey	Date:	06/02/2022
City Attorney:	Trey Lansford	Date:	06/02/2022 via Municode Software
City Administrator:	Luke B. Olson	Date:	06/03/2022

ORDINANCE NO. 815
(*Temporary Moratorium on Acceptance of Development Applications*)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, EXTENDING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, AUTHORIZATION, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, ZONING, AND CONSTRUCTION IN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION, PROVIDING FINDINGS OF FACT, DEFINITIONS, APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, AND DETERMINATION AND APPEALS; PROVIDING FOR SEVERABILITY, REPEALER, ENFORCEMENT, PROPER NOTICE AND MEETING, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Parker, Texas (the "City Council"), as a duly-elected legislative body, finds that it is facing significant historic and contemporary land use challenges that existing regulations and infrastructure were not designed to address; and

WHEREAS, the City Council finds that it is in the best interest of the City and its citizens to extend the enacted moratorium in order to temporarily suspend the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, zoning, and construction on real property in the City Limits and extraterritorial jurisdiction ("ETJ"); and

WHEREAS, the City has developed a Comprehensive Plan for development within the City and desires to protect its ability to regulate development within its jurisdiction; and

WHEREAS, the City has started the process of revisiting the Comprehensive Plan and studying land use and development in the City limits and ETJ, and issued a Request for Qualifications for a professional land planning firm to provide comprehensive plan and development code services; and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that are for the good government, peace, or order of the City and is necessary for carrying out a power granted by law to the City; and

WHEREAS, Texas Local Government Code Chapters 211, 213, 214, and 217 grant the City certain regulation authority concerning construction, land use, nuisances, structures, and development-related activities; and

WHEREAS, the City seeks to ensure that impending and future development is conducted in a fiscally sustainable and environmentally responsible manner; and

WHEREAS, the City limits and ETJ are comprised of a combination of topographical, ecological, and other features that create significant development challenges; and

Proposed

WHEREAS, the City will change drastically if continued growth and development should occur under the City's existing Code of Ordinances and Comprehensive Plan, which no longer adequately address concerns about the effect of responsible development in the City and ETJ; and

WHEREAS, as codified in Texas Water Code Chapter 552, Subchapter A, the Legislature of the State of Texas granted municipalities the authority to own and operate "utility systems," which include water systems designed to provide domestic consumption of water; and

WHEREAS, Texas Water Code Section 552.015 grants Type A general-law municipalities the authority to provide for municipal water supply systems; and

WHEREAS, the City has determined that it is necessary to the health, safety, and welfare of the people in the City limits and ETJ to encourage and promote the development and use of the City's water utility and supply systems to serve the water provision needs of the citizens in the City limits and ETJ to prevent failure of water supply within the system; and

WHEREAS, the City conducted an updated analysis to determine the adequacy of the City's current water supply, facilities, and the need beyond the estimated capacity that is expected to result from properties currently in development; and

WHEREAS, upon review of the analysis by the City's Engineer and City Administrator, the City Council has made findings contained herein as **Attachment B** related to the inadequacy of existing essential public facilities in accordance with Section 212.135 of the Texas Local Government Code; and

WHEREAS, the City Council finds that certain essential public water infrastructure, supply, and improvements throughout the City limits and ETJ are inadequate and insufficient to adequately serve new development; and

WHEREAS, relying on the analysis provided by City staff, the outstanding permits issued by the City prior to this moratorium, and the City's impact fee analysis, the City Council makes the following findings:

1. Taking in account all water that has been committed by contract, the City's water facilities are at capacity; and
2. The current water system has bottlenecks that threaten the proper operation of the City's water system; and
3. Based on these bottlenecks and the contractual commitments that will utilize all additional supply of the City's water system, there is currently no additional supply available to commit to development of lots; and
4. This moratorium is reasonably limited to property located in the City limits and ETJ.
5. The City is actively updating its Development Code and is working towards an update of its Comprehensive Plan and Development Code.

Proposed

WHEREAS, the City continues to take actions to increase the water supply of the City of Parker, but until actions can be finalized to increase the water capacity, allowing for additional water service connections to the Parker water service area will only exacerbate the situation; and

WHEREAS, the City Council finds that a temporary moratorium on the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, and construction in the City limits and ETJ will prevent the situation from becoming worse, and will allow the City time to address the measures needed to remedy the shortage of supply and to secure funds to pay for such remedial measures; and

WHEREAS, additional evaluation of the existing supply, infrastructure, and development is needed to allow for growth and development within the City limits and ETJ while protecting the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, the City desires to study and evaluate the impact of further development, the need for additional water supply and facilities, appropriate zoning districts and district regulations, appropriate land use and water regulations, and issues that will affect future growth and development of the area within its jurisdiction; and

WHEREAS, the City finds this evaluation process will require community input and will take a reasonable amount of time to complete; and

WHEREAS, the City has determined that it is necessary to study and update its development ordinances and procedures in order to clarify and improve its planning policies based on the forthcoming regulations, strengthen the connection between the City's Code of Ordinances and the goals and needs of the City's residents, and to protect the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, in order for the City of have adequate and reasonable time to review, evaluate, and revise the City's development ordinances, and to consider the impact of the ordinances upon future growth, public health and safety, development, the natural environment, and place of architectural and ecological importance and significance within the City limits and ETJ, the City wishes to maintain the *status quo* by extending the enacted temporary moratorium, during which certain applications for development permits and/or approvals will be suspended; and

WHEREAS, the City Council is adopting a working plan and time schedule for achieving an updated comprehensive plan and development code as contained herein as **Attachment C**; and

WHEREAS, the purpose of prohibiting certain applications for development permits and/or approvals during this period includes, within limitation, preserving the *status quo* during the planning process, eliminating incentives for hurried applications, facilitating thoughtful and consistent planning, avoiding exploitation of the delays inherent in the municipal legislative process, and preventing applications from undermining the effectiveness of the revised rules by applying for permits and/or approvals in order to avoid the application of new, possibly more restrictive, development regulations; and

Proposed

WHEREAS, in recognition of the importance of development permits and/or approvals to the community, the City desires to implement the moratorium for a stated and fixed time period, and to include a waiver provision in accordance with Texas Local Government Code Chapter 212, Subchapter E; and

WHEREAS, all notices and hearings, including a hearing by the Planning & Zoning Commission, were published and held in accordance with applicable statutes, law, and regulations and a temporary moratorium was originally adopted on March 11, 2022 for a period of 90 days; and

WHEREAS, the notice for the possible extension of the temporary moratorium has been published in the newspaper for a public hearing at City Council; and

WHEREAS, based on the updated findings contained herein, information provided by City staff, and the evidence submitted at public hearings, the City Council has determined that existing development ordinances and regulations and other applicable laws are inadequate to prevent existing essential public water facilities from exceeding capacity, thereby being detrimental to the public health, safety, and welfare of the residents of Parker; and

WHEREAS, the City Council finds that the enactment of this Ordinance is directly related to the immediate preservation of the public peace, health, or safety;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS:

Section 1. INCORPORATION OF RECITALS/FINDINGS OF FACT

The recitals contained in the preamble of this ordinance are incorporated into the body of this Ordinance as it set out fully herein as legislative findings of fact.

Section 2. DEFINITIONS

As used in this Ordinance, these terms shall be defined as follows. Terms appearing in this Ordinance but not defined herein shall have the meanings provided in the City's Code of Ordinances, or if not defined therein then the common meanings in accordance with ordinary usage.

A. **"Essential Public Facilities"** means water, sewer/wastewater, or storm drainage facilities or street improvements provided by a municipality or private utility.

B. **"Permit"** means a license, certificate, approval, registration, consent, permit, contract, or other agreement for construction related to, or provision of, service from a water or wastewater utility owned, operated, or controlled by a regulatory agency, or other form of authorization required by law, rule,

Proposed

regulation, order, or ordinance that a person must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought

C. **"Project"** means an endeavor over which a regulatory agency exerts its jurisdiction and for which one (1) or more permits are required to initiate, continue, or complete the endeavor.

D. **"Property Development"** means the construction, reconstruction, or other alteration or improvement of buildings or the subdivision or replatting of a subdivision of property.

Section 3. APPLICABILITY

The City of Parker hereby enacts this Ordinance in order to extend the temporary moratorium enacted on March 11, 2022 on the acceptance and processing of certain applications and issuance of particular permits and other forms of municipal authorizations related to specific construction and land development activities. This temporary moratorium applies to all city zoning district uses within the City limits and ETJ.

Unless a Project falls within an Exception (as provided below), this temporary moratorium applies to all applications for property development permits. Permits that are affected or not affected by the moratorium are attached as **Attachment A.** The applicability of the moratorium to any permit not listed shall be determined based on the purpose of the moratorium and may be added to the list by the City Administrator.

Section 4. PURPOSE

This temporary moratorium is being extended to maintain the *status quo*, and to:

A. Assess the short-term and long-term Comprehensive Plan;

B. Review the City's policies on the acceptance of applications for municipal Permits for construction or development;

C. Update the City's permitting and planning requirements and processes for utility and transportation infrastructure;

D. Obtain and review public input and expert guidance; and

E. Update the City's water utility infrastructure and supply.

Section 5. ENACTMENT

The City of Parker hereby enacts this Ordinance extending the temporary moratorium on the City's acceptance, review, approval, and issuance of permits in the City limits and ETJ.

Proposed

Section 6. DURATION

The duration of the extension of this temporary moratorium shall be for a period of ninety (90) days after enactment of this Ordinance, or repeal of this Ordinance by the City, whichever is sooner.

Section 7. EXTENSION

If the City determines that the initial period is insufficient for the City to fully complete its study and increase its water supply, this Ordinance may be renewed or extended for an additional period of time necessary to complete the implementation of the changes to the City codes, policies, and processes and the implementation of actions necessary to expand the City's water supply in accordance with the time limits as provided by law upon a majority vote of the City Council.

Section 8. EXCEPTIONS AND EXEMPTIONS

A. **Exceptions.** Any property owner who believes that he or she falls within the below exceptions shall provide notice of the exception at time of application for any permit with the City-approved form. Exceptions are administratively approved or denied. Any exception that is denied may be appealed to the City Council. Exceptions will be determined within the same time period as the administrative completeness check for each Project, or within ten business days, whichever is sooner. If a Grandfathered Development Status Determination Report is required, then the exception can be applied concurrently with the Request but the time frame of the Request shall be controlling.

1. **No Impact Projects.** The temporary moratorium extended by this Ordinance does not apply to a Project that does not:
   - Impact Water Supply and/or Capacity; and
   - Require land use modifications inconsistent with the updated Comprehensive Plan.

   To make a determination of whether a Project is no impact as listed, an applicant shall apply for an exception to the moratorium.

2. **Ongoing Projects.** The temporary moratorium extended by this Ordinance does not apply to any Projects that are currently, actively in progress for which valid City permits have been issued and have not expired as of February 25, 2022, such being the fifth business day after the date on which the City published notice of the public hearings to consider the implementation of a temporary moratorium. The provisions of this Ordinance do not apply to any completed application or plan for development for a Permit, plat, verification, rezoning, site plan, approved wastewater plan, or new or revised certificate of occupancy for Property Development that were filed prior to February 25, 2022. New Permits applied for as part of a previously approved Project may proceed once an exception is applied for and approved as described herein.

Proposed

3. **Grandfathered Projects.** The temporary moratorium extended by this Ordinance shall not apply to Projects that are grandfathered as provided by state law. Property owners asserting grandfathered rights under Texas Local Government Code Chapter 245 must submit an application claiming an exception to this temporary moratorium to the planning department for review in accordance with City policy. Grandfathered status can be approved through an approved Grandfathered Development Status Determination Request. If a Grandfathered Development Status Determination Request has been finalized by staff on or after February 25, 2022, then a new request is not required to meet this exception. New permits applied for as part of a previously vested Project may proceed once an exception is applied for and approved as described herein.

4. **Development Agreement.** Property owners with a negotiated approval granted by the City Council providing for construction standards, platting, water, wastewater, and development rules pursuant to Texas Local Government Code Chapter 212, Subchapter G may apply for an exception in accordance with City policy. New Permits applied for as part of a Development Agreement Project may proceed once an exception is applied for and approved as described herein.

B. Waivers. Any property owner who does not assert rights under Texas Local Government Code Chapter 245, but who seeks authorization to proceed with the development permitting process during the time of the temporary moratorium can request a waiver. Property owners agreeing to construct certain water infrastructure at property owners' sole expense and who do not require land use modifications in consistent with the updated comprehensive planning, in accordance with Texas Local Government Code Chapter 212, Subchapter E may apply for a waiver in accordance with City policy.

Section 9. DETERMINATIONS AND APPEALS

A. Exceptions. The Public Works Director or his designee shall make all initial determinations regarding the status of all Projects seeking to apply for Permits during this temporary moratorium and recognition of all Exceptions (as provided herein). Exceptions for Projects filed within thirty (30) days of the effective date of this Ordinance may be filed without a corresponding Permit application. Any exception application filed within this period will be decided within (10) business days of receipt. Any exception that is denied may be appealed to City Council or the applicant may apply for a Waiver. An exception may be applied for by lot, Project, plat, or all area covered by a particular Permit or agreement.

B. City Council. City Council shall make a final decision on waivers within 10 days of filing of application.

Proposed

C. Waivers. The decision to approve an Exemption (as provided for above) shall rest solely with the City Council. Any denial will stand until the moratorium is lifted unless the Project requesting the waiver has a substantial change and reapplies for a waiver.

Section 10. REPEALER

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance shall control.

Section 11. SEVERABILITY

If any article, paragraph, sentence, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to invalid, illegal, or unconstitutional, and shall not affect the validity of Ordinance as a whole.

Section 12. ENFORCEMENT

The City shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law. Any person violating any provision of this temporary moratorium is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this Ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law and/or equity.

Section 13. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice and a public hearing were also provided as required by Texas Government Code Chapter 212, Subchapter E.

Section 14. EFFECTIVE DATE

This Ordinance shall be effective upon the final day of the initial term of the temporary mortarium which is June 9, 2022 and shall extend the moratorium for 90 days.

Proposed

READ, PASSED, AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 7th DAY OF JUNE 2022.

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

_____
Larence M. Lansford, III, City Attorney

Proposed

ATTACHMENT A

PERMITS SUBJECT TO MORATORIUM

- Building Permit Application
- Development Agreement
- Development Agreement Minor Modification/Amendment
- Plan Review Application
- Subdivision Application
- Site Development Application
- Conditional Use Permit
- Variance Application
- Wastewater Application
- Special District Agreement/Amendment
- Accessory Dwelling Unit Permit
- Mobile/Modular Home Permit

PERMITS NOT SUBJECT TO MORATORIUM

- Zoning Amendment/PDD Application
- Contractor Registration Form
- Grandfathered Status Request/Appeal
- City Limits/ETJ Determination Letter
- Street Cut/Driveway Permit
- Operational Permit/Inspection Application
- On Site Sewage Facility Permit Application
- Pre-Development Meeting Form
- Certificate of Appropriateness
- Annexation Application
- Sign Permit
- Master Sign Plan
- License to Encroach
- Exterior Lighting Compliance Review
- Zoning Determination Letter Request
- Building Addition Permit
- Accessory Structure Permit
- Demolition Permit
- Asbestos Compliance Statement
- Pyrotechnics/Fireworks Application
- Certificates of Occupancy Application
- Any Fire Permits
- Swimming Pool Permit

Proposed

ATTACHMENT B

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600 Dallas, Texas 75243 Phone (214) 361-7900 www.bhcllp.com

JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E., R.P.L.S.
JOE R. CARTER, P.E.
MATT HICKEY, P.E.
ANDREW MATA, JR., P.E.

DEREK B. CHANEY, P.E., R.P.L.S.
CRAIG M. KERKHOFF, P.E.
JUSTIN R. IVY, P.E.
JULIAN T. LE, P.E.
COOPER E. REINBOLD, P.E.

June 2, 2022

Mr. Luke Olson
City Administrator
City of Parker
5700 E. Parker Road
Parker, Texas 75002

Re: Water Projections

Dear Mr. Olson:

We have reviewed the City of Parker's water demand projections from our February evaluation and we have no change to our recommendation that no additional lots be approved for development until a contract with NTMWD is executed. To recap our February evaluation determined that the demand from the City of Parker is at or beyond the supply of 3.5 MGD from NTMWD. The February evaluation has the same results as in previous years. Based on records provided by the City, the City pumped 3.33 MGD in August 2019 and 3.10 MGD in August of 2021. Water demand in the summer months is driven by higher temperatures and the duration between significant rain events. Historically, the hotter the weather and the longer period between rain events drives up water usage.

The February population is estimated to be 5,664 (meter count 2,030 times persons per meter 2.79). Based on the current population and the 2021 maximum daily usage, the 2021 maximum daily demand calculates to be approximately 472 gallons per capita per day (gpcd). The City also has an additional 834 lots currently being developed. Projecting the maximum daily demand including the upcoming residential lots, the maximum daily water demand will be 3,771,752 gallons. This is in excess of the currently contracted supply.

In the event a contract cannot be executed during the next 90 days of the moratorium, we will work with the city staff to monitor water usage during the months of June, July and August to better understand water usage during this period in 2022.

We are available at your convenience to discuss our findings and recommendations.

Sincerely,

John W Birkhoff

John W. Birkhoff, P.E.

ATTACHMENT C

PLAN AND TIME SCHEDULE FORUPDATED COMPREHENSIVE PLAN AND DEVELOPMENT CODE

February 11, 2022:	Issued RFQ for Comprehensive Plan
March 2022:	No responses received to Comprehensive Plan RFQ.
May 2022:	Required notices of public hearing and action by Planning and Zoning Commission (P&Z) on the Zoning Regulations sent to newspaper and posted on City Website
June 9, 2022:	Public Hearing before P&Z on Zoning Regulation Amendments
June 2022:	Initial meeting to review Comprehensive Plan document updates. Staff prepares revised Zoning Regulations based on P&Z Action; Required notices of public hearing and action by Planning and Zoning Commission (P&Z) on the Zoning Regulations sent to newspaper and posted on City Website
June – Dec. 2022:	Public Engagement, data collection, and drafting of documents; additional updates to codes as needed.
July 2022:	Public Hearing before City Council regarding Zoning Regulation Amendments
August 2022:	Council consideration and potential approval of Zoning Regulation Amendments
January 2023:	Presentation of draft Comprehensive Plan and Development Code to Planning and Zoning Commission and City Council; Comprehensive Plan and updated Development Code approved by City Council

Proposed

BELO + COMPANY

Remit Payments (with Acct Number) to:
Belo + Company, P.O. BOX 660040, DALLAS, TX 75266-0040

Order Confirmation

Customer:	CITY OF PARKER	**Customer Account:**	100069579
Ad Order #:	0001824532	**PO Number:**	
Sales Rep:	Max (Mert) Tezkol	**Order Taker:**	Max (Mert) Tezkol

Net Amount:	$265.80	**Tax Amount:**	$0.00	**Total Amount:**	$265.80
Payment Method:	Check/Money Order	**Payment Amount:**	$0.00	**Amount Due:**	**$265.80**

Ad Order #: 0001824532

Ad Number: 0001824532-01

Color:

Ad Size: 2 X 26.00 Li

Ad Content

Public Hearing Notice for Consideration of an Extension of the Moratorium on New Development

Pursuant to Texas Local Government Code Chapter 212, there will be a public hearing by the City of Parker's City Council concerning an extension of the temporary moratorium on the acceptance, review, and approvals necessary for the subdivision, site planning, development, or construction within the city limits and extraterritorial jurisdiction of the City of Parker originally enacted Friday, March 11, 2022 at a scheduled meeting on Tuesday, June 7, 2022 beginning at 7:00 p.m., followed by discussion and possible action on the proposed ordinance by the Council on the same. The Public Hearing will be held at the Parker City Hall, 5700 E. Parker Road, Parker, Texas 75002. Contact Public Works Director Gary Machado at (972) 442-6811 for more information or to comment regarding the proposed moratorium at any time before the public hearing.

Run Dates				Product	Placement/Classification - Position
Publish Date:	05/20/2022	Stop Date:	05/20/2022	Dallas Morning News	Legals Bids Notices - LN Legal Notices
Publish Date:	05/20/2022	Stop Date:	05/26/2022	DallasNews.com	Legals Bids Notices - LN Legal Notices

ORDINANCE NO. 812
(*Temporary Moratorium on Acceptance of Development Applications*)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, ENACTING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, AUTHORIZATION, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, ZONING, AND CONSTRUCTION IN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION, PROVIDING FINDINGS OF FACT, DEFINITIONS, APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, DETERMINATION AND APPEALS; PROVIDING FOR SEVERABILITY, REPEALER, ENFORCEMENT, PROPER NOTICE AND MEETING, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Parker, Texas (the "City Council"), as a duly-elected legislative body, finds that it is facing significant historic and contemporary land use challenges that existing regulations and infrastructure were not designed to address; and

WHEREAS, the City Council finds that it is in the best interest of the City and its citizens to adopt and enact a moratorium in order to temporarily suspend the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, zoning, and construction on real property in the City Limits and extraterritorial jurisdiction ("ETJ"); and

WHEREAS, the City has developed a Comprehensive Plan for development within the City and desires to protect its ability to regulate development within its jurisdiction; and

WHEREAS, the City has started the process of revisiting the Comprehensive Plan and studying land use and development in the City limits and ETJ, and has issued a Request for Qualifications for a professional land planning firm to provide comprehensive plan and development code services; and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that are for the good government, peace, or order of the City and is necessary for carrying out a power granted by law to the City; and

WHEREAS, Texas Local Government Code Chapters 211, 213, 214, and 217 grant the City certain regulation authority concerning construction, land use, nuisances, structures, and development-related activities; and

WHEREAS, the City seeks to ensure that impending and future development is conducted in a fiscally sustainable and environmentally responsible manner; and

WHEREAS, the City limits and ETJ are comprised of a combination of topographical, ecological, and other features that create significant development challenges; and

WHEREAS, the City will change drastically if continued growth and development should occur under the City's existing Code of Ordinances and Comprehensive Plan, which no longer adequately address concerns about the effect of responsible development in the City and ETJ; and

WHEREAS, as codified in Texas Water Code Chapter 552, Subchapter A, the Legislature of the State of Texas granted municipalities the authority to own and operate "utility systems," which include water systems designed to provide domestic consumption of water; and

WHEREAS, Texas Water Code Section 552.015 grants Type A general-law municipalities the authority to provide for municipal water supply systems; and

WHERAS, the City has determined that it is necessary to the health, safety, and welfare of the people in the City limits and ETJ to encourage and promote the development and use of the City's water utility and supply systems to serve the water provision needs of the citizens in the City limits and ETJ to prevent failure of water supply within the system; and

WHERAS, the City conducted an analysis to determine the adequacy of the City's current water supply, facilities, and the need beyond the estimated capacity that is expected to result from properties currently in development; and

WHEREAS, upon review of the analysis by the City's Engineer and City Administrator, the City Council has made findings contained herein as **Attachment B** related to the inadequacy of existing essential public facilities in accordance with Section 212.135 of the Texas Local Government Code; and

WHEREAS, the City Council finds that certain essential public water infrastructure, supply, and improvements throughout the City limits and ETJ are inadequate and insufficient to adequately serve new development; and

WHEREAS, relying on the analysis provided by City staff, the outstanding permits issued by the City prior to this moratorium, and the City's impact fee analysis, the City Council makes the following findings:

1. Taking in account all water that has been committed by contract, the City's water facilities are at capacity; and
2. The current water system has bottlenecks that threaten the proper operation of the City's water system; and
3. Based on these bottlenecks and the contractual commitments that will utilize all additional supply of the City's water system, there is currently no additional supply available to commit to development of lots; and
4. This moratorium is reasonably limited to property located in the City limits and ETJ.

WHEREAS, until actions can be taken to increase the water supply of the City of Parker, allowing for additional water service connections to the Parker water service area will only exacerbate the situation; and

WHEREAS, the City Council finds that a temporary moratorium on the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, and construction in the City limits and ETJ will prevent the situation from becoming worse, and will allow the City time to address the measures needed to remedy the shortage of supply and to secure funds to pay for such remedial measures; and

WHEREAS, additional evaluation of the existing supply, infrastructure, and development are needed to allow for growth and development within the City limits and ETJ while protecting the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, the City desires to study and evaluate the impact of further development, the need for additional water supply and facilities, appropriate zoning districts and district regulations, appropriate land use and water regulations, and issues that will affect future growth and development of the area within its jurisdiction; and

WHERAS, the City finds this evaluation process will require community input and will take a reasonable amount of time to complete; and

WHEREAS, the City has determined that it is necessary to study and update its development ordinances and procedures in order to clarify and improve its planning policies based on the forthcoming regulations, strengthen the connection between the City's Code of Ordinances and the goals and needs of the City's residents, and to protect the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, in order for the City of have adequate and reasonable time to review, evaluate, and revise the City's development ordinances, and to consider the impact of the ordinances upon future growth, public health and safety, development, the natural environment, and place of architectural and ecological importance and significance within the City limits and ETJ, the City wishes to maintain the *status quo* by implementing a temporary moratorium, during which certain applications for development permits and/or approvals will be suspended; and

WHEREAS, the purpose of prohibiting certain applications for development permits and/or approvals during this period includes, within limitation, preserving the *status quo* during the planning process, eliminating incentives for hurried applications, facilitating thoughtful and consistent planning, avoiding exploitation of the delays inherent in the municipal legislative process, and preventing applications from undermining the effectiveness of the revised rules by applying for permits and/or approvals in order to avoid the application of new, possibly more restrictive, development regulations; and

WHEREAS, in recognition of the importance of development permits and/or approvals to the community, the City desires to implement the moratorium for a stated and fixed time period, and to include a waiver provision in accordance with Texas Local Government Code Chapter 212, Subchapter E; and

WHEREAS, all notices and hearings, including a hearing by the Planning & Zoning Commission, have been published and held in accordance with applicable statutes, law, and regulations; and

WHEREAS, based on findings contained herein, information provided by City staff, and the evidence submitted at public hearings, the City Council has determined that existing development ordinances and regulations and other applicable laws are inadequate to prevent existing essential public water facilities from exceeding capacity, thereby being detrimental to the public health, safety, and welfare of the residents of Parker; and

WHEREAS, the City Council finds that the enactment of this Ordinance is directly related to the immediate preservation of the public peace, health, or safety;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS:

Section 1. INCORPORATION OF RECITALS/FINDINGS OF FACT

The recitals contained in the preamble of this ordinance are incorporated into the body of this Ordinance as it set out fully herein as legislative findings of fact.

Section 2. DEFINITIONS

As used in this Ordinance, these terms shall be defined as follows. Terms appearing in this Ordinance but not defined herein shall have the meanings provided in the City's Code of Ordinances, or if not defined therein then the common meanings in accordance with ordinary usage.

A. **"Essential Public Facilities"** means water, sewer/wastewater, or storm drainage facilities or street improvements provided by a municipality or private utility.

B. **"Permit"** means a license, certificate, approval, registration, consent, permit, contract, or other agreement for construction related to, or provision of, service from a water or wastewater utility owned, operated, or controlled by a regulatory agency, or other form of authorization required by law, rule, regulation, order, or ordinance that a person must obtain to perform an action or initate, continue, or complete a project for which the permit is sought

C. **"Project"** means an endeavor over which a regulatory agency exerts its jurisdiction and for which one (1) or more permits are required to initiate, continue, or complete the endeavor.

D. **"Property Development"** means the construction, reconstruction, or other alteration or improvement of buildings or the subdivision or replatting of a subdivision of property.

Section 3. APPLICABILITY

The City of Parker hereby enacts this Ordinance in order to implement a temporary moratorium on the acceptance and processing of certain applications and issuance of particular permits and other forms of municipal authorizations related to specific construction and land development activities. This temporary moratorium applies to all city zoning district uses within the City limits and ETJ.

Unless a Project falls within an Exception (as provided below), this temporary moratorium applies to all applications for property development permits. Permits that are affected or not affected by the moratorium are attached as **Attachment A.** The applicability of the moratorium to any permit not listed shall be determined based on the purpose of the moratorium and may be added to the list by the City Administrator.

Section 4. PURPOSE

This temporary moratorium is being enacted to maintain the *status quo*, and to:

A. Assess the short-term and long-term Comprehensive Plan;

B. Review the City's policies on the acceptance of applications for municipal Permits for construction or development;

C. Update the City's permitting and planning requirements and processes for utility and transportation infrastructure;

D. Obtain and review public input and expert guidance; and

E. Update the City's water utility infrastructure and supply.

Section 5. ENACTMENT

The City of Parker hereby enacts this Ordinance implementing a temporary moratorium on the City's acceptance, review, approval, and issuance of permits in the City limits and ETJ.

Section 6. DURATION

The initial duration of this temporary moratorium shall be for a period of ninety (90) days after enactment of this Ordinance, or repeal of this Ordinance by the City, whichever is sooner.

Section 7. EXTENSION

If the City determines that the initial period is insufficient for the City to fully complete its study and increase its water supply, this Ordinance may be renewed or extended for an additional period of time necessary to complete the implementation of the changes to the City codes, policies,

and processes and the implementation of actions necessary to expand the City's water supply in accordance with the time limits as provided by law upon a majority vote of the City Council.

Section 8. EXCEPTIONS AND EXEMPTIONS

A. **Exceptions.** Any property owner who believes that he or she falls within the below exceptions shall provide notice of the exception at time of application for any permit with the City-approved form. Exceptions are administratively approved or denied. Any exception that is denied may be appealed to the City Council. Exceptions will be determined within the same time period as the administrative completeness check for each Project, or within ten business days, whichever is sooner. If a Grandfathered Development Status Determination Report is required, then the exception can be applied concurrently with the Request but the time frame of the Request shall be controlling.

1. **No Impact Projects.** The temporary moratorium implemented by this Ordinance does not apply to a Project that does not:
   - Impact Water Supply and/or Capacity; and
   - Require land use modifications inconsistent with the updated Comprehensive Plan.

   To make a determination of whether a Project is no impact as listed, an applicant shall apply for an exception to the moratorium.

2. **Ongoing Projects.** The temporary moratorium implemented by this Ordinance does not apply to any Projects that are currently, actively in progress for which valid City permits have been issued and have not expired as of February 25, 2022, such being the fifth business day after the date on which the City published notice of the public hearings to consider this Ordinance. The provisions of this Ordinance do not apply to any completed application or plan for development for a Permit, plat, verification, rezoning, site plan, approved wastewater plan, or new or revised certificate of occupancy for Property Development that were filed prior to February 25, 2022. New Permits applied for as part of a previously approved Project may proceed once an exception is applied for and approved as described herein.

3. **Grandfathered Projects.** The temporary moratorium implemented by this Ordinance shall not apply to Projects that are grandfathered as provided by state law. Property owners asserting grandfathered rights under Texas Local Government Code Chapter 245 must submit an application claiming an exception to this temporary moratorium to the planning department for review in accordance with City policy. Grandfathered status can be approved through an approved Grandfathered Development Status Determination Request. If a Grandfathered Development Status Determination Request has been finalized by staff on or after February 25, 2022, then a new request is not required to meet this exception. New

permits applied for as part of a previously vested Project may proceed once an exception is applied for and approved as described herein.

4. **Development Agreement.** Property owners with a negotiated approval granted by the City Council providing for construction standards, platting, wastewater, and development rules pursuant to Texas Local Government Code Chapter 212, Subchapter G may apply for an exception in accordance with City policy. New Permits applied for as part of a Development Agreement Project may proceed once an exception is applied for and approved as described herein.

B. Waivers. Any property owner who does not assert rights under Texas Local Government Code Chapter 245, but who seeks authorization to proceed with the development permitting process during the time of the temporary moratorium can request a waiver. Property owners agreeing to construct certain water infrastructure at property owners' sole expense and who do not require land use modifications in consistent with the updated comprehensive planning, in accordance with Texas Local Government Code Chapter 212, Subchapter E may apply for a waiver in accordance with City policy.

Section 9. DETERMINATIONS AND APPEALS

A. Exceptions. The Public Works Director or his designee shall make all initial determinations regarding the status of all Projects seeking to apply for Permits during this temporary moratorium and recognition of all Exceptions (as provided herein). Exceptions for Projects filed within thirty (30) days of the effective date of this Ordinance may be filed without a corresponding Permit application. Any exception application filed within this period will be decided within (10) business days of receipt. Any exception that is denied may be appealed to City Council or the applicant may apply for a Waiver. An exception may be applied for by lot, Project, plat, or all area covered by a particular Permit or agreement.

B. City Council. City Council shall make a final decision on waivers within 10 days of filing of application.

C. Waivers. The decision to approve an Exemption (as provided for above) shall rest solely with the City Council. Any denial will stand until the moratorium is lifted unless the Project requesting the waiver has a substantial change and reapplies for a waiver.

Section 10. REPEALER

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance shall control.

Section 11. SEVERABILITY

If any article, paragraph, sentence, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to invalid, illegal, or unconstitutional, and shall not affect the validity of Ordinance as a whole.

Section 12. ENFORCEMENT

The City shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law. Any person violating any provision of this temporary moratorium is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this Ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law and/or equity.

Section 13. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice and public hearings were also provided as required by Texas Government Code Chapter 212, Subchapter E.

Section 14. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage.

READ & ACKNOWLEDGED on First Reading on the 7th day of March 2022.

READ, PASSED, AND APPROVED ON SECOND READING BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 11th DAY OF MARCH 2022.

Lee Pettle, Mayor

ATTEST:

CITY OF PARKER COLLIN COUNTY, TEXAS

Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

Larence M. Lansford, III, City Attorney

ATTACHMENT A

PERMITS SUBJECT TO MORATORIUM

- Building Permit Application
- Development Agreement
- Development Agreement Minor Modification/Amendment
- Swimming Pool Permit
- Plan Review Application
- Subdivision Application
- Site Development Application
- Conditional Use Permit
- Variance Application
- Wastewater Application
- Special District Agreement/Amendment
- Accessory Dwelling Unit Permit
- Mobile/Modular Home Permit

PERMITS NOT SUBJECT TO MORATORIUM

- Zoning Amendment/PDD Application
- Contractor Registration Form
- Grandfathered Status Request/Appeal
- City Limits/ETJ Determination Letter
- Street Cut/Driveway Permit
- Operational Permit/Inspection Application
- On Site Sewage Facility Permit Application
- Pre-Development Meeting Form
- Certificate of Appropriateness
- Annexation Application
- Sign Permit
- Master Sign Plan
- License to Encroach
- Exterior Lighting Compliance Review
- Zoning Determination Letter Request
- Building Addition Permit
- Accessory Structure Permit
- Demolition Permit
- Asbestos Compliance Statement
- Pyrotechnics/Fireworks Application
- Certificates of Occupancy Application
- Any Fire Permits

ATTACHMENT B

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600 Dallas, Texas 75243 Phone (214) 361-7900 www.bhcllp.com

JOHN W BIRKHOFF, P.E.
GARY C HENDRICKS, P.E., R.P.L.S.
JOE R. CARTER, P.E.
MATT HICKEY, P.E.
ANDREW MATA, JR., P.E.

DEREK B. CHANEY, P.E., R.P.L.S.
CRAIG M. KERKHOFF, P.E.
JUSTIN R. IVY, P.E.
JULIAN T. LE, P.E.
COOPER E. REINBOLD, P.E.

March 1, 2022

Mr. Luke Olson
City Administrator
City of Parker
5700 E. Parker Road
Parker, Texas 75002

Re: Water Projections

Dear Mr. Olson:

We have evaluated the City of Parker's water demand projections and have determined that the demand from the City of Parker is at or beyond the supply of 3.5 MGD from NTMWD. This current evaluation has the same results as in previous years. Based on records provided by the City, the City pumped 3.33 MGD in August 2019 and 3.10 MGD in August of 2021. Water demand in the summer months is driven by higher temperatures and the duration between significant rain events. Historically, the hotter the weather and the longer period between rain events drives up water usage.

The current population is estimated to be 5,664 (meter count 2,030 times persons per meter 2.79). Based on the current population and the 2021 maximum daily usage, the 2021 maximum daily demand calculates to be approximately 472 gallons per capita per day (gpcd). The City also has an additional 834 lots currently being developed. Projecting the maximum daily demand including the upcoming residential lots, the maximum daily water demand will be 3,771,752 gallons. This is in excess of the currently contracted supply.

We recommend that no additional lots be approved within the City of Parker's CCN until the NTMWD supply contract can be completed and the Central Pump Station brought online. To complete the pump station will require the connection to the NTMWD 84-inch supply line, which will require approximately 30-60 days to schedule and complete.

We are available at your convenience to discuss our findings and recommendations.

Sincerely,

John W. Birkhoff, P.E.

/

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey
Estimated Cost:		Date Prepared:	May 17, 2022
Exhibits:	1. Proposed Ordinance (Service Agreement) 2. Signed Municipal Service Agreement 3. Public Hearing 4. Proposed Ordinance (Annexation)		

AGENDA SUBJECT

DONIHOO FARMS, LTD.:

DONIHOO FARMS, LTD. SERVICE AGREEMENT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 816 REGARDING A MUNICIPAL SERVICES AGREEMENT, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 43.0672, BETWEEN THE CITY OF PARKER AND DONIHOO FARMS, LTD. FOR THE PROVISION OF CITY SERVICES TO APPROXIMATELY 44.786 ACRES OF LAND REQUESTED BY OWNER TO BE ANNEXED, GENERALLY LOCATED IN THE THOMAS ESTES SURVEY, ABSTRACT NO. 298; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

DONIHOO FARMS, LTD. ANNEXATION

PUBLIC HEARING FOR DONIHOO FARMS, LTD. ANNEXATION

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 817, ANNEXING APPROXIMATELY 44.786 ACRES INTO THE CITY LIMITS (THE DONIHOO FARMS, LTD. ANNEXATION).

SUMMARY

Please review information provided.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	Patti Scott Grey	Date:	06/02/2022
City Attorney:	Trey Lansford	Date:	06/02/2022 via Municode Software
City Administrator:	Luke B. Olson	Date:	06/03/2022

ORDINANCE NO. 816
(Annexation for Donihoo Farms, Ltd.)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, TO VOLUNTARILY ANNEX BY REQUEST OF THE PROPERTY OWNER APPROXIMATELY 44.786 ACRES OF LAND INTO THE INCORPORATED MUNICIPAL BOUNDARIES OF THE CITY OF PARKER, TEXAS, GENRALLY LOCATED IN THE THOMAS ESTES SURVEY, ABSTRACT NO. 298; PROVIDING FINDINGS OF FACT; PROVIDING A REPLEALER CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Parker, Texas ("City") is a Type-A, General Law municipality located in Collin County, Texas with the rights and privileges thereto; and

WHEREAS, Section 43.0671 of the Texas Local Government Code authorizes a Type-A general law municipality to extend the boundaries of the municipality and annex area adjacent to the municipality by petition of the property owner in accordance with the procedural rules prescribed by Texas Local Government Code Chapter 43; and

WHEREAS, the City received a written petition from Donihoo Farms, Ltd. requesting the voluntary annexation of the area described in Exhibit A on January 28, 2022; and

WHEREAS, the area identified in Exhibit A, approximately 44.786 acres located in the Thomas Estes Survey, Abstract No. 298, Collin County, Texas, is adjacent and contiguous to the City limits; and

WHEREAS, City staff proceeded with negotiating a service agreement with the property owner, in accordance with Section 43.0672 of the Texas Local Government Code; and

WHEREAS, the City Council conducted a public hearing and considered testimony regarding the annexation of the property, in accordance with Section 43.0673 of the Texas Local Government Code on June 7, 2022; and

WHEREAS, the City Council deems it to be in the best interest of the citizens of the City to annex said territory into the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS:

Section 1. **Findings of Fact**

The recitations contained in the preamble of this Ordinance are hereby found to be true and correct legislative and factual findings of the City Council of Parker, Texas, and are hereby approved and incorporated into the body of this Ordinance as if copied herein in their entirety.

Section 2. **Annexation of Territory**

Proposed

A. The property in the area described in Exhibit A and depicted in Exhibit B, attached hereto and incorporated herein for all purposes, is hereby annexed and brought into the municipal boundaries (i.e., corporate limits) of the City of Parker, Texas, and is made an integral part hereof.

B. The official map and boundaries of the City of Parker, Texas are hereby amended and revised so as to include the area annexed.

C. The annexation agreement, executed prior to the annexation approval in accordance with Section 43.0670 of the Texas Local Government Code is attached hereto as Exhibit C and incorporated herein for all intents and purposes.

D. The owner and inhabitants of the area herein annexed are entitled to all of the rights and privileges of other citizens of the City of Parker, Texas and are hereby bound by all acts, ordinances, and other legal actions now in full force and effect and those that may be hereafter adopted or enacted.

Section 3. Filing

A. The City Secretary is hereby instructed to include this Ordinance in the records of the City.

B. The City Secretary is hereby instructed to have prepared maps depicting the new municipal boundaries.

C. The City Secretary is hereby instructed to file a certified copy of this Ordinance with the Collin County Clerk.

D. The City Secretary is hereby instructed to submit by certified mail a certified copy of the annexation ordinance map of the entire City that shows the change in boundaries, with the annexed portion clearly distinguished, resulting from the annexation to the Texas Comptroller's Office.

Section 4. Repealer

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance shall control.

Section 5. Severability

If any article, paragraph, sentence, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to invalid, illegal, or unconstitutional, and shall not affect the validity of Ordinance as a whole.

Section 6. Proper Notice and Meeting

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting

Proposed

was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

Section 14. Effective Date

This Ordinance shall be effective, and the annexation achieved herein shall be final and complete, immediately upon passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 7TH DAY OF JUNE, 2022.

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

_____
Larence M. Lansford, III, City Attorney

Proposed

MUNICIPAL SERVICES AGREEMENT

This Municipal Services Agreement ("Agreement") is entered into this ___ day of _____ 2022 by and between the City of Parker, Texas, a Type-A General Law municipality ("City") and **DONIHOO FARMS, LTD.** (hereafter "Owner" whether one or more).

RECITALS:

WHEREAS, Section 43.0671 of the Texas Local Government Code ("TLGC") permits the City to annex an area if each owner in the area requests the annexation; and

WHEREAS, when the City elects to annex such an area, the City is required to enter into a written agreement with the property owner(s) that sets forth the City services to be provided for the property to be annexed on or after the effective date of annexation; and

WHEREAS, the Owner owns **38.778 ACRES OF LAND IN THE THOMAS ESTES SURVEY, ABSTRACT NO. 298, COLLIN COUNTY, TEXAS**, located in the City's extraterritorial jurisdiction, as described in Exhibit A and depicted in Exhibit B, incorporated herein by reference (the "Property"); and

WHEREAS, the Owner has filed a written petition with the City for voluntary annexation of the Property, identified as Annexation Case No. A22-0002 ("Annexation Case"); and

WHEREAS, the City and Owner desire to set out the City services to be provided for the Property on or after the effective date of annexation; and

WHEREAS, the Annexation Case and execution of this Agreement are subject to approval by the Parker City Council;

NOW, THEREFORE, in consideration of the mutual covenants, conditions, and promises contained herein, City and Owner agree as follows:

1. **PROPERTY.** This Agreement is only applicable to the Property, which is the subject of the Annexation case.

2. **INTENT.** It is the intent of the City that this Agreement provide for the delivery of full, available municipal services to the Property in accordance with state law, which may be accomplished through any means permitted by law.

3. **MUNICIPAL SERVICES.** Commencing on the effective date of annexation, City will provide the municipal services set forth below. As used in this Agreement, "providing services" includes having services available by any method or means by which the City makes such municipal services available to any other area of the City, including per the City's infrastructure extension policies, ordinances, and developer or property owner participation in accordance with appliable City ordinances, rules, regulations, and policies.

A. Police

Police protection from City's Police Department shall be provided to the area annexed at a level consistent with current methods and procedures presently provided to areas with similar topography, land use, and population density, on the effective date of the ordinance of annexation in accordance with City of Parker Ordinance 489 and state and federal law. Some of these services include:

1. Normal patrols and response;
2. Handling of complaints and incident reports;
3. Special units, such as traffic enforcement, investigations, and special weapons; and
4. Coordination with other public safety support agencies.

As development commences on the Property, sufficient police protection, including personnel and equipment will be provided to furnish the Property with the level of police services consistent with other areas of the City having similar characteristics of topography, land use, and population density.

Upon ultimate development, police protection will be provided at a level consistent with other areas of the City having similar characteristics of topography, land use, and population density.

B. Fire Protection

The Parker Fire Department will provide emergency and fire prevention services to the annexation area at a level consistent with current methods and procedures presently provided to area of the City of Parker having similar characteristics of topography, land use, and population density on the effective date of the ordinance of annexation in accordance with City of Parker Ordinance 258 and state and federal law. These services include:

1. Fire suppression and rescue;
2. Pre-hospital medical services including triage, treatment, and transport by Advanced Life Support (ALS) fire engines, trucks, and ambulances;
3. Hazardous materials response and mitigation;
4. Emergency prevention and public education efforts;
5. Technical rescue response; and
6. Construction Plan Review and required inspections.

As development commences on the Property, sufficient fire protection, including personnel and equipment will be provided to furnish the Property with the level of fire protection consistent with other areas of the City having similar characteristics of topography, land use, and population density.

Upon ultimate development, fire protection will be provided at a level consistent with other areas of the City having similar characteristics of topography, land use, and population density.

C. Emergency Medical Service

The Parker Fire Department will provide the following emergency and safety services to the annexation area at a level consistent with current methods and procedures presently provided to areas of the City of Parker having similar characteristics of topography, land use, and population density on the effective date of the ordinance of annexation in accordance with City of Parker Ordinance 258 and state and federal law. These services include:

1. Emergency medical dispatch and pre-arrival First Aid instructions;
2. Pre-hospital emergency Advanced Life Support (ALS) response; and
3. Medical rescue services.

As development commences on the Property, sufficient emergency medical service, including personnel and equipment will be provided to furnish the Property with the level of emergency medical service consistent with other areas of the City having similar characteristics of topography, land use, and population density.

Upon ultimate development, emergency medical service will be provided at a level consistent with other areas of the City having similar characteristics of topography, land use, and population density.

D. Solid Waste

The City of Parker will provide solid waste collection in accordance with the City's contract with the City Solid Waste Collection Contractor.

E. Water Service

The proposed annexation area is located within the City's Water Service Area as defined by Certificate of Convenience and Necessity (CCN) Number 10207 as issued by the Texas Commission on Environmental Quality (TCEQ).

Connections to existing City water distribution mains for water service will be provided in accordance with City of Parker Ordinance 345A, the City's Development Code, associated Water/Wastewater Criteria Manual, and existing City ordinances and policies. Upon connection to existing distribution mains, water service will be provided at rates established by City ordinance.

As new development occurs within the Property, extensions of water distribution mains if required, cost participation shall be in accordance with the existing at the time City ordinances and policies. Water service capacity shall be provided consistent service to areas of the City having similar characteristics of topography, land use, and population density. The water infrastructure shall be compatible with the City's water master plan.

Operation and maintenance of water facilities and infrastructure that lie within the service area of another water utility will be the responsibility of that utility.

Existing developments, businesses, or homes that are on individual water wells or private water systems will be allowed to remain on those systems until a request for water service is made to the City. The requests for service will be handled in accordance with the applicable utility service line extension and connection policies in place at the time the request for service is received.

F. Wastewater Facilities

The proposed annexation area is located within the City's Sewer Service Area as defined by CCN Number 21001 as issued by the TCEQ.

As development commences in the annexation area, wastewater service shall be in accordance with the existing at the time City ordinances and policies. If required, City participation in the costs of sanitary sewer main extensions shall be in accordance with applicable City ordinances and regulations. Capacity shall be provided consistent with other areas having similar characteristics of topography, land use, and population density. The sanitary sewer infrastructure shall be compatible and consistent with the City's wastewater master plan.

Operation and maintenance of wastewater facilities and infrastructure lying within the service area of another wastewater utility will be the responsibility of that utility. Similarly, operation and maintenance of private wastewater facilities will be the responsibility of the private property owner.

G. Roads and Streets

Emergency street maintenance, defined as repairs necessary to prevent imminent damage or injury to the health or safety of the public or any person, as determined by the Public Works Director, shall be provided within the Property upon the effective date of the annexation. Routine maintenance will be provided to the Property and will be scheduled as part of the City's annual program, in accordance with the current policies and procedures defined by ordinance or otherwise established by the City.

Any construction or reconstruction will be considered within the Property on a Citywide basis and within the context of the City's Capital Improvement Plan and/or yearly fiscal budgetary allotments by the City Council.

Roadway signage and associated posts will be replaced in priority of importance starting with regulatory signs, then warning signs, then informational signs, in conformance with fiscal allotments by the City Council. If an existing sign remains, it will be reviewed and placed on the City's inventory listing for routine replacement, based upon an engineering study. New signs will be installed when necessary, based upon an engineering study.

Routine maintenance of road/street markings will be evaluated and scheduled within the yearly budgetary allotments by the City Council.

H. Drainage

Connections to existing City drainage facilities will be provided in accordance with City ordinances existing at the time of the request for connection. Drainage fees will be assessed at the rates established by City ordinance and will be charged on the utility bill after annexation. All runoff, whether directly tied into the system or not, impacts the system and will be charged.

As new development occurs within the Property, drainage facilities will be extended or improved by the developer. Any cost participation shall be in accordance with City ordinance and policies existing at the time of development. Drainage facilities extended by the City will have to be a Capital Improvement Project (CIP) project and bonds will need to be sold. Drainage capacity shall be provided consistent with other areas of the City having similar characteristics of topography, land use, and population density.

Existing developments, businesses, or homes that are on existing drainage systems will be allowed to continue to remain on those systems until a request for drainage facilities is made to the City. Any requests for City improvements to existing drainage facilities will be handled in accordance with the applicable extension and connection policies currently in place at the time the request for improved drainage facilities is received by the City. These will be ranked in the CIP project matrix, in accordance with the City drainage plan.

I. Parks, Playgrounds, and Swimming Pools

Residents of the annexed area my utilize all existing park and recreation facilities as of the effective date of the annexation. Fees for such usage shall be in accordance with the current fees established by ordinance.

Maintenance of public parks, playgrounds, and swimming pools is expressly accepted by the City as publicly owned.

J. Publicly Owned Facilities

Any publicly owned facility, building, or service located within the annexed area, and not otherwise owned or maintained by another governmental entity, shall be maintained by the City of Parker on the effective date of the annexation.

K. Permitting and Inspections

Permitting and inspections shall be obtained through the City, as outlined by City ordinance.

L. Other Services

Other services that may be provided by the City, such as municipal and general administration, will be made available as of the effective date of the annexation. The City shall provide a level of services, infrastructure, and infrastructure maintenance that is comparable to the level of services, infrastructure, and infrastructure maintenance available in other parts of the City

having topography, land use, and population density similar to those reasonably contemplated or projected in the area of the Property.

4. UNIFORM LEVEL OF SERVICES NOT REQUIRED. Nothing in this Agreement shall require the City to provide a uniform level of full municipal services to each area of the City, including the Property, if different characteristics of topography, land use, and population density justify different levels of service.

5. AUTHORITY. City and Owner represent that they have full power, authority, and legal right to execute, deliver, and perform their obligations pursuant to this Agreement. Owner acknowledges that approval of the Annexation Case is within the sole jurisdiction of the City Council. Nothing in this Agreement guarantees favorable decisions by the City Council.

6. EFFECTIVE DATE; TERM. The effective date of this Agreement is the date of the annexation of the Property. This Agreement shall be valid for a term of ten (10) years from the Effective Date.

7. VENUE AND GOVERNING LAW. Venue shall be in the state courts located in Collin County, Texas or the United States District Court for the Eastern District of Texas. This Agreement shall be governed and construed in accordance with the laws and court decisions of the State of Texas.

8. GOVERNMENTAL POWERS. It is understood that by execution of this Agreement, City does not waive or surrender any of its governmental powers or immunities.

9. SEVERABILITY. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Agreement shall be considered as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

10. COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitutes one and the same instrument.

11. CAPTIONS. The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.

12. SUCCESSORS AND ASSIGNS. The terms and conditions of this Agreement are binding upon the successors and assigns of the Parties to this Agreement and stand as obligations running with the land until satisfied in full, regardless of how the Property is developed.

13. ENTIRE AGREEMENT; AMENDMENT. This Agreement constitutes the complete agreement of the parties to this Agreement and supersedes all prior written agreements between the parties. This Agreement shall not be amended unless executed in

writing by both parties. The parties stipulate that this Agreement does not constitute a permit for development under Chapter 245 of the Texas Local Government Code.

[Remainder of Page Intentionally Left Blank]

The parties have executed this Agreement as of the date shown above.

OWNER:

By: _____
Donihoo Farms, LTD.
Stephen L. Sallman, Manager

CITY OF PARKER, TEXAS

By: _____
Lee Pettle, Mayor

ATTEST:

By: _____
Patty Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

By: _____
Larence M. Lansford, III, City Attorney

EXHIBITS A & B

[Legal Description and Survey of Property]

EXHIBIT A

METES AND BOUNDS DESCRIPTION:

BEING 38.778 ACRES OF LAND SITUATED IN THE THOMAS ESTES SURVEY, ABSTRACT NUMBER 298, COLLIN COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN CALLED 119.9785 ACRE TRACT AS CONVEYED TO GENEVA PARTNERS, LTD. BY WARRANTY DEED WITH VENDOR'S LIEN RECORDED IN VOLUME 5874, PAGE 2850, (OPRCCT) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH YELLOW CAP STAMPED "WESTWOOD" FOUND IN THE WEST LINE OF WHITESTONE DRIVE (85' RIGHT-OF-WAY) AND THE SOUTH LINE OF THE ABOVE-MENTIONED 119.9785 ACRE TRACT, AND BEING AT THE NORTHEAST CORNER OF LOT 28, BLOCK B, WHITESTONE ESTATES, PHASE 1, AN ADDITION TO THE CITY OF PARKER, COLLIN COUNTY, TEXAS BY PLAT THEREOF RECORDED IN CABINET 2017, PAGE 187, PLAT RECORDS, COLLIN COUNTY, TEXAS (PRCCT);

THENCE SOUTH 88 DEGREES 52 MINUTES 48 SECONDS WEST, ALONG THE SOUTH LINE OF SAID 119.9785 ACRE TRACT, A DISTANCE OF 232.66 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET AT THE NORTHWEST CORNER OF THE ABOVE-MENTIONED LOT 28, SAME BEING THE NORTHEAST CORNER OF LOT 8, COTTON WOOD ACRES NORTH, AN ADDITION TO THE CITY OF PARKER, COLLIN COUNTY TEXAS BY PLAT THEREOF RECORDED IN VOLUME 6, PAGE 73, (PRCCT);

THENCE SOUTH 89 DEGREES 52 MINUTES 57 SECONDS WEST, CONTINUING ALONG THE SOUTH LINE OF SAID 119.9785 ACRE TRACT AND THE COMMON NORTH LINE OF THE ABOVE-MENTIONED COTTON WOOD ACRES NORTH ADDITION, A DISTANCE OF 1203.14 FEET TO A 1/2" IRON ROD WITH YELLOW CAP STAMPED "WESTWOOD" FOUND AT THE SOUTHEAST CORNER OF LOT 1, BLOCK B OF THE ABOVE-MENTIONED WHITESTONE ESTATES, PHASE 1;

THENCE NORTH 23 DEGREES 10 MINUTES 07 SECONDS WEST, OVER AND ACROSS SAID 119.9785 ACRE TRACT AND WITH AN INTERIOR EAST LINE OF SAID WHITESTONE ESTATES, PHASE 1, A DISTANCE OF 592.61 FEET TO A 1/2" IRON ROD WITH YELLOW CAP STAMPED "WESTWOOD" FOUND AT THE COMMON EAST CORNER OF LOT 3 AND LOT 4, BLOCK B OF SAID WHITESTONE ESTATES, PHASE 1;

THENCE NORTH 00 DEGREES 01 MINUTES 02 SECONDS EAST, WITH AN INTERIOR EAST LINE OF SAID WHITESTONE ESTATES, PHASE 1, A DISTANCE OF 808.20 FEET TO A 1/2" IRON ROD FOUND IN THE NORTH LINE OF SAID 119.9785 ACRE TRACT AND THE COMMON SOUTH LINE OF THAT CERTAIN CALLED 150.38 ACRE TRACT AS DESCRIBED TO DONIHOO FARMS, LTD. BY DEED RECORDED IN INSTRUMENT NUMBER 20150630000791540, (OPRCCT);

THENCE NORTH 89 DEGREES 19 MINUTES 02 SECONDS EAST, WITH THE COMMON LINE OF SAID 119.9785 ACRE TRACT AND THE ABOVE-MENTIONED 150.38 ACRE TRACT, A DISTANCE OF 1200.09 FEET TO A 1/2" IRON ROD FOUND IN AN INTERIOR WEST LINE OF SAID WHITESTONE ESTATES, PHASE 1;

THENCE SOUTH 00 DEGREES 01 MINUTES 02 SECONDS WEST, WITH INTERIOR WEST LINE OF SAID WHITESTONE ESTATES, PHASE 1, AND OVER AND ACROSS SAID 119.9785 ACRE TRACT, A DISTANCE OF 990.00 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF LOT 13, BLOCK C OF SAID WHITESTONE ESTATES, PHASE 1;

THENCE SOUTH 89 DEGREES 58 MINUTES 58 SECONDS EAST, WITH THE SOUTH LINE OF THE ABOVE-MENTIONED LOT 13, BLOCK C AND CONTINUING OVER AND ACROSS SAID 119.9785 ACRE TRACT, A DISTANCE OF 255.00 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET IN THE WEST LINE OF WHITESTONE DRIVE;

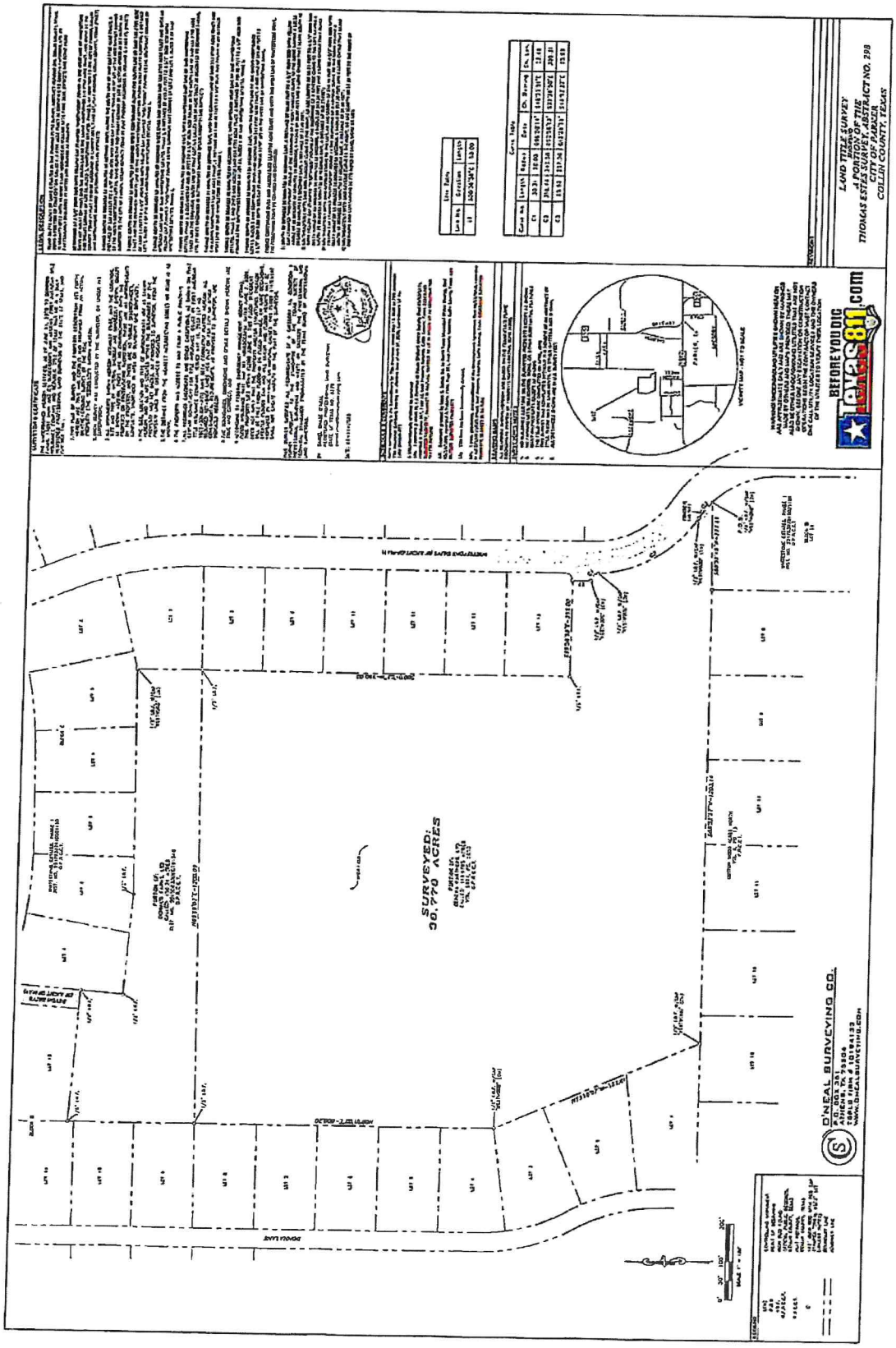
THENCE CONTINUING OVER AND ACROSS SAID 119.9785 ACRE TRACT AND WITH THE WEST LINE OF WHITESTONE DRIVE, THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

1) SOUTH 00 DEGREES 36 MINUTES 56 SECONDS EAST, A DISTANCE OF 50.00 FEET TO A 1/2" IRON ROD WITH YELLOW CAP STAMPED "WESTWOOD" FOUND AT THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 86 DEGREES 50 MINUTES 14 SECONDS, A RADIUS OF 20.00 FEET

AND A LONG CHORD THAT BEARS SOUTH 46 DEGREES 33 MINUTES 51 SECONDS EAST, A DISTANCE OF 27.49 FEET;

2) SOUTHEASTERLY WITH SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC LENGTH OF 30.31 FEET TO A 1/2" IRON ROD WITH YELLOW CAP STAMPED "WESTWOOD" FOUND AT THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A DELTA ANGLE OF 52 DEGREES 56 MINUTES 13 SECONDS, A RADIUS OF 342.50 FEET AND A LONG CHORD THAT BEARS SOUTH 29 DEGREES 36 MINUTES 50 SECONDS EAST, A DISTANCE OF 305.31 FEET;
3) SOUTHEASTERLY WITH SAID REVERSE CURVE TO THE LEFT, AN ARC LENGTH OF 316.44 FEET TO A 1/2" IRON ROD WITH YELLOW CAP STAMPED "WESTWOOD" FOUND AT THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 12 DEGREES 24 MINUTES 59 SECONDS, A RADIUS OF 257.50 FEET AND A LONG CHORD THAT BEARS SOUTH 49 DEGREES 52 MINUTES 27 SECONDS EAST, A DISTANCE OF 55.69 FEET;
4) SOUTHEASTERLY WITH SAID REVERSE CURVE TO THE RIGHT, AN ARC LENGTH OF 55.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 38.778 ACRES OF LAND, MORE OR LESS.

EXHIBIT B


LAND TITLE SURVEY
A PORTION OF THE
THOMAS ESTES SURVEY, ABSTRACT NO. 298
CITY OF PARKER
COLLIN COUNTY, TEXAS
SURVEYED:
0.770 ACRES
BEFORE YOU DIG
TEXAS811.COM
O'NEAL SURVEYING CO.

BELO + COMPANY

Remit Payments (with Acct Number) to:
Belo + Company, P.O. BOX 660040, DALLAS, TX 75266-0040

Order Confirmation

Customer:	CITY OF PARKER	**Customer Account:**	100069579
Ad Order #:	0001824537	**PO Number:**	
Sales Rep:	Max (Mert) Tezkol	**Order Taker:**	Max (Mert) Tezkol

Net Amount:	$319.75	**Tax Amount:**	$0.00	**Total Amount:**	$319.75
Payment Method:	Check/Money Order	**Payment Amount:**	$0.00	**Amount Due:**	**$319.75**

Ad Order #: 0001824537

Ad Number: 0001824537-01

Color:

Ad Size: 2 X 33.00 Li

Ad Content

Public Hearing Notice for Potential Annexation

Pursuant to Texas Local Government Code Chapter 43, there will be a public hearing by the City of Parker's City Council concerning a proposed annexation to enlarge and extend the boundaries of the city limits to include the following described territory:

38.778 acres located in the City's extraterritorial jurisdiction in the Thomas Estes Survey, Abstract No. 298, Collin County, Texas.

The Public Hearing will be held by and before the City Council at a scheduled meeting on Tuesday, June 7, 2022 beginning at 7:00 p.m., at the Parker City Hall, 5700 E. Parker Road, Parker, Texas 75002, for all persons interested in the above proposed annexation. At said time and place, all such persons shall have the right to appear and be heard. The Public Hearing will be followed by discussion and action on the proposed ordinance by the Council. Contact Public Works Director Gary Machado at (972) 442-6811 for more information or to comment regarding the proposed annexation at any time before the Public Hearing.

Run Dates				Product	Placement/Classification - Position
Publish Date:	05/23/2022	Stop Date:	05/23/2022	Dallas Morning News	Legals Bids Notices - LN Legal Notices
Publish Date:	05/23/2022	Stop Date:	05/29/2022	DallasNews.com	Legals Bids Notices - LN Legal Notices

ORDINANCE NO. 817
(Annexation for Donihoo Farms, Ltd.)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, TO VOLUNTARILY ANNEX BY REQUEST OF THE PROPERTY OWNER APPROXIMATELY 44.786 ACRES OF LAND INTO THE INCORPORATED MUNICIPAL BOUNDARIES OF THE CITY OF PARKER, TEXAS, GENRALLY LOCATED IN THE THOMAS ESTES SURVEY, ABSTRACT NO. 298; PROVIDING FINDINGS OF FACT; PROVIDING A REPLEALER CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Parker, Texas ("City") is a Type-A, General Law municipality located in Collin County, Texas with the rights and privileges thereto; and

WHEREAS, Section 43.0671 of the Texas Local Government Code authorizes a Type-A general law municipality to extend the boundaries of the municipality and annex area adjacent to the municipality by petition of the property owner in accordance with the procedural rules prescribed by Texas Local Government Code Chapter 43; and

WHEREAS, the City received a written petition from Donihoo Farms, Ltd. requesting the voluntary annexation of the area described in Exhibit A on January 28, 2022; and

WHEREAS, the area identified in Exhibit A, approximately 44.786 acres located in the Thomas Estes Survey, Abstract No. 298, Collin County, Texas, is adjacent and contiguous to the City limits; and

WHEREAS, City staff proceeded with negotiating a service agreement with the property owner, in accordance with Section 43.0672 of the Texas Local Government Code; and

WHEREAS, the City Council conducted a public hearing and considered testimony regarding the annexation of the property, in accordance with Section 43.0673 of the Texas Local Government Code on June 7, 2022; and

WHEREAS, the City Council deems it to be in the best interest of the citizens of the City to annex said territory into the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS:

Section 1. **Findings of Fact**

The recitations contained in the preamble of this Ordinance are hereby found to be true and correct legislative and factual findings of the City Council of Parker, Texas, and are hereby approved and incorporated into the body of this Ordinance as if copied herein in their entirety.

Section 2. **Annexation of Territory**

Proposed

A. The property in the area described in Exhibit A and depicted in Exhibit B, attached hereto and incorporated herein for all purposes, is hereby annexed and brought into the municipal boundaries (i.e., corporate limits) of the City of Parker, Texas, and is made an integral part hereof.

B. The official map and boundaries of the City of Parker, Texas are hereby amended and revised so as to include the area annexed.

C. The annexation agreement, executed prior to the annexation approval in accordance with Section 43.0670 of the Texas Local Government Code is attached hereto as Exhibit C and incorporated herein for all intents and purposes.

D. The owner and inhabitants of the area herein annexed are entitled to all of the rights and privileges of other citizens of the City of Parker, Texas and are hereby bound by all acts, ordinances, and other legal actions now in full force and effect and those that may be hereafter adopted or enacted.

Section 3. Filing

A. The City Secretary is hereby instructed to include this Ordinance in the records of the City.

B. The City Secretary is hereby instructed to have prepared maps depicting the new municipal boundaries.

C. The City Secretary is hereby instructed to file a certified copy of this Ordinance with the Collin County Clerk.

D. The City Secretary is hereby instructed to submit by certified mail a certified copy of the annexation ordinance map of the entire City that shows the change in boundaries, with the annexed portion clearly distinguished, resulting from the annexation to the Texas Comptroller's Office.

Section 4. Repealer

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance shall control.

Section 5. Severability

If any article, paragraph, sentence, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to invalid, illegal, or unconstitutional, and shall not affect the validity of Ordinance as a whole.

Section 6. Proper Notice and Meeting

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting

Proposed

was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

Section 14. Effective Date

This Ordinance shall be effective, and the annexation achieved herein shall be final and complete, immediately upon passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 7TH DAY OF JUNE, 2022.

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

_____
Larence M. Lansford, III, City Attorney

Proposed

/

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey
Estimated Cost:		Date Prepared:	May 17, 2022
Exhibits:	1. Proposed Ordinance (Municipal Services Agreement) 2. Signed Municipal Services Agreement 3. Public Hearing Notice 4. Proposed Ordinance (Annexation)		

AGENDA SUBJECT

LOVEJOY NEW VENTURE:

LOVEJOY NEW VENTURE SERVICE AGREEMENT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 818 REGARDING A MUNICIPAL SERVICES AGREEMENT, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 43.0672, BETWEEN THE CITY OF PARKER AND LOVEJOY NEW VENTURE LLC FOR THE PROVISION OF CITY SERVICES TO APPROXIMATELY 14.926 ACRES OF LAND REQUESTED BY OWNER TO BE ANNEXED, GENERALLY LOCATED AT 3501 MCCREARY ROAD IN THE RICHARD SPARKS SURVEY, ABSTRACT NO. 850, TRACTS 1 THROUGH 4; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

LOVEJOY NEW VENTURE ANNEXATION

PUBLIC HEARING FOR LOVEJOY NEW VENTURE ANNEXATION

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 819, ANNEXING APPROXIMATELY 14.926 ACRES INTO (THE LOVEJOY NEW VENTURE ANNEXATION).

SUMMARY

Please review information provided.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	Patti Scott Grey	Date:	06/02/2022
City Attorney:	Trey Lansford	Date:	06/02/2022 via Municode Software
City Administrator:	Luke B. Olson	Date:	06/03/2022

ORDINANCE NO. 818

(Municipal Services Agreement for Lovejoy New Venture)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, REGARDING A MUNICIPAL SERVICES AGREEMENT, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 43.0672, BETWEEN THE CITY OF PARKER AND LOVEJOY NEW VENTURE LLC FOR THE PROVISION OF CITY SERVICES TO APPROXIMATELY 14.926 ACRES OF LAND REQUESTED BY OWNER TO BE ANNEXED, GENRALLY LOCATED AT 3501 McCREARY ROAD IN THE RICHARD SPARKS SURVEY, ABSTRACT NO. 850, TRACTS 1 THROUGH 4; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant Lovejoy New Venture LLC (hereafter the "Owner") has submitted a petition for voluntary annexation of approximately 14.926 acres of land in Collin County, Texas as described in Exhibit A attached hereto and incorporated herein (the "Property"); and

WHEREAS, pursuant to Texas Local Government Code section 43.0672, the City of Parker, Texas (the "City") must first negotiate a written Services Agreement with the Owner of the real property subject to a petition for voluntary annexation that contains (1) the services that the City will provide on the effective date of the annexation and (2) a schedule that includes the period within which the City will provide each service that is not provided on the effective date of the annexation; and

WHEREAS, the City and Owner have come to an agreement about the provision of services to the Property upon and following the annexation of the Property; and

WHEREAS, the City Council of the City of Parker finds it to be in the best interest of the citizens of Parker to enter into a Municipal Services Agreement with the Owner;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS:

Section 1. The findings and recitations contained in the preamble of this ordinance are incorporated herein by reference.

Section 2. The Municipal Services Agreement ("Agreement"), made in accordance with applicable provisions of state law pertaining to annexation and attached hereto as Exhibit B, is approved.

Section 3. The Mayor, or designee, is hereby authorized to execute the Agreement and to carry out the duties and responsibilities of the City of Parker under the Agreement.

Section 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the

Proposed

validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinance as a whole.

Section 5. This Ordinance shall be effective immediately upon its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 7TH DAY OF JUNE, 2022.

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

_____
Larence M. Lansford, III, City Attorney

Proposed

MUNICIPAL SERVICES AGREEMENT

This Municipal Services Agreement ("Agreement") is entered into this ___ day of _____ 2022 by and between the City of Parker, Texas, a Type-A General Law municipality ("City") and Lovejoy New Venture LLC (hereafter "Owner" whether one or more).

RECITALS:

WHEREAS, Section 43.0671 of the Texas Local Government Code ("TLGC") permits the City to annex an area if each owner in the area requests the annexation; and

WHEREAS, when the City elects to annex such an area, the City is required to enter into a written agreement with the property owner(s) that sets forth the City services to be provided for the property to be annexed on or after the effective date of annexation; and

WHEREAS, the Owner owns 14.926 acres, located in the City's extraterritorial jurisdiction, at 3501 McCreary Road in the Richard Sparks Survey, Abstract No. 850, Tracts 1 through 4, as described in Exhibit A, incorporated herein by reference (the "Property"); and

WHEREAS, the Owner has filed a written petition with the City for voluntary annexation of the Property, identified as Annexation Case No. A22-0001 ("Annexation Case"); and

WHEREAS, the City and Owner desire to set out the City services to be provided for the Property on or after the effective date of annexation; and

WHEREAS, the Annexation Case and execution of this Agreement are subject to approval by the Parker City Council;

NOW, THEREFORE, in consideration of the mutual covenants, conditions, and promises contained herein, City and Owner agree as follows:

1. **PROPERTY.** This Agreement is only applicable to the Property, which is the subject of the Annexation case.

2. **INTENT.** It is the intent of the City that this Agreement provide for the delivery of full, available municipal services to the Property in accordance with state law, which may be accomplished through any means permitted by law.

3. **MUNICIPAL SERVICES.** Commencing on the effective date of annexation, City will provide the municipal services set forth below. As used in this Agreement, "providing services" includes having services available by any method or means by which the City makes such municipal services available to any other area of the City, including per the City's infrastructure extension policies, ordinances, and developer or property owner participation in accordance with appliable City ordinances, rules, regulations, and policies.

A. Police

Police protection from City's Police Department shall be provided to the area annexed at a level consistent with current methods and procedures presently provided to areas with similar topography, land use, and population density, on the effective date of the ordinance of annexation in accordance with City of Parker Ordinance 489 and state and federal law. Some of these services include:

1. Normal patrols and response;
2. Handling of complaints and incident reports;
3. Special units, such as traffic enforcement, investigations, and special weapons; and
4. Coordination with other public safety support agencies.

As development commences on the Property, sufficient police protection, including personnel and equipment will be provided to furnish the Property with the level of police services consistent with other areas of the City having similar characteristics of topography, land use, and population density.

Upon ultimate development, police protection will be provided at a level consistent with other areas of the City having similar characteristics of topography, land use, and population density.

B. Fire Protection

The Parker Fire Department will provide emergency and fire prevention services to the annexation area at a level consistent with current methods and procedures presently provided to area of the City of Parker having similar characteristics of topography, land use, and population density on the effective date of the ordinance of annexation in accordance with City of Parker Ordinance 258 and state and federal law. These services include:

1. Fire suppression and rescue;
2. Pre-hospital medical services including triage, treatment, and transport by Advanced Life Support (ALS) fire engines, trucks, and ambulances;
3. Hazardous materials response and mitigation;
4. Emergency prevention and public education efforts;
5. Technical rescue response; and
6. Construction Plan Review and required inspections.

As development commences on the Property, sufficient fire protection, including personnel and equipment will be provided to furnish the Property with the level of fire protection consistent with other areas of the City having similar characteristics of topography, land use, and population density.

Upon ultimate development, fire protection will be provided at a level consistent with other areas of the City having similar characteristics of topography, land use, and population density.

C. Emergency Medical Service

The Parker Fire Department will provide the following emergency and safety services to the annexation area at a level consistent with current methods and procedures presently provided to areas of the City of Parker having similar characteristics of topography, land use, and population density on the effective date of the ordinance of annexation in accordance with City of Parker Ordinance 258 and state and federal law. These services include:

1. Emergency medical dispatch and pre-arrival First Aid instructions;
2. Pre-hospital emergency Advanced Life Support (ALS) response; and
3. Medical rescue services.

As development commences on the Property, sufficient emergency medical service, including personnel and equipment will be provided to furnish the Property with the level of emergency medical service consistent with other areas of the City having similar characteristics of topography, land use, and population density.

Upon ultimate development, emergency medical service will be provided at a level consistent with other areas of the City having similar characteristics of topography, land use, and population density.

D. Solid Waste

The City of Parker will provide solid waste collection in accordance with the City's contract with the City Solid Waste Collection Contractor.

E. Water Service

The proposed annexation area is located within the City's Water Service Area as defined by Certificate of Convenience and Necessity (CCN) Number 10207 as issued by the Texas Commission on Environmental Quality (TCEQ).

Connections to existing City water distribution mains for water service will be provided in accordance with City of Parker Ordinance 345A, the City's Development Code, associated Water/Wastewater Criteria Manual, and existing City ordinances and policies. Upon connection to existing distribution mains, water service will be provided at rates established by City ordinance.

As new development occurs within the Property, extensions of water distribution mains if required, cost participation shall be in accordance with the existing at the time City ordinances and policies. Water service capacity shall be provided consistent with service to areas of the City having similar characteristics of topography, land use, and population density. The water infrastructure shall be compatible with the City's water master plan.

Operation and maintenance of water facilities and infrastructure that lie within the service area of another water utility will be the responsibility of that utility.

Existing developments, businesses, or homes that are on individual water wells or private water systems will be allowed to remain on those systems until a request for water service is made to the City. The requests for service will be handled in accordance with the applicable utility service line extension and connection policies in place at the time the request for service is received.

F. Wastewater Facilities

The proposed annexation area is located within the City's Sewer Service Area as defined by CCN Number 21001 as issued by the TCEQ.

As development commences in the annexation area, wastewater service shall be in accordance with the existing at the time City ordinances and policies. If required, City participation in the costs of sanitary sewer main extensions shall be in accordance with applicable City ordinances and regulations. Capacity shall be provided consistent with other areas having similar characteristics of topography, land use, and population density. The sanitary sewer infrastructure shall be compatible and consistent with the City's wastewater master plan.

Operation and maintenance of wastewater facilities and infrastructure lying within the service area of another wastewater utility will be the responsibility of that utility. Similarly, operation and maintenance of private wastewater facilities will be the responsibility of the private property owner.

G. Roads and Streets

Emergency street maintenance, defined as repairs necessary to prevent imminent damage or injury to the health or safety of the public or any person, as determined by the Public Works Director, shall be provided within the Property upon the effective date of the annexation. Routine maintenance will be provided to the Property and will be scheduled as part of the City's annual program, in accordance with the current policies and procedures defined by ordinance or otherwise established by the City.

Any construction or reconstruction will be considered within the Property on a Citywide basis and within the context of the City's Capital Improvement Plan and/or yearly fiscal budgetary allotments by the City Council.

Roadway signage and associated posts will be replaced in priority of importance starting with regulatory signs, then warning signs, then informational signs, in conformance with fiscal allotments by the City Council. If an existing sign remains, it will be reviewed and placed on the City's inventory listing for routine replacement, based upon an engineering study. New signs will be installed when necessary, based upon an engineering study.

Routine maintenance of road/street markings will be evaluated and scheduled within the yearly budgetary allotments by the City Council.

H. Drainage

Connections to existing City drainage facilities will be provided in accordance with City ordinances existing at the time of the request for connection. Drainage fees will be assessed at the rates established by City ordinance and will be charged on the utility bill after annexation. All runoff, whether directly tied into the system or not, impacts the system and will be charged.

As new development occurs within the Property, drainage facilities will be extended or improved by the developer. Any cost participation shall be in accordance with City ordinance and policies existing at the time of development. Drainage facilities extended by the City will have to be a Capital Improvement Project (CIP) project and bonds will need to be sold. Drainage capacity shall be provided consistent with other areas of the City having similar characteristics of topography, land use, and population density.

Existing developments, businesses, or homes that are on existing drainage systems will be allowed to continue to remain on those systems until a request for drainage facilities is made to the City. Any requests for City improvements to existing drainage facilities will be handled in accordance with the applicable extension and connection policies currently in place at the time the request for improved drainage facilities is received by the City. These will be ranked in the CIP project matrix, in accordance with the City drainage plan.

I. Parks, Playgrounds, and Swimming Pools

Residents of the annexed area my utilize all existing park and recreation facilities as of the effective date of the annexation. Fees for such usage shall be in accordance with the current fees established by ordinance.

Maintenance of public parks, playgrounds, and swimming pools is expressly accepted by the City as publicly owned.

J. Publicly Owned Facilities

Any publicly owned facility, building, or service located within the annexed area, and not otherwise owned or maintained by another governmental entity, shall be maintained by the City of Parker on the effective date of the annexation.

K. Permitting and Inspections

Permitting and inspections shall be obtained through the City, as outlined by City ordinance.

L. Other Services

Other services that may be provided by the City, such as municipal and general administration, will be made available as of the effective date of the annexation. The City shall provide a level of services, infrastructure, and infrastructure maintenance that is comparable to the level of services, infrastructure, and infrastructure maintenance available in other parts of the City having topography, land use, and population density similar to those reasonably contemplated or projected in the area of the Property.

4. UNIFORM LEVEL OF SERVICES NOT REQUIRED. Nothing in this Agreement shall require the City to provide a uniform level of full municipal services to each area of the City, including the Property, if different characteristics of topography, land use, and population density justify different levels of service.

5. AUTHORITY. City and Owner represent that they have full power, authority, and legal right to execute, deliver, and perform their obligations pursuant to this Agreement. Owner acknowledges that approval of the Annexation Case is within the sole jurisdiction of the City Council. Nothing in this Agreement guarantees favorable decisions by the City Council.

6. EFFECTIVE DATE; TERM. The effective date of this Agreement is the date of the annexation of the Property. This Agreement shall be valid for a term of ten (10) years from the Effective Date.

7. VENUE AND GOVERNING LAW. Venue shall be in the state courts located in Collin County, Texas or the United States District Court for the Eastern District of Texas. This Agreement shall be governed and construed in accordance with the laws and court decisions of the State of Texas.

8. GOVERNMENTAL POWERS. It is understood that by execution of this Agreement, City does not waive or surrender any of its governmental powers or immunities.

9. SEVERABILITY. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Agreement shall be considered as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

10. COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitutes one and the same instrument.

11. CAPTIONS. The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.

12. SUCCESSORS AND ASSIGNS. The terms and conditions of this Agreement are binding upon the successors and assigns of the Parties to this Agreement and stand as

obligations running with the land until satisfied in full, regardless of how the Property is developed.

13. ENTIRE AGREEMENT; AMENDMENT. This Agreement constitutes the complete agreement of the parties to this Agreement and supersedes all prior written agreements between the parties. This Agreement shall not be amended unless executed in writing by both parties. The parties stipulate that this Agreement does not constitute a permit for development under Chapter 245 of the Texas Local Government Code.

[Remainder of Page Intentionally Left Blank]

The parties have executed this Agreement as of the date shown above.

LOVEJOY NEW VENTURE LLC:

By: _____
Kevin Wang, Owner

CITY OF PARKER, TEXAS

By: _____
Lee Pettle, Mayor

ATTEST:

By: _____
Patty Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

By: _____
Larence M. Lansford, III, City Attorney

EXHIBIT A

[Legal Description of Property]

BEING a tract of land situated in the Richard Sparks Survey, Abstract No. 850, Collin County, Texas, and being all of Tracts 1-4 as described in a Special Warranty Deed to Lovejoy New Venture, LLC, as recorded in Instrument No. 20210803001557140 of the Official Public Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found for the easterly, northeast corner of said Tract 3 and the southeast corner of a called 1.69-acre tract of land, described n a Special Warranty Deed to Ngoc Ninh Nguyen and Alfred Nguyen, as recorded in Instrument No. 20200302000299260 of the Official Public Records of Collin County, Texas, same being on the westerly right of way line of McReary Road, a variable width right of way as described in a called 0.189-acre tract to the City of Parker, recorded in Instrument No 20070605000757940 of the Official Public Records of Collin County, Texas;

THENCE South 01°00'50" East, along the easterly line of said Tract 3 and the westerly right of way line of said McReary Road, a distance of 160.33 feet to the southeast corner of said Tract 3, same being the northeast corner of Lot 1, Block 1 of Parker Storage Addition, an addition to the City of Parker, according to the final plat recorded in Volume 2020, Page 144 of the Plat Records of Collin County, Texas;

THENCE South 89°21'04" West, departing the westerly right of way line of said McReary Road, along the southerly line of said Tract 3 and the northerly line of said Lot 1, Block 1, passing at a distance of 1.49 feet, a found 5/8-inch iron rod with a yellow plastic cap, passing the south common corner of said Tract 3 and aforesaid Tract 1, continuing along the southerly line of said Tract 1, a distance of 843.80 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for the northeast corner of aforesaid Tract 4 and the northwest corner of a called 2.11-acre tract of land, described in a deed to Francis Leland Rose, Jr and Sue Synnott Rose, as recorded in Instrument No. 20181011001270540 of the Official Public Records of Collin County, Texas;

THENCE South 00°48'38" East, along the easterly line of said Tract 4 and the westerly line of said 2.11-acre tract, a distance of 470.08 feet to a 5/8-inch iron rod found for the southeast corner of said Tract 4 and the southwest corner of said 2.11-acre tract, same being on the northerly line of a called 9.75-acre tract of land, described in a Special Warranty to Muddy Creek Holdings, LLC as recorded in Instrument No. 20200225000261220 of the Official Public Records of Collin County, Texas;

THENCE South 89°23'06" West, along the southerly line of said Tract 4 and the northerly line of said 9.75-acre tract, a distance of 196.32 feet to a 1/2-inch iron rod with a yellow plastic cap found for the southwest corner of said Tract 4 and the northwest corner of said 9.75-acre tract, same being on the easterly line of a called 12.055-acre tract of land, described in a Special Warranty to Muddy Creek Holdings, LLC as recorded in Instrument No. 2020022100248590 of the Official Public Records of Collin County, Texas;

THENCE North 00°42'51" West, along the westerly line of said Tract 4 and the easterly line of said 12.055-acre tract, a distance of 469.96 feet to a 1/2-inch iron rod found for the northwest corner of said Tract 4 and the northeast corner of said 12.055-acre tract, same being on the southerly line of aforesaid Tract 1;

THENCE South 89°21'04" West, along the southerly line of said Tract 1 and the northerly line of said 12.055-acre tract, passing a 1/2-inch iron rod found for the southwest corner of said Tract 1 and the southeast corner of aforesaid Tract 2, continuing along the southerly line of said Tract 2, a distance of 557.91 feet to a 5/8-inch iron rod found for the southwest corner of said Tract 2 and

the northwest corner of said 12.055-acre tract, same being on the easterly line of a called 7.000-acre tract of land, described in a Special Warranty to Muddy Creek Holdings, LLC as recorded in Instrument No. 20200220000239240 of the Official Public Records of Collin County, Texas;

THENCE North 00°35'21" West, along the westerly line of said Tract 2 and the easterly line of said 7.000-acre tract, a distance of 397.13 feet to a 4" x 4" concrete monument found for the northwest corner of said Tract 2 and the southwest corner of Lot 8R, Block A of Brooks' Farm Estate Phase 1, an addition to the City of Parker, according to the plat recorded in Volume 2012, Page 287 of the Plat Records of Collin County, Texas;

THENCE North 89°26'29" East, along the northerly line of said Tract 2 and the southerly line of said Brooks' Farm Estates Phase 1, passing a 1/2-inch iron rod found for the north common corner of said Tract 2 and aforesaid Tract 1, continuing along the northerly line of said Tract 1, passing a 1/2-inch iron rod with a yellow plastic cap, stamped "ROOME" found for the north common corner of said Tract 1 and aforesaid Tract 3, continuing along the northerly line of said Tract 3, a total distance of 1,280.85 feet to a 1/2-inch iron rod with a yellow plastic cap found for the northerly, northeast corner of said Tract 3 and the northwest corner of aforesaid 1.69-acre tract;

THENCE South 00°35'45" East, along an easterly line of said Tract 3 and the westerly line of said 1.69-acre tract, a distance of 234.34 feet to a 1/2-inch iron rod found for the southwest corner of said 1.69-acre tract;

THENCE North 89°25'53" East, along a northerly line of said Trat 3 and the southerly line of said 1.69-acre tract, a distance of 315.17 feet to the **POINT OF BEGINNING** and containing 650,156 square feet or 14.926 acres of land.

All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.9998473133167834.

1/31/22

Michael B. Marx
Registered Professional Land Surveyor No. 5181
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Ph. 972-335-3580
michael.marx@kimley-horn.com

STATE OF TEXAS
REGISTERED
MICHAEL B. MARX
5181
PROFESSIONAL
LAND SURVEYOR

BELO + COMPANY

Remit Payments (with Acct Number) to:
Belo + Company, P.O. BOX 660040, DALLAS, TX 75266-0040

Order Confirmation

Customer:	CITY OF PARKER	**Customer Account:**	100069579
Ad Order #:	0001824536	**PO Number:**	
Sales Rep:	Max (Mert) Tezkol	**Order Taker:**	Max (Mert) Tezkol

Net Amount:	$328.05	**Tax Amount:**	$0.00	**Total Amount:**	$328.05
Payment Method:	Check/Money Order	**Payment Amount:**	$0.00	**Amount Due:**	**$328.05**

Ad Order #: 0001824536

Ad Number: 0001824536-01

Color:

Ad Size: 2 X 34.00 Li

Ad Content

Public Hearing Notice for Potential Annexation

Pursuant to Texas Local Government Code Chapter 43, there will be a public hearing by the City of Parker's City Council concerning a proposed annexation to enlarge and extend the boundaries of the city limits to include the following described territory:

14.926 acres located in the City's extraterritorial jurisdiction at 3501 McCreary Road, in the Richard Sparks Survey, Abstract No. 850, Tracts 1 through 4, Collin County, Texas.

The Public Hearing will be held by and before the City Council at a scheduled meeting on Tuesday, June 7, 2022 beginning at 7:00 p.m., at the Parker City Hall, 5700 E. Parker Road, Parker, Texas 75002, for all persons interested in the above proposed annexation. At said time and place, all such persons shall have the right to appear and be heard. The Public Hearing will be followed by discussion and action on the proposed ordinance by the Council. Contact Public Works Director Gary Machado at (972) 442-6811 for more information or to comment regarding the proposed annexation at any time before the Public Hearing.

Run Dates				Product	Placement/Classification - Position
Publish Date:	05/23/2022	Stop Date:	05/23/2022	Dallas Morning News	Legals Bids Notices - LN Legal Notices
Publish Date:	05/23/2022	Stop Date:	05/29/2022	DallasNews.com	Legals Bids Notices - LN Legal Notices

ORDINANCE NO. 819
(Annexation for Lovejoy New Venture LLC)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, TO VOLUNTARILY ANNEX BY REQUEST OF THE PROPERTY OWNER APPROXIMATELY 14.926 ACRES OF LAND INTO THE INCORPORATED MUNICIPAL BOUNDARIES OF THE CITY OF PARKER, TEXAS, GENRALLY LOCATED IN THE RICHARD SPARKS SURVEY, ABSTRACT NO. 850, TRACTS 1 THROUGH 4; PROVIDING FINDINGS OF FACT; PROVIDING A REPLEALER CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Parker, Texas ("City") is a Type-A, General Law municipality located in Collin County, Texas with the rights and privileges thereto; and

WHEREAS, Section 43.0671 of the Texas Local Government Code authorizes a Type-A general law municipality to extend the boundaries of the municipality and annex area adjacent to the municipality by petition of the property owner in accordance with the procedural rules prescribed by Texas Local Government Code Chapter 43; and

WHEREAS, the City received a written petition from Lovejoy New Venture LLC requesting the voluntary annexation of the area described in Exhibit A on January 12, 2022; and

WHEREAS, the area identified in Exhibit A, approximately 14.926 acres located in the Richard Sparks Survey, Abstract No. 850, Tracts 1 through 4, Collin County, Texas, generally identified as 3501 McCreary Road, is adjacent and contiguous to the City limits; and

WHEREAS, City staff proceeded with negotiating a service agreement with the property owner, in accordance with Section 43.0672 of the Texas Local Government Code; and

WHEREAS, the City Council conducted a public hearing and considered testimony regarding the annexation of the property, in accordance with Section 43.0673 of the Texas Local Government Code on June 7, 2022; and

WHEREAS, the City Council deems it to be in the best interest of the citizens of the City to annex said territory into the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS:

Section 1. **Findings of Fact**

The recitations contained in the preamble of this Ordinance are hereby found to be true and correct legislative and factual findings of the City Council of Parker, Texas, and are hereby approved and incorporated into the body of this Ordinance as if copied herein in their entirety.

Section 2. **Annexation of Territory**

Proposed

A. The property in the area described in Exhibit A and depicted in Exhibit B, attached hereto and incorporated herein for all purposes, is hereby annexed and brought into the municipal boundaries (i.e., corporate limits) of the City of Parker, Texas, and is made an integral part hereof.

B. The official map and boundaries of the City of Parker, Texas are hereby amended and revised so as to include the area annexed.

C. The annexation agreement, executed prior to the annexation approval in accordance with Section 43.0670 of the Texas Local Government Code is attached hereto as Exhibit C and incorporated herein for all intents and purposes.

D. The owner and inhabitants of the area herein annexed are entitled to all of the rights and privileges of other citizens of the City of Parker, Texas and are hereby bound by all acts, ordinances, and other legal actions now in full force and effect and those that may be hereafter adopted or enacted.

Section 3. Filing

A. The City Secretary is hereby instructed to include this Ordinance in the records of the City.

B. The City Secretary is hereby instructed to have prepared maps depicting the new municipal boundaries.

C. The City Secretary is hereby instructed to file a certified copy of this Ordinance with the Collin County Clerk.

D. The City Secretary is hereby instructed to submit by certified mail a certified copy of the annexation ordinance map of the entire City that shows the change in boundaries, with the annexed portion clearly distinguished, resulting from the annexation to the Texas Comptroller's Office.

Section 4. Repealer

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance shall control.

Section 5. Severability

If any article, paragraph, sentence, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to invalid, illegal, or unconstitutional, and shall not affect the validity of Ordinance as a whole.

Section 6. Proper Notice and Meeting

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting

Proposed

was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

Section 14. Effective Date

This Ordinance shall be effective, and the annexation achieved herein shall be final and complete, immediately upon passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 7TH DAY OF JUNE, 2022.

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

_____
Larence M. Lansford, III, City Attorney

Proposed

BEING a tract of land situated in the Richard Sparks Survey, Abstract No. 850, Collin County, Texas, and being all of Tracts 1-4 as described in a Special Warranty Deed to Lovejoy New Venture, LLC, as recorded in Instrument No. 20210803001557140 of the Official Public Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found for the easterly, northeast corner of said Tract 3 and the southeast corner of a called 1.69-acre tract of land, described n a Special Warranty Deed to Ngoc Ninh Nguyen and Alfred Nguyen, as recorded in Instrument No. 20200302000299260 of the Official Public Records of Collin County, Texas, same being on the westerly right of way line of McReary Road, a variable width right of way as described in a called 0.189-acre tract to the City of Parker, recorded in Instrument No 20070605000757940 of the Official Public Records of Collin County, Texas;

THENCE South 01°00'50" East, along the easterly line of said Tract 3 and the westerly right of way line of said McReary Road, a distance of 160.33 feet to the southeast corner of said Tract 3, same being the northeast corner of Lot 1, Block 1 of Parker Storage Addition, an addition to the City of Parker, according to the final plat recorded in Volume 2020, Page 144 of the Plat Records of Collin County, Texas;

THENCE South 89°21'04" West, departing the westerly right of way line of said McReary Road, along the southerly line of said Tract 3 and the northerly line of said Lot 1, Block 1, passing at a distance of 1.49 feet, a found 5/8-inch iron rod with a yellow plastic cap, passing the south common corner of said Tract 3 and aforesaid Tract 1, continuing along the southerly line of said Tract 1, a distance of 843.80 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for the northeast corner of aforesaid Tract 4 and the northwest corner of a called 2.11-acre tract of land, described in a deed to Francis Leland Rose, Jr and Sue Synnott Rose, as recorded in Instrument No. 20181011001270540 of the Official Public Records of Collin County, Texas;

THENCE South 00°48'38" East, along the easterly line of said Tract 4 and the westerly line of said 2.11-acre tract, a distance of 470.08 feet to a 5/8-inch iron rod found for the southeast corner of said Tract 4 and the southwest corner of said 2.11-acre tract, same being on the northerly line of a called 9.75-acre tract of land, described in a Special Warranty to Muddy Creek Holdings, LLC as recorded in Instrument No. 20200225000261220 of the Official Public Records of Collin County, Texas;

THENCE South 89°23'06" West, along the southerly line of said Tract 4 and the northerly line of said 9.75-acre tract, a distance of 196.32 feet to a 1/2-inch iron rod with a yellow plastic cap found for the southwest corner of said Tract 4 and the northwest corner of said 9.75-acre tract, same being on the easterly line of a called 12.055-acre tract of land, described in a Special Warranty to Muddy Creek Holdings, LLC as recorded in Instrument No. 2020022100248590 of the Official Public Records of Collin County, Texas;

THENCE North 00°42'51" West, along the westerly line of said Tract 4 and the easterly line of said 12.055-acre tract, a distance of 469.96 feet to a 1/2-inch iron rod found for the northwest corner of said Tract 4 and the northeast corner of said 12.055-acre tract, same being on the southerly line of aforesaid Tract 1;

THENCE South 89°21'04" West, along the southerly line of said Tract 1 and the northerly line of said 12.055-acre tract, passing a 1/2-inch iron rod found for the southwest corner of said Tract 1 and the southeast corner of aforesaid Tract 2, continuing along the southerly line of said Tract 2, a distance of 557.91 feet to a 5/8-inch iron rod found for the southwest corner of said Tract 2 and

the northwest corner of said 12.055-acre tract, same being on the easterly line of a called 7.000-acre tract of land, described in a Special Warranty to Muddy Creek Holdings, LLC as recorded in Instrument No. 20200220000239240 of the Official Public Records of Collin County, Texas;

THENCE North 00°35'21" West, along the westerly line of said Tract 2 and the easterly line of said 7.000-acre tract, a distance of 397.13 feet to a 4" x 4" concrete monument found for the northwest corner of said Tract 2 and the southwest corner of Lot 8R, Block A of Brooks' Farm Estate Phase 1, an addition to the City of Parker, according to the plat recorded in Volume 2012, Page 287 of the Plat Records of Collin County, Texas;

THENCE North 89°26'29" East, along the northerly line of said Tract 2 and the southerly line of said Brooks' Farm Estates Phase 1, passing a 1/2-inch iron rod found for the north common corner of said Tract 2 and aforesaid Tract 1, continuing along the northerly line of said Tract 1, passing a 1/2-inch iron rod with a yellow plastic cap, stamped "ROOME" found for the north common corner of said Tract 1 and aforesaid Tract 3, continuing along the northerly line of said Tract 3, a total distance of 1,280.85 feet to a 1/2-inch iron rod with a yellow plastic cap found for the northerly, northeast corner of said Tract 3 and the northwest corner of aforesaid 1.69-acre tract;

THENCE South 00°35'45" East, along an easterly line of said Tract 3 and the westerly line of said 1.69-acre tract, a distance of 234.34 feet to a 1/2-inch iron rod found for the southwest corner of said 1.69-acre tract;

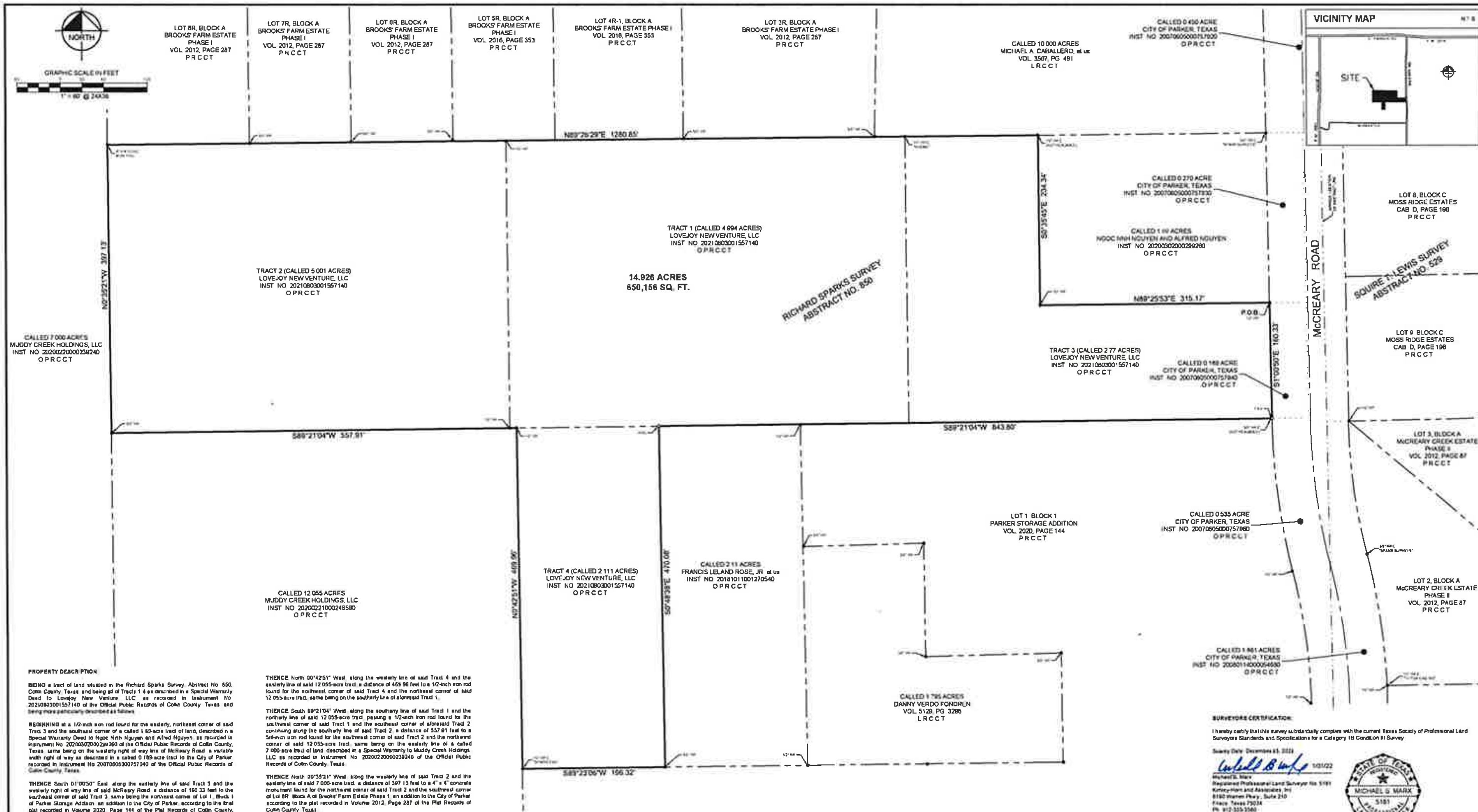
THENCE North 89°25'53" East, along a northerly line of said Trat 3 and the southerly line of said 1.69-acre tract, a distance of 315.17 feet to the **POINT OF BEGINNING** and containing 650,156 square feet or 14.926 acres of land.

All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.9998473133167834.

1/31/22

Michael B. Marx
Registered Professional Land Surveyor No. 5181
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Ph. 972-335-3580
michael.marx@kimley-horn.com

STATE OF TEXAS
REGISTERED
MICHAEL B. MARX
5181
PROFESSIONAL
LAND SURVEYOR



PROPERTY DESCRIPTION

BEING a tract of land situated in the Richard Sparks Survey, Abstract No. 850, Collin County, Texas and being all of Tracts 1-4 as described in a Special Warranty Deed to Lovejoy New Venture, LLC as recorded in Instrument No. 20210803001557140 of the Official Public Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found for the easterly, northeast corner of said Tract 3 and the southeast corner of a called 1.69-acre tract of land, described in a Special Warranty Deed to Ngoc Ninh Nguyen and Alfred Nguyen, as recorded in Instrument No. 20200302000299260 of the Official Public Records of Collin County, Texas, same being on the westerly right of way line of McReary Road, a variable width right of way as described in a called 0.189-acre tract to the City of Parker recorded in Instrument No. 20070605000757940 of the Official Public Records of Collin County, Texas;

THENCE South 01°00'50" East, along the easterly line of said Tract 3 and the westerly right of way line of said McReary Road, a distance of 160.33 feet to the southeast corner of said Tract 3, same being the northeast corner of Lot 1, Block 1 of Parker Storage Addition, an addition to the City of Parker, according to the final plat recorded in Volume 2020, Page 144 of the Plat Records of Collin County, Texas;

THENCE South 89°21'04" West, departing the westerly right of way line of said McReary Road, along the southerly line of said Tract 3 and the northerly line of said Lot 1, Block 1, passing at a distance of 1.49 feet, a found 5/8-inch iron rod with a yellow plastic cap, passing the south common corner of said Tract 3 and aforesaid Tract 1, continuing along the southerly line of said Tract 1, a distance of 843.80 feet to a 5/8-inch iron rod with a red plastic cap stamped "KHA" set for the northeast corner of aforesaid Tract 4 and the northwest corner of a called 2.11-acre tract of land described in a deed to Francis Leland Rose, Jr. and Sue Synott Rose, as recorded in Instrument No. 20181011001270540 of the Official Public Records of Collin County, Texas;

THENCE South 00°48'38" East, along the easterly line of said Tract 4 and the westerly line of said 2.11-acre tract, a distance of 470.08 feet to a 5/8-inch iron rod found for the southeast corner of said Tract 4 and the southwest corner of said 2.11-acre tract, same being on the northerly line of a called 9.75-acre tract of land described in a Special Warranty to Muddy Creek Holdings, LLC as recorded in Instrument No. 20200225000281220 of the Official Public Records of Collin County, Texas;

THENCE South 89°23'06" West, along the southerly line of said Tract 4 and the northerly line of said 9.75-acre tract, a distance of 196.32 feet to a 1/2-inch iron rod with a yellow plastic cap found for the southwest corner of said Tract 4 and the northwest corner of said 9.75-acre tract, same being on the easterly line of a called 12.055-acre tract of land, described in a Special Warranty to Muddy Creek Holdings, LLC as recorded in Instrument No. 20200221000248590 of the Official Public Records of Collin County, Texas;

THENCE North 00°42'51" West, along the westerly line of said Tract 4 and the easterly line of said 12.055-acre tract, a distance of 469.96 feet to a 1/2-inch iron rod found for the northwest corner of said Tract 4 and the northeast corner of said 12.055-acre tract, same being on the southerly line of aforesaid Tract 1;

THENCE South 89°21'04" West, along the southerly line of said Tract 1 and the northerly line of said 12.055-acre tract, passing a 1/2-inch iron rod found for the southwest corner of said Tract 1 and the southeast corner of aforesaid Tract 2, continuing along the southerly line of said Tract 2, a distance of 557.91 feet to a 5/8-inch iron rod found for the southwest corner of said Tract 2 and the northwest corner of said 12.055-acre tract, same being on the easterly line of a called 7.000-acre tract of land described in a Special Warranty to Muddy Creek Holdings, LLC as recorded in Instrument No. 20200220000239240 of the Official Public Records of Collin County, Texas;

THENCE North 00°35'21" West, along the westerly line of said Tract 2 and the easterly line of said 7.000-acre tract, a distance of 397.13 feet to a 4" x 4" concrete monument found for the northwest corner of said Tract 2 and the southwest corner of Lot 8R, Block A of Brooks' Farm Estate Phase 1, an addition to the City of Parker according to the plat recorded in Volume 2012, Page 287 of the Plat Records of Collin County, Texas;

THENCE North 89°26'29" East, along the northerly line of said Tract 2 and the southerly line of said Brooks' Farm Estates Phase 1, passing a 1/2-inch iron rod found for the north common corner of said Tract 2 and aforesaid Tract 1, continuing along the northerly line of said Tract 1, passing a 1/2-inch iron rod with a yellow plastic cap stamped "ROOME" found for the north common corner of said Tract 1 and aforesaid Tract 3, continuing along the northerly line of said Tract 3, a total distance of 1,280.85 feet to a 1/2-inch iron rod with a yellow plastic cap found for the northerly, northeast corner of said Tract 3 and the northwest corner of aforesaid 1.69-acre tract;

THENCE South 00°35'45" East, along an easterly line of said Tract 3 and the westerly line of said 1.69-acre tract, a distance of 234.34 feet to a 1/2-inch iron rod found for the southwest corner of said 1.69-acre tract;

THENCE North 89°25'53" East, along a northerly line of said Tract 3 and the southerly line of said 1.69-acre tract, a distance of 315.17 feet to the **POINT OF BEGINNING** and containing 650,156 square feet or 14.9255 acres of land.

FLOOD STATEMENT:

According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48085C0415J, for Collin County, Texas and incorporated areas, dated June 2, 2009, this property is located within Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain".

If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

NOTES:

There are no improvements shown on this boundary survey.

The surveyor did not abstract the surveyed property. This survey was performed without the benefit of a current title abstract.

All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of [illegible].

SURVEYORS CERTIFICATION:

I hereby certify that this survey substantially complies with the current Texas Society of Professional Land Surveyors Standards and Specifications for a Category 1B Condition III Survey.

Survey Date: December [illegible], 2021

1/31/22

Michael B. Marx
Registered Professional Land Surveyor No. 5181
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Ph. 972-335-3580
michael.marx@kimley-horn.com

STATE OF TEXAS REGISTERED MICHAEL B. MARX 5181 PROFESSIONAL LAND SURVEYOR

APPLICANT:
Kimley-Horn and Associates, Inc.
260 East Davis Street, Suite 100
McKinney, TX 75069
P (469) 301-2580
Contact: Eric Jeske, P.E.

OWNER:
Lovejoy New Venture, LLC
C/O Brandon Bush Custom Homes of Texas
P.O. Box 2256
Frisco, TX 75034
P (214) 432-0911
Contact: Brandon Bush

STANDARD LAND SURVEY
14.926 ACRES
RICHARD SPARKS SURVEY, ABSTRACT NO. 850
COLLIN COUNTY, TEXAS
PROPOSED ZONING: SINGLE-FAMILY RESIDENTIAL

No	DATE	REVISION DESCRIPTION
1		

Kimley»Horn
6160 Warren Parkway, Suite 210, Frisco, Texas 75034 — FIRM # 10193822 — Tel. No. (972) 335-3580 Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	MBM	KHA	12/29/2021	064597800	1 OF 1

/

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey for Public Works Director Gary Machado
Estimated Cost:		Date Prepared:	May 26, 2022
Exhibits:	1. **Proposed Resolution** 2. **ILA Between Collin (CC) & City of Parker – Road & Bridge Improvements** 3. **Resolution No. 2018-568 (2018-2019 Collin County Road and Bridge Agreement)**		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-700 APPROVING AN INTERLOCAL AGREEMENT BETWEEN COLLIN COUNTY (CC) AND THE CITY OF PARKER FOR ROAD AND BRIDGE IMPROVEMENTS.

SUMMARY

Please review information provided.

This Agreement shall be effective October 1 , 2022, or from the passage of enabling resolutions or orders by the governing bodies of the parties hereto and the execution hereof by each of the authorized representatives of the political subdivision who are parties hereto and shall remain in effect through September 30, 2026, unless terminated by either party upon giving thirty (30) days written notice to the other party of its intent to terminate the agreement.[Section IV, Page 2, Paragraph 6]

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	Gary Machado	Date:	06/02/2022
City Attorney:	Trey Lansford	Date:	06/02/2022 via Municode Software
City Administrator:	Luke B. Olson	Date:	06/03/2022

RESOLUTION NO. 2022-700
(2022 Collin County Road and Bridge Agreement)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF PARKER AND COLLIN COUNTY FOR ROAD AND BRIDGE IMPROVEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Parker finds it necessary to maintain its roadways for the health and safety of its residents; and

WHEREAS, Collin County has offered an Interlocal Cooperation Agreement to assist with road and bridge maintenance, as attached hereto as Exhibit A (the "Agreement"); and

WHEREAS, the City of Parker has budgeted sufficient funds to make the required payments contemplated in the Agreement; and

WHEREAS, the City of Parker finds it is in the public interest to approve the Agreement with Collin County;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS AS FOLLOWS:

SECTION 1. The recitals contained in the preamble of this resolution are incorporated into the body of this resolution as is set out fully herein.

SECTION 2. The City Council approves the Agreement, in the form attached hereto as Exhibit A, and authorizes the Mayor to sign the Agreement on behalf of the City.

SECTION 3. The Mayor and City Administrator are further authorized to carry out all duties and obligations of the City pursuant to the Agreement.

SECTION 4. This resolution shall become effective immediately from and after its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Parker, Texas, on this the _7th__ day of __June__, 2022.

Proposed

CITY OF PARKER:

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

_____
Larence M. Lansford, III, City Attorney

Proposed

INTERLOCAL COOPERATION AGREEMENT

Whereas, the Interlocal Cooperation Act, Title 7, Chapter 791, Vernon's Texas Statutes and Codes Annotated (the "Act"), and the Constitution of the State of Texas, Article III, Section 64(b) (the "Constitution") specifically authorizes counties and other political subdivisions comprised or located within the county, to contract with one another for the performance of governmental functions and/or services required or authorized by the Constitution, or the laws of this State, under the terms and conditions prescribed in the Act: and

WHEREAS, the functions and/or services contemplated to be performed by Collin County, Texas, as set out herein, are governmental functions and/or services contemplated by the terms of the Act and are functions and/or services which each of the parties hereto have independent authority to pursue, notwithstanding this Agreement; and

WHEREAS, both the county and the political subdivision named herein are desirous of entering into this Interlocal Cooperation Agreement, as is evidenced by the resolutions or orders of their respective governing bodies approving this Agreement which are attached hereto and made a part hereof.

NOW, THEREFOR, THIS AGREEMENT is hereby made and entered into by and between Collin County, Texas a political subdivision of the State of Texas, and the City of Parker, political subdivision of the State of Texas, which is wholly or partially located within Collin County, Texas. Consideration for this Agreement consists of the mutual covenants contained herein, as well as any monetary consideration, which may be stated herein. This agreement is as follows, to wit:

I.

As requested by the political subdivision named herein, Collin County, Texas, acting by and through its duly authorized agents and employees, agrees to provide said political subdivision with the following described governmental functions and/or services:

ROAD IMPROVEMENTS IN ACCORDANCE WITH
COURT ORDER NO. 2021-109-02-01 (Copy Attached)

II.

As consideration for the above-described governmental functions and/or services, said political subdivision agrees to timely pay to Collin County, Texas, in accordance with the advance cost estimate submitted to them for work they have requested in the amount and upon the following terms and conditions:

1) PAYMENT IN FULL UPON COMPLETION OF WORK AND RECEIPT OF BILL FOR SAME.

2) PAYMENT TO EQUAL REIMBURSEMENT IN FULL FOR LABOR, EQUIPMENT, AND MATERIAL EXPENDED BY COLLIN COUNTY.

Any payments for Work performed under this Agreement that are not made within thirty days from when such payments are due shall accrue interest as prescribed by the Texas Prompt Payment Act (Tex. Gov't Code ch. 2251).

Each party agrees to perform all other acts and execute and deliver all other documents as may be necessary or appropriate to carry out the intent and purposes of this Agreement.

III.

To the fullest extent allowed by law, each party hereto agrees to defend and indemnify the other from any claims, demands, costs or judgments arising out of any negligent act or omission of their respective employees or agents in the performance of the governmental functions and/or services under this Agreement.

Failure of a Party to exercise any right or remedy in the event of default by any other Party shall not constitute a waiver of such right or remedy for any subsequent breach or default.

Should any provision of this Agreement or the application thereof be held invalid or unenforceable to any extent, the remainder of this Agreement and the application thereof shall not be affected thereby and shall continue to be valid and enforceable to the fullest extent, consistent with the intent of the Parties as evidenced by this Agreement.

IV.

This Agreement shall be effective October 1, 2022, or from the passage of enabling resolutions or orders by the governing bodies of the parties hereto and the execution hereof by each of the authorized representatives of the political subdivision who are parties hereto and shall remain in effect through September 30, 2026 unless terminated by either party upon giving thirty (30) days written notice to the other party of its intent to terminate the agreement.

Notices, correspondence, and all other communications shall be addressed as follows; However, the Parties hereto shall have the right from time to time to change their respective addresses by giving at least fifteen (15) days' written notice to the other Party.

If to Collin County:

Public Works	Purchasing	Administration
Jon Kleinheksel	Gina Zimmel	Bill Bilyeu
700A Wilmeth Rd.	2300 Bloomdale Rd., #3160	2300 Bloomdale Rd., #4192
McKinney, TX 75069	McKinney, TX 75071	McKinney, TX 75071
972-548-3700	972-548-4119	972-548-4698
jkleinheksel@co.collin.tx.us	gzimmel@co.collin.tx.us	bbilyeu@co.collin.tx.us

If to City:
Luke Olson
City Administrator
5700 E. Parker Road
Parker, Texas 75002
972-442-6811
lolson@parkertexas.us

With a copy to:
Gary Machado
Director of Public Works
5700 E. Parker Road
Parker, Texas 75002
972-442-6811
gmachado@parkertexas.us

V.

Notwithstanding the foregoing, it is understood that each party paying for the performance of governmental functions or services must make those payments from current revenues available to the paying party. In the event of a non-appropriation by the paying party, the performing party shall be relieved of its responsibilities hereunder as of the first day of the fiscal year of such non-appropriation. All payments must be in an amount that fairly compensates the performing party for the services or functions performed under this agreement.

Force Majeure: No party shall be liable or responsible to the other party, nor be deemed to have defaulted under or breached this Agreement, for any failure or delay in fulfilling or performing any term of this Agreement, when and to the extent such failure or delay is caused by or results from acts beyond the affected party's reasonable control, including, without limitation: acts of God; flood, fire or explosion; war, invasion, riot or other civil unrest; actions, embargoes or blockades in effect on or after the date of this Agreement; or national or regional emergency (each of the foregoing, a "Force Majeure Event"). A party whose performance is affected by a Force Majeure Event shall give notice to the other party, stating the period of time the occurrence is expected to continue and shall use diligent efforts to end the failure or delay and minimize the effects of such Force Majeure Event.

VI.

Dispute Resolution

Notice & Conference

If a party believes that the other party has not met, or is not meeting, an obligation under this agreement, the party will contact the other’s representative to discuss the issue. If the aggrieved party does not believe that this informal contact, discussion, and ensuing efforts have fixed the issue, then the party will notify the other party’s representative in writing of the party’s belief or complaint with reasonable detail to permit the other party to address the issue. The other party will then have a reasonable time to address the issue and improve its performance. This initial process will take no more than 14 calendar days, unless the parties agree otherwise.

If discussions between the parties’ representatives do not resolve the issue, then the County Judge, or County Administrator from Collin County and the Mayor, City Manager, from the City of Parker will meet in person to discuss and try to resolve the issue. This process will take no more than five (5) business days, unless the parties agree otherwise.

Prerequisites to Filing for ADR or a Lawsuit
Neither party may file a claim or lawsuit in any forum before the parties are finished using the cooperation procedures set forth above.

Expenses for Enforcement. In the event either Party hereto is required to employ an attorney to enforce the provisions of this Agreement or is required to commence legal proceedings to enforce the provisions hereof, the prevailing Party shall be entitled to recover from the other, reasonable attorney's fees and court costs incurred in connection with such enforcement, including collection.

This agreement will be governed and construed according to the laws of the State of Texas. This agreement is performable in Collin County, TX.

VII.

By entering into this Agreement, the parties do not intend to create any obligations, express or implied, other than those specifically set out in this Agreement.

The Parties represent that the individuals signing this Agreement on their behalf possess full power and authority to enter into this Agreement from their respective governing boards in compliance with the laws of the State of Texas.

By signing this agreement, no party waives any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions.

Nothing in this Agreement shall create any rights or obligations as to any party who is not a signatory to this Agreement. This agreement does not confer any rights or remedies upon any person or entity other than the Parties.

Should any provision of this Agreement or the application thereof be held invalid or unenforceable to any extent, the remainder of this Agreement and the application thereof shall not be affected thereby and shall continue to be valid and enforceable to the fullest extent, consistent with the intent of the Parties as evidenced by this Agreement.

A party will not assign its rights or obligations under this agreement, in whole or in part, to another person or entity without first obtaining the other party’s written consent.

This Agreement is the entire agreement of the Parties. This Agreement may not be altered or amended except by mutual written agreement as provided herein.

If the Parties desire to modify this Agreement during or after the initial term, any modifications may be either incorporated herein by written amendment or set forth in a new written agreement.

This Agreement may be executed in one or more identical counterparts, each of which will be deemed an original for all purposes.

COLLIN COUNTY, TEXAS

Date: _____

By: _____

Title: County Judge

CITY OF PARKER

Date: _____

By: _____

Title: _____

ATTEST:
Patti Scott Grey, City Secretary

By: _____

Approved as to Legal Form:
Larence M. Lansford, III, City Attorney

By: _____

State of Texas	§	Court Order
Collin County	§	2021-109-02-01
Commissioners Court	§	

An order of the Collin County Commissioners Court adopting a policy.

The Collin County Commissioners Court hereby approves the amended Collin County Road and Right of Way policies, as detailed in the attached documentation.

A motion was made, seconded, and carried by a majority of the court members in attendance during a regular session on Monday, February 2, 2021.

Chris Hill, County Judge

Darrell Hale, Commissioner, Pct 3

Susan Fletcher, Commissioner, Pct 1

Duncan Webb, Commissioner, Pct 4

Cheryl Williams, Commissioner, Pct 2

ATTEST: Stacey Kemp, County Clerk

COLLIN COUNTY
ROADWAY POLICY

Approved by the Collin County Commissioners Court on February 1, 2021

Court Order Number 2021-109-02-01

TABLE OF CONTENTS

1.01 INTRODUCTION 3
A. Purpose 3
B. Applicability 3
1.02 DEFINITIONS 3
1.03 EXISTING ROADWAYS – MAINTENANCE RESPONSIBILITIES 6
A. Roadways within an Incorporated Area or within a City 6
B. Roadways adjacent to a City 6
C. Roadways within a Subdivision 7
D. Abandonment of County Roads 7
1.04 EXISTING ROADWAYS – MAINTENANCE SCHEDULE 7
A. Roadway Oiling – Residents with Respiratory Conditions 7
B. Roadway Oiling – Cemetery Locations 8
C. Roadway Oiling – Additional Applications 8
D. Temporary Roadway Closures 8
E. Mowing/Brush Cutting 9
F. Herbicide Application 10
G. Inspections 10
1.05 EXISTING ROADWAYS - IMPROVEMENTS 10
A. Improvements to Roadways Within City Limits 10
B. Major Improvements to Roadways Within City Limits 11
C. Reimbursement for Work Performed by Public Works 11
1.06 COUNTY ROADWAY FEATURES AND ADJACENT AREAS 11
A. Right of Way 11
B. Temporary Access Agreement 12
C. Reimbursement by Property Owners 12
D. Fencing/Gates 13
E. Mail Boxes 13
F. Roadway Drainage and Driveway Culverts 14
1.07 MISCELLANEOUS 14
A. Signs 14

B. Striping 14
C. Guard Rail 14
D. Speed Bumps 15
E. Parking 15
F. Historical Markers 15

1.01 INTRODUCTION

A. Purpose

This Roadway Policy has been adopted by Commissioners Court to put standards in place by which roadways and right of way in unincorporated Collin County are maintained. Commissioners Court reserves the right to amend any portion of this court order as deemed necessary and/or when required by changes in the law of Texas, state statutes or transportation codes.

B. Applicability

This Policy applies to roadways within Collin County that are located outside of the corporate limits of a municipality. Additionally, this policy may exclude areas within Collin County that are located within the extraterritorial jurisdiction (ETJ) of a municipality, provided that an ETJ has been established by the municipality and the municipality has entered into a written interlocal agreement with the County that identifies the municipality as the entity authorized to maintain roadways and rights of way within their respective ETJ.

Collin County will not be responsible for any damage caused by County crews to any facility installed that is not in compliance with this Policy.

Any extenuating circumstances not covered under this Policy shall be brought to the attention of Commissioners Court for consideration.

1.02 DEFINITIONS

For the purpose of this Policy, the following terms, phrases, words and their derivations shall have the meaning given herein. Definitions not expressly prescribed herein are to be determined in accordance with customary usage in planning and engineering practice. The word “shall” is mandatory and the word “may” is permissive.

AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO) - An association of state highway and transportation officials.

BUSINESS DAY – the days of the week when County offices are normally open (excludes official holidays and weekends). Collin County holidays may be found online at:

https://www.collincountytx.gov/government/Pages/Holidays.aspx

COLLIN COUNTY ROADWAY SYSTEM – Any roadway maintained by Collin County Public Works.

COMMISSIONERS COURT – The Commissioners Court of Collin County.

COUNTY – Collin County, Texas.

COUNTY CLERK – the County Clerk of Collin County.

COUNTY ROADWAY – a public roadway under the control and maintenance of the

County.

DEDICATION – the appropriation of land, or an easement therein, by an Owner, for the use of the public and accepted for such use by or on the behalf of the public.

DEVELOPER – any person, partnership, firm association, corporation (or combination thereof), or any officer, agent, employee, servant or trustee thereof, who performs or participates in the performing of any act toward the development of a subdivision, within the intent, scope and purview of the Collin County Subdivision Regulations.

DEVELOPMENT – all land modification activity, including grading or construction of buildings, roadways, parking lots and/or other impervious structures or surfaces.

DIRECTOR OF PUBLIC WORKS – where used in this Policy, "Director of Public Works" shall mean the Collin County Director of Public Works and his/her authorized and/or appointed representatives.

EASEMENT – an area for restricted use on private property upon which a public or private utility/entity/HOA or Lot Owner responsible for maintenance shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growth which in any way endanger or interfere with the construction, maintenance and/or efficiency of its respective systems on or within any of these easements.

ENGINEER – a person licensed under the provisions of the Texas Engineering Registration Act to practice the profession of engineering in the State of Texas.

EXISTING ROADWAYS – roadways that have been constructed and are in place prior to the passage of this Policy.

EXTRATERRITORIAL JURISDICTION (ETJ) – the unincorporated land area, not a part of any city, which is contiguous to the corporate limits, as defined in Local Government Code, Chapter 42.

FACILITY - any permanent or temporary non-County owned improvement placed within the right of way. Such facilities may involve underground, surface, or overhead facilities, either singularly or in combination. (Accessories are any attachments, appurtenances, or integral parts of the facility such as fire hydrants, valves, gas regulators, etc.).

FINAL ACCEPTANCE – formal acceptance by order of the Collin County Commissioners Court.

HOMEOWNERS ASSOCIATION – an organized, non-profit corporation with mandatory membership when property is purchased.

INCORPORATED AREA – See Extraterritorial Jurisdiction.

INTERLOCAL AGREEMENT (ILA) – A written contract between local government agencies.

MINIMUM REQUIREMENTS – Minimum acceptable requirements; such requirements may be modified by the Director of Public Works as may be necessary to protect the public

health, safety, and welfare.

OWNER – the Owner of the parent tract or lot of record.

PUBLIC WORKS – Collin County Public Works.

RESIDENT – a person who lives somewhere permanently or on a long-term basis.

RIGHT OF WAY – a parcel of land that is occupied or intended to be occupied, by a roadway or alley. Where appropriate, "right of way" may include other facilities and/or utilities such as sidewalks; railroad crossings; and/or electrical, telecommunication, oil, gas, water, sanitary sewer and/or storm sewer facilities. The term "right of way" shall also include parkways and medians which are located outside of the actual pavement. The usage of the term "right of way" for land platting purposes shall mean that every public right of way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right of way and shall not be included within the dimensions or areas of such lots or parcels. The right of way is the distance between property lines measured at right angles to the centerline of the roadway or alley.

ROADWAY – a paved right of way (or easement), whether public or private and however designated, which provides vehicular access to adjacent land and/or connection to other roadways or highways.

SUBDIVISION – the division of a tract of land situated within Collin County and outside the corporate limits of any municipality into two (2) or more lots, parcels or tracts for the purpose of sale or development, or for the purpose of laying out roadways, alleys, squares, parks, public utility easements, public rights of way, private ingress/egress easements, drainage or stormwater improvements, or other parts of the tract intended to be dedicated for public use or for the use of purchasers or owners of lots or parcels fronting on or adjacent to such facilities.

TAA– a Temporary Access Agreement between Collin County and property owner.

TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (TMUTCD) - The most recent edition, including any additions or corrections, of the Texas Manual on Uniform Traffic Control Devices for Streets and Highways.

THOROUGHFARE - a principle traffic artery, carrying higher volumes of traffic, more or less continuously, which is intended to connect remote parts of the area adjacent thereto and to act as a principle connecting roadway with state highways.

THOROUGHFARE PLAN – the most recently adopted Collin County Thoroughfare Plan https://www.collincountytx.gov/mobility/Documents/CCThoroughfarePlan.pdf

1.03 EXISTING ROADWAYS – MAINTENANCE RESPONSIBILITIES

Only public roadways that have been determined by Commissioners Court to be approved County Roads shall be maintained at County expense by Public Works. The County shall not maintain U.S. Highways, state roadways, private roadways, and other roadways or sections of a roadway within the city limits of an incorporated city.

A. Roadways within an Incorporated Area or within a City

1. Each city within Collin County is responsible for maintaining the bridges and roadways within their city limits.
2. Commissioners Court may consider making or participating in general maintenance items including rocking, grading, asphalt, leveling, seal coating, oiling for dust control, installation of culverts, warning signs, cleaning of drainage ditches, mowing or brush cutting and emergency repairs to bridges.
3. The following requirements must be met before Public Works can perform maintenance within an incorporated area or within city limits:
   a. An Interlocal Agreement (ILA) must be presented to and approved by Commissioners Court. This currently executed ILA must be on file with the County.
   b. Commissioners Court has granted approval of maintenance request(s).
   c. Schedule will be set forth by Public Works and will be dependent upon the work schedule of County crews.
   d. Emergency requests will be evaluated by Commissioners Court based upon the merits presented by the requesting city. Commissioners Court authorization is required for work performed within incorporated Cities.

B. Roadways adjacent to a City

1. Roads or sections of roadways bordered by a city or cities may be maintained at County expense as follows:
   a. A portion of a public roadway adjacent to property that has been annexed by a city or cities before 2015, from the centerline of the roadway to the edge of the roadway on the opposite side from the City, may be maintained at County expense. The city's responsibility for maintenance of the roadway shall extend to the centerline of the roadway.
   b. Any portion of a public roadway adjacent to property that has been annexed by a city or cities after 2015, shall not be maintained at County expense. The city's responsibility for maintenance of the roadway shall extend to the entire roadway.
   c. Any portion of a public roadway that is bordered by a city or cities on both sides will be considered to lie entirely within an Incorporated Area and shall

not be maintained at County expense.

C. Roadways within a Subdivision

1. Maintenance of roadways in a Subdivision shall be performed by the Developer or Homeowners Association until roadways have been approved for County maintenance by Commissioners Court. See Collin County Subdivision Regulations for further information.

D. Abandonment of County Roads

1. The Commissioners Court, by unanimous vote, may abandon a County roadway upon following specific procedures as required by Vernon's Civil Statues and the Texas Transportation Code Section 251.057. https://statutes.capitol.texas.gov/Docs/TN/htm/TN.251.htm#251.057
2. In order for the public to request the relinquishment of the public's right of way and use of a roadway, the following conditions must be met:
   a. Petition and Notice signed by eight (8) freeholders of land in the Commissioners' Precinct where the roadway is located is required to abandon a roadway.
   b. Original signatures are needed on three (3) copies of both the Notice and Petition.
   c. Signatures should be exactly as name appears on tax roll.
   d. The roadway and its location should be described on the Notice and Petition prior to signatures being obtained.
   e. Twenty (20) days public notice posted at the County Courthouse and along the subject roadway is required before Commissioners Court can consider taking action to abandon a roadway. Collin County will post the Notice at these locations upon verification of signatures.
   f. Unanimous consent of Commissioners Court is required to abandon a roadway.
   g. In some instances, as required by law, Collin County shall be compensated for the abandonment of right of way.

1.04 EXISTING ROADWAYS – MAINTENANCE SCHEDULE

A. Roadway Oiling – Residents with Respiratory Conditions

1. The County will oil a 500-foot portion of a County rock roadway for dust control in front of a resident's house whereas:
   a. The resident has a chronic respiratory condition.
   b. The condition is documented by a Medical Doctor (MD).

c. The County's Application for Dust Control Oiling is signed by a doctor and submitted once each 36 months or 3 years.

d. Application for Dust Control Oiling due to chronic respiratory condition is available by calling Public Works (972-548-3700) and requesting an application. This form can be returned by mail to: Public Works, 700 A. West Wilmeth Road, McKinney, Texas, 75069 (or faxed to (972) 548-3754). Residents may also print the form from the Public Works webpage at: https://www.collincountytx.gov/public_works/road_bridge/Documents/HealthLetter.pdf

2. If the house is located at a roadway intersection the roadway will be oiled 500-feet in both directions from the intersection.

3. Road oiling for dust control will be performed one time each year and only between Mid-March and early October.

B. Roadway Oiling – Cemetery Locations

1. The County will oil 500 feet of a rock roadway in front of a cemetery for dust abatement at no cost, with approved advanced notice as indicated below:

a. Public Works receives 48 hours advanced notice of a graveside service date or;

b. Public Works receives 10-day advanced notice of the date scheduled for a recognized cemetery "clean up day"

C. Roadway Oiling – Additional Applications

1. Routine roadway grading will not warrant additional applications of oil. All additional applications of oil whether health related or otherwise will be at the requestor's expense.

2. When construction causes heavier than normal truck traffic on a rock road the County may, at the discretion of the Director of Public Works, apply oil.

3. All other requests for oiling in unincorporated areas of the County shall be at the requester's expense. Collin County shall be reimbursed for the cost of materials; requestor to call County for cost estimate based on current price. This process will consist of three (3) separate applications per 500 linear feet, typically two applications on a specific day with the remaining application a day or two thereafter. This service will be performed only between the warmer months of Mid-March through Early October. Requests for roadway oiling during the warmer months shall be made no later than September 30 of the year prior.

D. Temporary Roadway Closures

Requests for Temporary Road Closures shall be made as far in advance as possible, with minimum submittal dates listed below. Late requests may be denied due to not having enough time to evaluate impacts.

1. Non-Emergency Temporary Road Closure Request: Complete and submit the County's Roadway Closure Request Form at least 72 hours of the proposed closure. This form can be found on the County's website at: https://www.collincountytx.gov/public_works/road_bridge/Pages/roadclose.aspx The Director of Public Works will review the request and notify the applicant in writing of their decision within 24 hours of the road closure. If approved, County staff will notify affected parties such as USPS, school districts, law enforcement, emergency responder agencies, and adjacent landowners. Applicant is responsible for deploying and retrieving all necessary equipment including barricades, cones, signs, etc.
2. Special Event Temporary Road Closure Request: Complete and submit the County's Roadway Closure Request Form at least 90 days prior to the special event. This form can be found on the County's website at: https://www.collincountytx.gov/public_works/road_bridge/Pages/roadclose.aspx The Director of Public Works will review the request and notify the applicant in writing of their decision within 14 days of the road closure. The event sponsor shall be responsible for funding any County personnel and equipment provided for traffic control.
3. Emergency Temporary Road Closure Request: In the event of an Emergency Temporary Road Closure, call 972-548-3700 to submit verbal request. Requests will be executed expeditiously by on-duty Public Works staff or on-call staff during non-business hours. Public Works will promptly deploy barricades, cones, and/or other appropriate equipment to the roadway(s). Once the situation is stabilized (flood waters subside, public safety restored, etc.) and the Director of Public Works has communicated approval, Public Works staff will collect all equipment and re-open the roadway(s).

E. Mowing/Brush Cutting

1. Public Works will mow all County right of way property as follows:
   a. Spring/Summer months – Mow all County Roadways one mower width (8' to 12') once per year.
   b. Fall/Winter months – Mow all County Roadways total right of way width (including fence lines as instructed by the Director of Public Works) once per year. This may include areas between the pavement and fences where fences are outside of the right of way limits.
2. Brush cutting is typically performed during dormant fall and winter (non- growth) months:
   a. Tree and limb removal by use of hydraulic boom mowers will serve to minimize vehicle damage from overhanging limbs/brush and improve vehicle/driver line of sight. Branches over the roadway will be trimmed to provide 18' of vertical

clearance, while branches outside the roadway but within the right of way will be trimmed to a height of 14' vertical clearance.

b. Hand cutting and pruning is completed as manpower and scheduling permit. Requests for hand cutting are handled and approved on a case by case basis.

3. Brush and vegetation will be cut anywhere necessary to maintain adequate line of sight on roadways.

F. Herbicide Application

1. Public Works will treat all County right of way 2 times per year with contact herbicide at required or allowable rates. This includes facility obstructions (i.e. fire hydrants, water valves, guardrails, pole guy wires, phone pedestals, etc.) to improve visibility of object.
2. All asphalt roadway shoulders are treated with herbicides.
3. Residents and business owners may request that the County not spray the right of way adjacent to their property by calling 972-548-3700. The resident or business owner accepts responsibility for maintaining the right of way according to this Roadway Policy. Non-spray requests may be denied based on the following conditions:
   a. Where roadway shoulder vegetation encroachment has caused or shows the potential to cause damage to the roadway surface.
   b. Where herbicide treatment of facility obstructions poses a liability to County maintenance.
   c. Line of sight and visibility issues.
   d. Any other condition as deemed by the Director of Public Works.

G. Inspections

1. Inspection of County-maintained asphalt and concrete roadways will be conducted on a schedule to be determined by the Director of Public Works.
2. Inspection of city roadways will be conducted as per parameters set forth in the ILA. If inspection parameters are not defined in the ILA, inspections will be conducted on a schedule determined by the Director of Public Works.
3. Inspection of subdivision roadways will be conducted prior to County takeover of maintenance as per Collin County Subdivision Regulations.
4. Additional inspections will be performed as determined by the Director of Public Works. Inspection results will be used as a guide to determine budget and repair/maintenance requirements.

1.05 EXISTING ROADWAYS - IMPROVEMENTS

A. Improvements to Roadways Within City Limits

1. Commissioners Court may consider performing or participating in improvements to roads and bridges within the corporate limits of a city. These improvements include but are not limited to general maintenance items including rocking, grading, asphalt, leveling, seal coating, oiling for dust control, installation of culverts, warning signs, cleaning of drainage ditches, mowing or brush cutting and emergency repairs to bridges. The following requirements must be met before Public Works can perform improvements within city limits:
    a. An Interlocal Agreement (ILA) must be presented to and approved by Commissioners Court. This currently executed ILA must be on file with the County.
    b. Schedule will be set forth by Public Works and will be dependent upon the work schedule of County crews.
    c. Emergency requests will be evaluated by Commissioners Court based upon the merits presented by the requesting city. Commissioners Court authorization is required for work performed within incorporated Cities.

B. Major Improvements to Roadways Within City Limits
1. Major improvements such as the construction or reconstruction of roadways will be considered on a case by case basis.
2. All major improvement requests must be submitted in letter format to the Director of Public Works by April 1st of the year prior to the year improvements are anticipated.

C. Reimbursement for Work Performed by Public Works
1. Prior to beginning any improvements, the city shall make reimbursement arrangements. If the city is unable to reimburse for the full amount, the city may petition Commissioners Court for a payment schedule including interest. A cost matrix for roadway and bridge repair costs shall be approved by Commissioners Court. The fee schedule shall be reviewed annually or as directed by the Director of Public Works.
2. Reimbursement costs for roadway and bridge repairs or improvements will be as per the Collin County Cost Matrix. The Collin County Cost Matrix for Cities can be found here: https://www.collincountytx.gov/public_works/road_bridge/Pages/cost_matrix.aspx and is subject to change. Any deviation from this cost matrix must be approved by Commissioners Court.

1.06 COUNTY ROADWAY FEATURES AND ADJACENT AREAS

A. Right of Way

1. Right of way shall be donated by transfer of title, easement, or purchased through negotiations and/or eminent domain proceedings. Property owners have the option to donate the same by transfer of title. Public Works does not purchase right of way or utilize condemnation for any roadway improvement. The requested right of way must be acquired prior to the commencement of the project.
2. The minimum right of way width for road projects performed by Public Works shall be 40 ft. The County may require right of way wider than the minimum where it is determined that the existing width and drainage are not adequate for roadway improvements.
3. The required right of way width for subdivision roadways shall be as shown in the Collin County Subdivision Regulations.
4. County right of way shall be kept clear of trees and brush. Collin County has the right to exercise a right of way easement to prevent the planting of trees and shrubs in the right of way and to remove or cause to be removed trees or shrubs growing there by Court Order 2010-722-09-13.
5. An easement will establish the right of the County to enter onto a property in order to perform necessary work but shall not establish the responsibility to do so.
6. No work may occur in County right of way or easement without obtaining a permit from the County prior to beginning work. See Collin County Right of Way Use Policy for more information.

B. Temporary Access Agreement

1. The County may propose to enter into a Temporary Access Agreement (TAA) with the Owner in the event that private property will be needed for roadway improvements. A TAA could grant the County the ability to use private property for the following:
   a. Parking of County vehicles or equipment
   b. Stockpile, burn, or chip debris or dirt
   c. Any other access as approved by the Director of Public Works
2. TAA's that are required in order to place permanent improvements on private property require Commissioners Court approval.
3. The County shall, at its expense, restore private property to substantially the same appearance as previously existed following the expiration of the TAA.
4. A TAA may be used in lieu of a permanent easement to perform minimally intrusive work as part of a right of way issue.

C. Reimbursement by Property Owners

1. Upon Commissioners Court approval of roadway maintenance or improvements requiring reimbursement from the adjacent property owner, the required amount of money shall be placed in a non-interest bearing escrow account at a bank located within Collin County.
2. Reimbursement amount may include the cost involved for surveying, preparation of Deed or Easement, re-location of fences, facilities (if in a dedicated easement), culverts or other existing improvements. When property owners are required to incur total cost for the upgrade of a roadway, the above cost shall not be borne by Collin County.

D. Fencing/Gates

1. Fences installed inside the right of way will be removed at Owner's expense.
2. Right of way obtained as required for roadway improvements may require an existing fence to be removed. The existing fence will be removed and replaced with a fence of the same size and material at County expense. The new fence will be placed at the property line adjacent to the roadway frontage. Existing gates will be reused and re-hung.
3. Reimbursement for any changes to an existing fence is subject to approval by Director of Public Works and authorization by Commissioners Court.
4. All negotiations regarding fence replacement must be completed prior to right of way easement return to Public Works for recording at the Collin County Clerk's Office.
5. Temporary electric fencing, if warranted, will be provided, installed, maintained, and removed by Collin County as related to any roadway improvement project.

E. Mail Boxes

1. Mailboxes and their installation in County right of way shall meet specifications found in both the Texas Department of Transportation Regulations and United States Postal Service Regulations. Further information can be found here: https://www.txdot.gov/inside-txdot/division/maintenance/mailboxes.html https://www.usps.com/manage/mailboxes.htm
2. Installation of brick/masonry/ornamental metal or other mailboxes that do not conform to these regulations are prohibited inside the right of way.
3. In the event that an existing mailbox is damaged by Public Works crews, the County will replace the damaged mailbox with a standard United States Postal Service approved mailbox on a light weight bendable or break-away pole, regardless of the original construction design.
4. Roadway maintenance or improvements may require the relocation of existing mailboxes within the County right of way.

F. Roadway Drainage and Driveway Culverts

Refer to Collin County Drainage Design Manual.

1.07 MISCELLANEOUS

A. Signs

1. For installation of regulatory, warning signs and other traffic control devices, Public Works utilizes the most recently adopted versions of the FHWA Manual on Uniform Traffic Control Devices (MUTCD) and the TxDOT Texas Manual on Uniform Traffic Control Devices (TMUTCD).
2. Commissioners Court Order Number 2002-247-04-08 Section B was amended regarding signage (both Regulatory and warning) placed adjacent to County roadways November 9th, 2004 to read as follows:
   a. All roadway signs shall meet the specifications of Public Works. Private roadway signs are the responsibility of the property owner. The property owner shall pay for fabrication and installation, and any necessary future maintenance of the sign. All signs must meet Collin County standards.
   b. Collin County does not authorize the use or installation any private signs on County Road right of way. This includes, but is not limited to:
      i. Business Advertisements
      ii. Real estate signs (house for sale, open house, etc.)
      iii. Personal signs (garage sale, puppies for sale, etc.)
      iv. Political signs

      In addition it has been proven in courts of law throughout the country that the below signs provide a false sense of security to those the signs are intended to benefit. As such, these signs become a liability. Additional signs not allowed on County roadways or their respective right of way include but are not limited to the following:

      v. Children At Play
      vi. Watch For Children
      vii. Cattle Crossing
      viii. Deaf Child

B. Striping

1. The Director of Public Works will determine if a roadway requires striping.
2. Roadway striping shall be installed as per the most recently adopted versions of the FHWA Manual on Uniform Traffic Control Devices (MUTCD) and the TxDOT Texas Manual on Uniform Traffic Control Devices (TMUTCD).

C. Guard Rail

1. Requests for guardrail installation to be performed by the County are considered on a case-by-case basis. Determining factors for installation depend upon traffic studies, evaluation of the area requested, and availability of applicable warning signs in lieu of guardrail.

D. Speed Bumps

1. Speed bumps are not allowed on any County roadway.

E. Parking

1. Parking is not allowed within County right of way unless the roadway is designed to include a parking lane.

F. Historical Markers

1. Historic persons must be deceased for at least 10 years in order to qualify, unless they are of statewide or national significance. Historic events that changed the course of state or local history must have occurred at least 30 years ago. Most other topics, including institutions, organizations and businesses must date back to at least 50 years in order to qualify. For the Recorded Texas Historic Landmark designation, buildings and structures need to be at least 50 years of age. The topic must also have demonstrated historical significance and, in the case of buildings and structures, possess architectural significance as well.
2. Collin County must receive a written request detailing the historical site and marker specifications and logistics. A request must be made and placed on Commissioners Court. Upon receipt of a signed Court Order, the Marker can be made or received and placed at the site.

G. Inclement Weather

1. County forces will apply sand at the discretion of the Director of Public Works.

RESOLUTION NO. 2018-568
(2018-2019 Collin County Road and Bridge Agreement)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, PROVIDING FOR THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF PARKER AND COLLIN COUNTY FOR ROAD AND BRIDGE IMPROVEMENTS.

WHEREAS, the City of Parker finds it necessary to maintain its roadways for the health and protection of its residents; and

WHEREAS, The City of Parker has budgeted sufficient funds to make the required payments.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS:

SECTION 1. The Parker City Council does authorize the Mayor to enter into an agreement with Collin County for Road and Bridge Improvements in substantially the form attached hereto.

SECTION 2. This resolution shall be effective upon its passage.

APPROVED AND ADOPTED this 17th day of April, 2018.

CITY OF PARKER COLLIN COUNTY, TEXAS

Marshall, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED TO FORM:

Brandon S. Shelby, City Attorney

COURT ORDER NO. 2018- 457 -06-11

THE STATE OF TEXAS

COUNTY OF COLLIN

Subject: Interlocal Cooperation Agreement, Road and Bridge Improvements, City of Parker – Public Works

On **June 11, 2018,** the Commissioners Court of Collin County, Texas, met in **regular session** with the following members present and participating, to wit:

Keith Self		**County Judge, Presiding**
Susan Fletcher		**Commissioner, Precinct 1**
Cheryl Williams		**Commissioner, Precinct 2**
John D. Thomas	**Not Present**	**Commissioner, Precinct 3**
Duncan Webb		**Commissioner, Precinct 4**

During such session the court considered a request for approval of an Interlocal Cooperation Agreement with the City of Parker.

Thereupon, a motion was made, seconded and carried with a majority vote of the court for approval of an Interlocal Cooperation Agreement with the City of Parker for Road and Bridge Improvements effective through and including September 30, 2022. Same is hereby approved as per the attached documentation.

Keith Self, County Judge

Susan Fletcher, Commissioner, Pct. 1

Cheryl Williams, Commissioner, Pct. 2

Not Present
John D. Thomas, Commissioner, Pct. 3

Duncan Webb, Commissioner, Pct. 4

COMMISSIONERS COURT COLLIN COUNTY TEXAS

ATTEST:

Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, T E X A S

INTERLOCAL COOPERATION AGREEMENT

Whereas, the Interlocal Cooperation Act, Title 7, Chapter 791, Vernon's Texas Statutes and Codes Annotated (the "Act"), and the Constitution of the State of Texas, Article III, Section 64(b) (the "Constitution") specifically authorizes counties and other political subdivisions comprised or located within the county, to contract with one another for the performance of governmental functions and/or services required or authorized by the Constitution, or the laws of this State, under the terms and conditions prescribed in the Act: and

WHEREAS, the functions and/or services contemplated to be performed by Collin County, Texas, as set out herein, are governmental functions and/or services contemplated by the terms of the Act and are functions and/or services which each of the parties hereto have independent authority to pursue, notwithstanding this Agreement; and

WHEREAS, both the county and the political subdivision named herein are desirous of entering into this Interlocal Cooperation Agreement, as is evidenced by the resolutions or orders of their respective governing bodies approving this Agreement which are attached hereto and made a part hereof.

NOW, THEREFOR, THIS AGREEMENT is hereby made and entered into by and between Collin County, Texas a political subdivision of the State of Texas, and the City of Parker, political subdivision of the State of Texas, which is wholly or partially located within Collin County, Texas. Consideration for this Agreement consists of the mutual covenants contained herein, as well as any monetary consideration, which may be stated herein. This agreement is as follows, to wit:

I.

As requested by the political subdivision named herein, Collin County, Texas, acting by and through its duly authorized agents and employees, agrees to provide said political subdivision with the following described governmental functions and/or services:

ROAD IMPROVEMENTS IN ACCORDANCE WITH

COURT ORDER NO. 97-576-08-25 (Copy Attached)

II.

As consideration for the above-described governmental functions and/or services, said political subdivision agrees to timely pay to Collin County, Texas, in accordance with the advance cost estimate submitted to them for

work they have requested in the amount and upon the following terms and conditions:

1) PAYMENT IN FULL UPON COMPLETION OF WORK AND RECEIPT OF BILL FOR SAME.
2) PAYMENT TO EQUAL REIMBURSEMENT IN FULL FOR LABOR, EQUIPMENT, AND MATERIAL EXPENDED BY COLLIN COUNTY.

Any payments for Work performed under this Agreement that are not made within thirty days from when such payments are due shall accrue interest as prescribed by the Texas Prompt Payment Act (Tex. Gov't Code ch. 2251).

III.

To the fullest extent allowed by law, each party hereto agrees to defend and indemnify the other from any claims, demands, costs or judgments arising out of any negligent act or omission of their respective employees or agents in the performance of the governmental functions and/or services under this Agreement.

IV.

This Agreement shall be effective October 1, 2018, or from the passage of enabling resolutions or orders by the governing bodies of the parties hereto and the execution hereof by each of the authorized representatives of the political subdivision who are parties hereto and shall remain in effect through September 30, 2022 unless terminated by either party upon giving thirty (30) days written notice to the other party of its intent to terminate the agreement.

6. Notices, correspondence, and all other communications shall be addressed as follows:

If to Collin County:

Name: Gina Zimmel

Address: 2300 Bloomdale, Suite 3160
McKinney, TX 75071

E-mail: gzimmel@collincountytx.gov

Phone: 972-548-4119

FAX: 972-548-4694

If to City:

Name: City Administrator
Address: 5700 E. Parker Road
Parker, Texas 75002

E-mail: jflanigan@parkertexas.us
Phone: (972) 442-6811
FAX: (972) 442-2894

Notwithstanding the foregoing, it is understood that each party paying for the performance of governmental functions or services must make those payments from current revenues available to the paying party. In the event of a non-appropriation by the paying party, the performing party shall be relieved of its responsibilities hereunder as of the first day of the fiscal year of such non-appropriation. All payments must be in an amount that fairly compensates the performing party for the services or functions performed under this agreement.

Dispute Resolution

Notice & Conference
If a party believes that the other party has not met, or is not meeting, an obligation under this agreement, the party will contact the other's representative to discuss the issue. If the aggrieved party does not believe that this informal contact, discussion, and ensuing efforts have fixed the issue, then the party will notify the other party's representative in writing of the party's belief or complaint with reasonable detail to permit the other party to address the issue. The other party will then have a reasonable time to address the issue and improve its performance. This initial process will take no more than 14 calendar days, unless the parties agree otherwise.

If discussions between the parties' representatives do not resolve the issue, then the County Judge, or County Administrator from Collin County and the Mayor, City Manager, from the City of Parker will meet in person to discuss and try to resolve the issue. This process will take no more than 5 business days, unless the parties agree otherwise.

Prerequisites to Filing for ADR or a Lawsuit
Neither party may file a claim or lawsuit in any forum before (i) the parties are finished using the cooperation procedures set forth above.

By entering into this Agreement, the parties do not intend to create any obligations, express or implied, other than those specifically set out in this Agreement.

By signing this agreement, no party waives any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions.

Nothing in this Agreement shall create any rights or obligations as to any party who is not a signatory to this Agreement.

A party will not assign its rights or obligations under this agreement, in whole or in part, to another person or entity without first obtaining the other party's written consent.

COLLIN COUNTY, TEXAS

Date: 6/12/18

By: _____

Title: County Judge

CITY OF PARKER

Date: April 17, 2018

By: _____

Title: Mayor

COURT ORDER NO. 97- 576 -08-25

THE STATE OF TEXAS

COUNTY OF COLLIN

COUNTY POLICIES: ADOPTION OF REVISED COUNTY ROAD POLICY/RESCIND PREVIOUSLY APPROVED COURT ORDERS COUNTY ROAD SUPERINTENDENT

On **August 25, 1997,** the Commissioners' Court of Collin County, Texas, met in **special session** with the following members present and participating, to wit:

Ron Harris	**County Judge, Presiding**
Phyllis Cole	**Commissioner, Precinct 1**
Jerry Hoagland	**Commissioner, Precinct 2**
Joe Jaynes	**Commissioner, Precinct 3**
Jack Hatchell	**Commissioner, Precinct 4**

During such session the court considered a request from the County Road Superintendent for approval to rescind previously adopted court orders pertaining to County Road Policies, furthermore, adoption of a revised County Road Policy.

Thereupon, a motion was made, seconded and carried with a majority vote of the court to adopt a revised County Road Policy effective October 1, 1997, and rescind previously adopted court orders pertaining to same. Same is hereby approved in accordance with the attached documentation.

Ron Harris, County Judge

Phyllis Cole, Commissioner, Pct. 1

Jerry Hoagland, Commissioner, Pct. 2

Joe Jaynes, Commissioner, Pct. 3

Jack Hatchell, Commissioner, Pct. 4

ATTEST:

Helen Starnes, Ex-Officio Clerk
Commissioners' Court
Collin County, T E X A S

c court97\courtorders\roadpol

COUNTY ROAD POLICIES

August 25, 1997

TABLE OF CONTENTS

County Road Policies (General)

Section I Maintenance of Public Roads	Page 1
Section II Upgrade of County Roads	Page 1,2
Section III Re-opening of County Roads	Page 2
Section IV Abandonment of County Roads	Page 2
Section V Subdivisions	Page 2,3
Section VI Right-of-Way	Page 3
Section VII Other Cost	Page 3
Section VIII County Projects	Page 3
Section IX Extending the Length of a Road Project	Page 3
Section X Signs	Page 4
Section XI Reimbursement by Property Owners	Page 4
Section XII Culverts	Page 4
Section XIII Extenuating Circumstances	Page 4
Application for Road Upgrading	Page 5
General Requirements for Upgrading County Roads	Page 6
Upgrading/Acceptance of Private Roads in Recorded Subdivisions	Page 6
Costs	Page 7

County Road Policy (Cities)

Section I Maintenance/Improvements to Roads Within City Limits	Page 8
Section II Reimbursement for Work Performed by Collin County	Page 8

County Road Policy (Oiling/Dust Control)

Section I Oiling of County Roads	Page 9
Application for Road Oiling Due to Chronic Respiratory Condition	Page 10

Assessment Policy for Subdivision Roads

Section I Assessment to Upgrade Roads in Subdivisions	Page 11
Section II Assessment Procedures	Page 11,12
Section III Appeals	Page 12
Section IV Liens	Page 12
Section V Acceptance	Page 12
Section VI Status of Roadway after Acceptance	Page 12
Section VII Reimbursement of Funds	Page 13

COUNTY ROAD POLICIES (GENERAL)

COUNTY ROAD POLICIES (GENERAL)

Section I Maintenance of Public Roads

A. All public roads located in unincorporated areas of Collin County which are determined by the Commissioners' Court to be county roads, will be maintained by the County. All others shall be considered private roads and will not be maintained by Collin County.

B. Roads or sections of roads which are bordered by a city or cities shall not be maintained by Collin County as follows:

(a) Any portion of a public road which has been annexed by a city or cities shall not be maintained at county expense.

(b) Public roads or portions of public roads which are bordered by a city or cities on one side will be considered to lie in an incorporated area from the centerline of the public road to the city border. That portion which is considered to be in an incorporated area shall not be maintained at county expense.

(c) Public roads or portions of public roads which are bordered by a city or cities on both sides will be considered to lie in an incorporated area and shall not be maintained by Collin County.

Section II Upgrade of County Roads

A. Commissioners' Court will consider upgrading a rock road to an asphalt road provided one of the following conditions are met:

(a) Roads with traffic counts of 150 cars per day or greater, which by the determination of Commissioners' Court, should be asphalted due to maintenance costs or other appropriate criteria when the adjacent property owners donate the right-of-way described in Section VI of this policy; or;

(b) Roads not on the Collin County Thoroughfare Plan with traffic counts of 125 cars per day or greater, which when determined by the Director of Public Works (County Road Supt.) to have adequate width and drainage can be asphalted due to maintenance costs or other appropriate criteria without obtaining additional right-of-way; or;

(c) Roads with traffic counts of 100 cars per day or greater can be asphalted when the adjacent property owners donate the right-of-way described in Section VI of this policy; or;

(d) When the adjacent property owners donate the right-of-way described in Section VI of this policy and reimburse the County for the cost of materials required to upgrade the subject road to asphalt by current county standards.

To be considered for asphalt, a road must tie into an existing asphalt road, unless the road in question is a "Dead End" road. A "Dead End" road which does not tie into an existing asphalt road can be upgraded, provided its entire length is asphalted. A cul-de-sac shall be required when a dead end road is upgraded.

B. The Commissioners' Court will consider upgrading a dirt road to a rock road provided that the adjacent property owners:

(a) Donate the right-of-way described in Section VI of this policy; and

(b) Reimburse the county for the cost of materials to upgrade the subject road to the appropriate depth and width of rock

Section III Re-opening of County Roads

The Commissioners' Court will consider re-opening a county road which has not been maintained by the county in the last 10 years provided that the adjacent property owners:

(a) Donate the right-of-way described in Section VI of this policy; and

(b) Reimburse the County for the total cost of improvements if the road is to be improved from its existing state

Section IV Abandonment of County Roads

The Commissioners' Court, by unanimous vote, may abandon a county road upon following procedures required by Vernon's Civil Statute's and the Texas Transportation Code.

Section V Subdivisions

A. To be considered for maintenance by Collin County, private roads in recorded subdivisions must be asphalt and meet current county standards in regards to width, drainage, culverts, base material type and thickness.

B. Private roads in subdivisions which were filed in the County Clerk's Office prior to May 18,1981 will be accepted for maintenance by the county provided there is adequate right-of-way, the roads are asphalt and meet current county standards.

C. Private roads in subdivisions which were approved by Commissioners' Court and filed in the County Clerk's Office prior to October 23, 1995 will be accepted for maintenance provided such roads are asphalt and have been built and maintained to county standards.

D. Private roads in subdivisions which were filed in the County Clerk's Office after May 18, 1981 that were not approved by Commissioners' Court shall meet the following conditions prior to acceptance:

(a) Road right-of-ways must be dedicated to the public and accepted by Commissioners' Court

(b) Roads must be asphalt and meet current county standards as described in this policy

E. Private roads in recorded subdivisions which do not meet county standards can be considered for maintenance by the county provided the landowners donate additional right-of-way, when needed, and provide total funding to upgrade such roads to county standards.

F. Private roads in unrecorded subdivisions will not be upgraded by Collin County under this policy. To be accepted for maintenance, the subdivision must be platted and the roads constructed, by a private contractor, in accordance with the Collin County Subdivision Regulations

Section VI Right-of-Way

A. Right-of -Way shall be in the following form:

(a) Right-of-Way which is donated may be in Deed or Easement form; or

(b) Right-of-Way which is purchased through negotiations or by eminent domain shall be in Deed form with an actual ownership (Title) transfer of the land.

B. Right-of-Way Width

(a) The right-of-way width for roads on the Collin County Thoroughfare Plan shall conform to Collin County design standards.

(b) The right-of-way width of roads to be upgraded which are not on the Collin County Thoroughfare Plan shall be a minimum of (60) sixty feet.

(c) When a road which is not on the Collin County Thoroughfare Plan is a candidate for upgrading, the requirements for right-of-way may be waived by Commissioners' Court provided the required pavement width and drainage are adequate within the existing right-of-way.

(d) Right-of-way widths may be waived by Commissioners' Court upon review of engineering information which indicates a different width is appropriate.

Section VII Other Cost

The cost involved for surveying, to prepare Deeds or Easements, re-locate fences, utilities (if in a private easement beyond the existing prescriptive right-of-way), culverts or other existing improvements may be borne by the county if such cost does not exceed twenty-five percent (25%) of the total project cost. When property owners are required to incur total cost to upgrade a road, the above cost shall not be borne by the County.

Section VIII County Projects

All projects shall be brought to the attention of Commissioners' Court for consideration.

Section IX Extending the Length of a Road Project

A road project which has been approved by Commissioners' Court may be extended in length when approved by the Director of Public Works (County Road Superintendent), provided that all requirements outlined in this policy have been met.

Section X Signs

Regulatory and warning signs placed along county roads shall be in accordance with the Texas Manual on Uniform Traffic Control Devices.

Section XI Reimbursement by Property Owners

Upon Commissioners' Court approval of a road project which requires reimbursement from the adjacent property owners, the property owners involved must place the required amount of money in escrow in a Collin County bank and provide the required right-of-way prior to the commencement of the project.

Section XII Culverts

Drive culverts within county road right-of-ways shall be permitted and sized by the County. Only corrugated metal or high-density polyethylene culverts will be permitted. Culverts shall be a minimum of thirty (30) feet in length unless the driveway over the pipe is concrete. In which case, the culvert may be the width of the driveway. New drive culverts must be installed at the expense of the property owner. Existing culverts within county road right-of-ways will be replaced as needed by the County at county expense.

Section XIII Extenuating Circumstances

Any extenuating circumstances not covered under this policy shall be brought to the attention of Commissioners' Court for consideration

APPLICATION FOR ROAD UPGRADING

Requesters' Name: _____ Date: _____

Mailing Address: _____

Home Phone _____ Work Phone _____ Mobil/Pager _____

Type of upgrade requested: Dirt to Rock ____ Dirt to Asphalt ____ Rock to Asphalt ____ Private Road ____

County Road No./Name: _____ Subdivision Name: _____

Location/Extent of Road(s) to be upgraded: _____

_____

_____

FOR COUNTY USE

Is Road on Thoroughfare Plan ? Yes ____ No____ Right-of-Way Required: _____

Comments: _____

_____

_____

Utility Comments: _____

_____

_____

Culvert/Drainage Comments: _____

_____

_____

Fence Comments: _____

_____

_____

Initial Cost Estimate: Materials_____ Labor_____ Other_____ Total_____

Comments: _____

Prepared By: _____ Date:_____ Date Mailed:_____

GENERAL REQUIREMENTS FOR UPGRADING COUNTY ROADS

An application requesting a road upgrade must be submitted to the Public Works Department specifying the location and approximate length of road or section of road to be upgraded. If more than one person is involved, please designate a single contact.

An approximate cost estimate with right-of-way requirements will be prepared by the Public Works Department and sent to the requester.

To proceed with the upgrade, the Public Works Department must be notified in writing of the requester(s) willingness to pay for material costs and donate right-of-way, when applicable.

The request will be brought to the attention of Commissioners' Court for consideration.

The Public Works Department will notify the requester in writing of the Court's action. A firm cost estimate will be provided, if different than the original estimate.

Right-of-Way documents, when required, will be prepared by Collin County for signature. Money for material costs shall be placed in an escrow account by the requester(s). The project will be scheduled for construction after these items have been addressed.

UPGRADING / ACCEPTANCE OF PRIVATE ROADS IN RECORDED SUBDIVISIONS

Subdivision must be recorded and meet the requirements specified in Section V of the County Road policies.

All roads in the subdivision must be upgraded / accepted.

Minimum right-of-way width shall be sixty (60) feet as required by Section VI,B.,(b) of the County Road Policies. When engineering information indicates that the existing right-of-way is not adequate, additional right-of-way will be required.

A request must be submitted to the Public Works Department specifying the name and location of the subdivision in question. Please designate a single contact person for the county regarding this project.

An approximate cost estimate will be prepared by the Public Works Department and sent to the requester.

To proceed, the Public Works Department must be notified in writing of the requester(s) willingness to pay for all costs involved with the upgrade.

The request will be brought to the attention of Commissioners' Court for approval.

The Public Works Department will notify the requester in writing of the Court's action. A firm cost estimate will be provided if different from the original estimate.

Money must be placed in an escrow account prior to the project being scheduled. If applicable, all fences, utilities or other improvements must be relocated prior to scheduling.

COSTS

Since material costs fluctuate, the written cost estimate we have provided you will be honored for the period indicated (typically 6 months).

The cost estimate for materials will be based on the type upgrade requested.

Dirt to Rock: A blend of (6" loose) crushed native white rock with (3" loose) flex base to improve traction and minimize dust.

Dirt to Asphalt: A blend of (4" compacted) crushed native whiterock with (6" compacted) flex base and two layers of asphalt surface treatment.

Rock to Asphalt: Two layers of asphalt surface treatment, any additional rock will be paid for by Collin County since it is an existing rock road.

Private Road in Recorded Subdivision: Since conditions vary, subdivisions will be evaluated on a case by case basis.

If you have any additional questions, please feel free to call the Public Works Department at Metro 424-1460 ext. 3700 or (972) 548-3700.

Mail or Fax Application To:

Collin County Service Center
700A West Wilmeth Road
McKinney, Texas 75069
Fax Number (972) 548-3754

COUNTY ROAD POLICY (CITIES)

COUNTY ROAD POLICY (CITIES)

Section I Maintenance/Improvements to Roads Within City Limits

A. Each city in Collin County is responsible for maintaining the roads and bridges within their city limits.

B. Commissioners' Court desires that a consistent policy be continued concerning road work performed by the county within the corporate limits of cities as Collin County has limited funds, personnel and equipment available for these projects.

C. Commissioners' Court may consider making or participating in improvements to roads and bridges within the corporate limits of a city as follows:

(a) General maintenance items to include rocking, grading, asphalt level up, sealcoating, oiling for dust control, installation of culverts, cleaning of drainage ditches, mowing or brushcutting and emergency repairs to bridges.

(b). Major improvements such as the construction or reconstruction of roadways will only be considered if the road is on the Collin County Thoroughfare Plan.

D. A city must be entered into an Interlocal Cooperation Agreement with Collin County prior to work being performed by Collin County for that city.

E. All requests must be submitted to the Director of Public Works by April 1st of the year prior to the year improvements are desired to be made. Emergency requests will be evaluated by Commissioners' Court upon the merits presented by the requesting city.

F. Authorization for work in cities can only be given by Commissioners' Court.

Section II Reimbursement for Work Performed by Collin County

A. Costs for road and bridge repairs or improvements will be as follows:

(a) Cost of materials used for the project or one-half of the total project (including labor and equipment), whichever is greater, if the road is on the Collin County Thoroughfare Plan.

(b) Total cost, including materials, labor and equipment if the road is not on the Collin County Thoroughfare Plan.

COUNTY ROAD POLICY (OILING/DUST)

COUNTY ROAD POLICIES (OILING/DUST CONTROL)

Section I Oiling of County Roads

County funds shall be expended to spray county roads for dust control as follows:

a) When a person has a chronic respiratory condition, substantiated by a physician, the county will oil up to 500 feet in front of their house. If the house is located at a road intersection, the roads will be oiled for up to 500 feet in both directions from the intersection. Priority will be given to elderly residents.

b) When the traffic count on a road reaches a minimum of 150 cars per day, oil will be applied on an interim basis until the road can be upgraded to asphalt. If the right-of-way required to upgrade a road is unobtainable, the road will no longer be oiled at county expense.

c) When county trucks are hauling materials to or from a project site damaging the road surface and creating a severe dust problem.

d) Other conditions as approved by action of the Commissioners Court.

B. All other requests for oiling in unincorporated areas of the county would be at the requester's expense. Collin County shall be reimbursed for the cost of materials.

Collin County Department
of Public Works
700 A West Wilmeth Road
McKinney, Texas 75069
(972) 548-3700
FAX No. (972) 548-3754

Application for dust control oiling due to chronic respiratory condition

RESIDENT

Name:_____
Physical Address:_____
_____
Mailing Address:_____
_____
Phone:_____

PATIENT

Name:_____
Physical Address:_____
_____
Mailing Address:_____
_____
Phone:_____
Date of Birth:_____

County Road No.:_____ **Application is good for this calendar year only**

****

1) Approximate distance residence is from county road._____feet

2) Number of years lived at this residence._____years

3) What side of road is residence located?
   Circle one: North South East West

****

To be completed by physician.

_____Allergy which interferes with breathing or is life threatening
_____Interstitial Pulmonary Fibrosis
_____Hypoxemia
_____Sarcoidosis
_____Asbestosis
_____Emphysema
_____Pulmonary TB
_____Lung Abscess
_____Asthma
_____Bronchiolitis
_____Dyspnea
_____Cystic Fibrosis

Other chronic/life threatening respiratory conditions:_____

How long has patient had this condition:_____Last episode:_____

Other comments:_____

Physician Name (Please print)_____

Physician signature/specialty _____

Date: _____ Phone No.:_____

APPLICATION SHOULD BE MAILED OR FAXED FROM THE DOCTOR

ASSESSMENT POLICY FOR SUBDIVISIONS

ASSESSMENT POLICY FOR SUBDIVISION ROADS

Section I Assessment to Upgrade Roads in Subdivisions

A. Collin County may upgrade county roads as outlined in Senate Bill 314, Article 6702-3, on a first come basis or as specified by Commissioners' Court provided the initial funds are available or made available to the county. Only roads in recorded subdivisions will be considered for upgrade by assessment.

B. Commissioners' Court may consider upgrading a road or roads by assessment within subdivisions in un-incorporated areas of Collin County upon receipt of a written request from the Property Owner's Association or individual landowners agreeing to adhere to the following terms prior to construction:

(a) Donation of additional right-of-way, drainage or utility easements, when required.

(b) If a road lies within an unrecorded subdivision, the addition must be approved by Commissioners' Court and a plat filed for record at the County Clerk's Office.

(c) Payment for all utility relocations. These costs will not be included in the assessment.

(d) Payment for all surveying platting, replatting and legal fees (to include title fees, assignment of liens, etc.). These costs will not be included in the assessment.

(e) Payment for all project cost to include materials, equipment and labor. This includes all cost whether by in-house forces or contract.

(f) Placement of 10% of the construction cost in an escrow account in a Collin County Bank.

(g) Placement of 50% of the utility relocation cost in an escrow account in a Collin County Bank.

Section II Assessment Procedures

A. After the conditions in Section I have been met, the following procedures are required before the assessment can take place:

(a) Commissioners' Court must give notice of the proposed improvement and assessment and must hold a public hearing. The notice must be published at least twice in a newspaper of general circulation in the county and shall state that a public hearing will be held to consider whether or not the improvement and assessment will be ordered.

(b) Within 10 days of the public hearing, Commissioners' Court shall send by certified mail, a ballot to each owner of real property showing the maximum amount of assessment for each property in the subdivision should a majority of the record owners of real property in the subdivision vote in favor of the proposition.

(c) If the vote passes, Commissioners' Court may provide the time, terms and conditions of payment and default to the assessment, except that no interest on the payment of the assessment shall be allowed.

(d) If the vote fails, Commissioners' Court may not order the improvement and assessment, and may not propose the order again until four years after the date the County Clerk declares the results of the vote to Commissioners' Court.

(e) An assessment shall be secured by a lien against the real property of the assessed property owner.

Section III Appeals

An assessment may be appealed by filing a petition in the district court having jurisdiction in the county not later than the 15th day after the date that a property owner receives an assessment.

Section IV Liens

An assessment shall be secured by a lien against the real property of the assessed property owner. Liens on all property shall remain in place until such time that the entire assessed amount has been paid to Collin County. Property owners are separately, not jointly, liable for their assessed amounts.

Section V Acceptance

When all of the requirements set out in Section I and II of this policy have been met and if funds are available from Collin County the project will be accepted. If it will require an excessive amount of time to relocate the utilities and begin the actual upgrading of the road/roads the Commissioners' Court may direct that a minimum amount of maintenance be performed to assure the health and safety of the property owners.

Section VI Status of Roadway after Acceptance

A road improved under this article is a county road, and the county shall maintain the road in accordance with county road standards.

Section VII Reimbursement of Funds

A. Prior to the actual road upgrading and upon completion of the utility relocation the balance of the utility relocation cost shall be paid to Collin County or the respective utility company. (This includes the 50% escrowed monies plus the remaining 50% balance of the relocation cost)

B. Upon completion of the upgrading, the 10% escrowed monies shall be reimbursed to Collin County.

C. The 90% balance of the project cost including construction and other related cost as noted in Section I of this policy shall be the total assessed amount and shall be collected by the county over an amortized period, not to exceed sixty months.

/

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey for Court Clerk Lori Newton
Estimated Cost:		Date Prepared:	May 18, 2022
Exhibits:	1. Proposed Resolution 2. Alternate Judge Cover Letter and Resume 3. Resolution No. 2020-648 (Appointment of Municipal Officials)		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-701 APPOINTING 2022-2024 COURT OFFICIALS.

SUMMARY

Resolution No. 2020-648 replaced Judge William E. Guyer, who was no longer practicing law, with Associate Municipal Judge, for the Cities of Plano and McKinney, Efren Ordonez. See attached cover letter and resume, provided by Municipal Court Lori Newton.

§ 31.03 MUNICIPAL COURT JUDGE; ALTERNATE.

A) The City Council shall appoint a legally qualified person as Municipal Court Judge, who shall serve a term concurrent with the term of the city's Mayor. The Municipal Court Judge shall be compensated at a rate as established by the City Council by resolution from time to time.

B) The City Council may appoint a legally qualified person as Alternate Municipal Court Judge, who shall serve a term concurrent with the term of the city's Mayor. The Alternate Municipal Court Judge shall be compensated at the same rate as established by the City Council for the Municipal Court Judge.

(Ord. 381-95, passed 3-14-1995)

§ 31.04 MUNICIPAL COURT CLERK.

The City Secretary shall serve as the Municipal Court Clerk unless the City Council appoints a Court Clerk who shall qualify within the term provided by law. The term of the Municipal Court Clerk shall be concurrent with the term of the Mayor.

(Ord. 381-95, passed 3-14-1995)

§ 31.05 PROSECUTING ATTORNEY.

The City Attorney shall serve as the prosecuting attorney in the Municipal Court, unless the City Council shall appoint another qualified attorney to be the prosecuting attorney of the Municipal Court.

(Ord. 381-95, passed 3-14-1995)

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	Patti Scott Grey	Date:	06/02/2022
City Attorney:	Trey Lansford	Date:	06/02/2022 via Municode Software
City Administrator:	Luke B. Olson	Date:	06/03/2022

RESOLUTION NO. 2022-701
(Appointment of Municipal Court Officials)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, ESTABLISHING TERMS OF OFFICE FOR THE MUNICIPAL COURT JUDGE, ALTERNATE COURT JUDGE, AND PROSECUTING ATTORNEY AND ALTERNATE PROSECUTING ATTORNEY, AND MUNICIPAL COURT CLERK AND APPOINTING INDIVIDUALS TO THOSE OFFICES.

WHEREAS, the City Council of the City of Parker desires to establish uniformity in the appointment of its municipal court officials; and

WHEREAS, the City Council of the City of Parker has determined that two year terms, coinciding with the terms of the mayor of Parker are appropriate;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AS FOLLOWS:

SECTION 1. The terms of office for municipal court officials, including municipal court judge, municipal court alternate judge, and city prosecutor, are to coincide with the two-year term of the mayor of Parker. The current term is May 2022 through May 2024. Persons appointed to municipal court office shall hold the office for the term appointed, and thereafter until either re-appointed or until a successor has been appointed by the city council, and qualified.

SECTION 2. For the current term ending on the municipal election date in May 2024, the following are appointed:

a. Municipal court judge: _____
b. Municipal court alternate judge: _____
c. City prosecuting attorney: _____
d. Alternate prosecuting attorney: _____
e. Municipal Court Clerk: _____

DULY RESOLVED by the City Council of the City of Parker, Texas on this the__7th___ day of __June__, 2022.

APPROVED:

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

Proposed

APPROVED AS TO FORM:

_____

Larence M. Lansford, III, City Attorney

Proposed

EFREN ORDOÑEZ
Attorney at Law
6005 Weston Court
Parker, TX 75002
972/571-1798

June 1, 2018

Ms. Lori Newton
Court Administrator
City of Parker
5700 E. Parker Rd.
Parker, Texas 75002

Re: Associate Municipal Judge Position

Dear Ms. Newton:

I am an Associate Municipal Judge for the Cities of Plano and McKinney, and I would like to offer my services as a judge to the City of Parker. I have lived in Parker for more than eleven years and would welcome the opportunity to work for the city where I reside. As you can see in the enclosed resume, I have been a municipal judge for Plano for over eighteen years and a municipal judge for McKinney for over thirteen years. If the position is available, please let me know, and we can discuss the matter further. Thank you for your consideration.

Sincerely,

Efren Ordoñez

Encl.

EFREN ORDONEZ

Attorney at Law
6005 Weston Court
Parker, TX 75002
972/571-1798

EDUCATION

LEGAL

UCLA Law School
Juris Doctor Degree, May 1983
Top Fourth
Texas License, November 1983

UNDERGRADUATE

University of Texas, Austin
B.A., with honors, May 1980
Political Science Major

WORK EXPERIENCE

U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION VI. (EPA)
SENIOR ENFORCEMENT ATTORNEY
DALLAS, TEXAS
May 1991 - Present
As a senior enforcement attorney for EPA, I litigate administrative and judicial cases dealing with the major federal environmental statutes in the five states that comprise EPA Region VI.

SPECIAL COUNSEL FOR U.S. DEPARTMENT OF JUSTICE (DOJ)
While at EPA, I have been appointed by DOJ to be the lead attorney representing the United States in the enforcement of federal environmental statutes in several cases being litigated in federal courts.

ASSOCIATE MUNICIPAL COURT JUDGE
CITY OF PLANO (April 2000 - Present, part-time)
CITY OF McKinney (March 2005 - Present, part-time)
I preside over hearings involving municipal cases, including prehearings, trials before the court, jury trials, arraignments, and jail dockets. I also perform magistrate duties such as issuing arrest and search warrants, setting felony and misdemeanor bonds, issuing emergency protection orders, and administering the magistrate's warnings to incarcerated defendants.

LANGUAGES

Bilingual (English/Spanish)

RESOLUTION NO. 2020-648
(Appointment of Municipal Court Officials)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, ESTABLISHING TERMS OF OFFICE FOR THE MUNICIPAL COURT JUDGE, ALTERNATE COURT JUDGE, AND PROSECUTING ATTORNEY AND ALTERNATE PROSECUTING ATTORNEY, AND MUNICIPAL COURT CLERK AND APPOINTING INDIVIDUALS TO THOSE OFFICES.

WHEREAS, the City Council of the City of Parker desires to establish uniformity in the appointment of its municipal court officials; and

WHEREAS, the City Council of the City of Parker has determined that two year terms, coinciding with the terms of the mayor of Parker are appropriate;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AS FOLLOWS:

SECTION 1. The terms of office for municipal court officials, including municipal court judge, municipal court alternate judge, and city prosecutor, are to coincide with the two-year term of the mayor of Parker. The current term is November 2020 through May 2022. Persons appointed to municipal court office shall hold the office for the term appointed, and thereafter until either re-appointed or until a successor has been appointed by the city council, and qualified.

SECTION 2. For the current term ending on the municipal election date in May 2022, the following are appointed:

a. Municipal court judge: Raymond D. Noah
b. Municipal court alternate judge: Efren Ordonez
c. City prosecuting attorney: David Hill
d. Alternate prosecuting attorney: Brandon S. Shelby
e. Municipal Court Clerk: Lori Newton

DULY RESOLVED by the City Council of the City of Parker, Texas on this the 17th day of November, 2020.

APPROVED:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Brandon Shelby, City Attorney

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	City Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey
Estimated Cost:		Date Prepared:	May 19, 2022
Exhibits:	1. **Proposed Resolution** 2. **Resolution No. 2020-669 (2020-2021 Chief Investment Officer and Committee)**		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-702 CONFIRMING INVESTMENT OFFICERS AND APPOINTING INVESTMENT OFFICIALS.

SUMMARY

On May 7, 2022, the City had a Joint General and Special Election. It is customarily to review and make any necessary updates to the investment committee.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	Patti Scott Grey	Date:	06/02/2022
City Attorney:	Trey Lansford	Date:	06/02/2022 via Municode Software
City Administrator:	Luke B. Olson	Date:	06/03/2022

RESOLUTION NO. 2022-702

(2022-2023 Investment Officers and Officials)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS CONFIRMING INVESTMENT OFFICERS AND APPOINTING COMMITTEE MEMBERS TO SERVE ON THE INVESTMENT COMMITTEE.

WHEREAS, the laws of the State of Texas require a municipality to appoint investment officers, and approves the use of an investment committee to review the investment policies of the municipality, all in accordance with Chapter 2256 of the Texas Government Code; and

WHEREAS, the City Council through Resolution Number 2022-688 adopted the City's 2021-2022 Investment Policy which set out the Investment Officers and requires the appointment of two councilmembers by resolution to serve as Investment Officials who will serve on the Investment Committee;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AS FOLLOWS:

SECTION 1. Confirmation of Investment Officers

Pursuant to the City's 2021-2022 Investment Policy, the Finance Director and City Administrator are hereby confirmed as the Investment Officers for the City of Parker.

SECTION 2. Appointment of Councilmembers as Investment Officials

The following are hereby appointed to serve as Investment Officials who will serve on the Investment Committee:

	TITLE
Lee Pettle	Mayor
_____	Councilmember
_____	Councilmember

DULY PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 7th day of June, 2022.

CITY OF PARKER:

_____

Lee Pettle, Mayor

PROPOSED

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

_____
Larence M. Lansford, III, City Attorney

PROPOSED

RESOLUTION NO. 2021-669

(2021-2022 Chief Investment Officer and Committee)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS APPOINTING A CHIEF INVESTMENT OFFICER AND MEMBERS TO SERVE ON THE INVESTMENT COMMITTEE.

WHEREAS, the laws of the State of Texas require a municipality to appoint a chief investment officer, and approves the use of an investment committee to review the investment policies of the municipality, all in accordance with Chapter 2256 of the Texas Government Code;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AS FOLLOWS:

SECTION 1. Appointment of Chief Investment Officer

__Michael Slaughter__ is hereby appointed to serve as the Chief Investment Officer for the City of Parker.

SECTION 2. Appointment of Committee Members

The following are hereby appointed to serve on the Investment Committee:

	TITLE
	City Administrator
___Cindy Meyer____	Investment Official
___Lee Pettle_____	Investment Official

DULY PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 1st day of June, 2021.

CITY OF PARKER:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Brandon Shelby, City Attorney

/

Council Agenda Item

Budget Account Code:	Meeting Date:	See above.
Budgeted Amount:	Department/ Requestor:	Council
Fund Balance-before expenditure:	Prepared by:	ACA/CS Scott Grey
Estimated Cost:	Date Prepared:	May 19, 2022
Exhibits:	1. **Proposed Resolution** 2. **Resolution No. 2020-649 (Newsletter Committee Appointments)**	

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-703 FOR NEWSLETTER COMMITTEE APPOINTMENTS.

SUMMARY

On December 8, 2020, City Council approved Resolution No. 2020-649 (Newsletter Committee Appointments with guidelines), appointing by title, Mayor, Councilmember Meyer, City Administrator, and City Secretary. Exhibit A Section 2.0 Committee states the appointments shall be reviewed every two years in June. It is time to make the 2022 appointments.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	Patti Scott Grey	Date:	06/02/2022
City Attorney:	Trey Lansford	Date:	06/02/2022 via Municode Software
City Administrator:	Luke B. Olson	Date:	06/03/2022

RESOLUTION NO. 2022-703
(Newsletter Committee Appointments)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS APPOINTING MEMBERS TO SERVE ON THE NEWSLETTER COMMITTEE FOR 2022-2024.

WHEREAS the City Council of the City of Parker has formed a Newsletter Committee to provide the citizens with a municipal newsletter providing current information regarding City activities and events; and

WHEREAS the committee has been composed of the Mayor, one (1) Councilmember, the City Administrator, and the City Secretary; and

WHEREAS the City Council has previously determined guidelines approved in Resolution No. 2014-437 and attached hereto as Exhibit A, providing a procedure to be followed for the production and publication of the newsletter, designed to avoid waste and inefficiency which can result from less coordinated efforts;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AS FOLLOWS:

The following persons are appointed to the Newsletter committee for the 2022-2024 term:

Mayor Lee Pettle, City Administrator, City Secretary; and Councilmember _____.

DULY PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the __7th_ day of ___June__, 2022.

CITY OF PARKER:

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

_____
Larence M. Lansford, III, City Attorney

Exhibit A

1.0 Purpose and Scope

The City Council of the City of Parker has formed a Newsletter Committee to provide the citizens with a municipal newsletter providing current information regarding City activities and events.

2.0 Committee

There shall be a Committee consisting of the Mayor, 1 (one) Councilmember, the City Administrator, and the City Secretary. Councilmember appointments shall be reviewed every two years in June

3.0 Content

The content is to consist of City business including, but not limited to:
Council actions, City finance, police and fire services, community development, elections, City events.

If space allows City organizations/clubs, whose membership consists of 75% Parker residents and which makes donations to the City of Parker in their yearly budget, and human interest stories on Parker residents.

4.0 Schedule

The City newsletter shall be prepared and published in a timely, efficient and professional manner. The newsletter is to be published quarterly: winter, spring, summer and fall.

RESOLUTION NO. 2020-649
(Newsletter Committee Appointments)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS APPOINTING MEMBERS TO SERVE ON THE NEWSLETTER COMMITTEE FOR 2020-2022

WHEREAS the City Council of the City of Parker has formed a Newsletter Committee to provide the citizens with a municipal newsletter providing current information regarding City activities and events; and

WHEREAS the committee has been composed of the Mayor, one (1) Councilmember, the City Administrator, and the City Secretary; and

WHEREAS the City Council has previously determined guidelines approved in resolution 2014-437 provided a procedure to be followed for the production and publication of the newsletter, designed to avoid waste and inefficiency which can result from less coordinated efforts;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AS FOLLOWS:

The following persons are appointed to the Newsletter committee for the 2020-2022 term:

Mayor Lee Pettle, City Administrator, City Secretary; and Councilmember Cindy Meyer.

DULY PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 8th day of December, 2020.

CITY OF PARKER:

Lee Pettle, Mayor

ATTEST:

APPROVED AS TO FORM:

Patti Scott Grey, City Secretary

Brandon S. Shelby, City Attorney

Exhibit A

1.0 Purpose and Scope

The City Council of the City of Parker has formed a Newsletter Committee to provide the citizens with a municipal newsletter providing current information regarding City activities and events.

2.0 Committee

There shall be a Committee consisting of the Mayor, 1 (one) Councilmember, the City Administrator, and the City Secretary. Councilmember appointments shall be reviewed every two years in June

3.0 Content

The content is to consist of City business including, but not limited to:
Council actions, City finance, police and fire services, community development, elections, City events.

If space allows City organizations/clubs, whose membership consists of 75% Parker residents and which makes donations to the City of Parker in their yearly budget, and human interest stories on Parker residents.

4.0 Schedule

The City newsletter shall be prepared and published in a timely, efficient and professional manner. The newsletter is to be published quarterly: winter, spring, summer and fall.

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	City Secretary
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey
Estimated Cost:		Date Prepared:	May 25, 2022
Exhibits:	None		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON CANCELING THE JULY 5, 2022 REGULAR CITY COUNCIL MEETING, DUE TO JULY 4TH HOLIDAY.

SUMMARY

Due to the July 4th Holiday, City Council will consider canceling the July 5, 2022, Regular City Council meeting.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	Patti Scott Grey	Date:	06/02/2022
City Attorney:	Trey Lansford	Date:	06/02/2022 via Municode Software
City Administrator:	Luke B. Olson	Date:	06/03/2022

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey
Estimated Cost:		Date Prepared:	May 20, 2022
Exhibits:	**None**		

AGENDA SUBJECT

UPDATE(S):

ANY COMMITTEE UPDATES, AS NEEDED.

ACCEPTANCE OF DONATION(S) FOR POLICE, FIRE, AND CITY STAFF DUE TO FOR THE RECORD (Each valued at between $0 - $500)

Bobby and Michelle Varner donated three dozen Bundtinis valued $75.00

Presbyterian Church (Pastor Kelly) donated muffins valued of $15.00

Scott Jeffries and Andrea Petro donated $500 to the Parker Police Department

SUMMARY

Please review information provided.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	Patti Scott Grey	Date:	06/02/2022
City Attorney:	Trey Lansford	Date:	06/02/2022 via Municode Software
City Administrator:	Luke B. Olson	Date:	06/03/2022

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey for City Administrator Olson
Estimated Cost:		Date Prepared:	May 31, 2022
Exhibits:	• **Future Agenda Items**		

AGENDA SUBJECT

FUTURE AGENDA ITEMS

SUMMARY

Please review information provided.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	Patti Scott Grey	Date:	06/02/2022
City Attorney:	Trey Lansford	Date:	06/02/2022 via Municode Software
City Administrator:	Luke B. Olson	Date:	06/03/2022

FUTURE AGENDA ITEMS

AGENDA DATE	ITEM DESCRIPTION	CONTACT	Notes
2022			
~~Feb(Mar), May,~~ Aug, Nov	Fire Department Quarterly Report	Sheff/Miller	4th Qtr 2022 0215 CC Agenda
~~Feb(Mar), May~~, Aug, Nov	Investment Quarterly Report	Savage	4th Qtr 2022 0215 CC Agenda
	Council Committee Updates	Council	2022 0126 Any Committees updates, as needed
Tentatively - June 6, 2022	Possible Goal setting - Work Session	Check w/Pettle	CATL to do Presentation. See Council Calendar email for complete dates.
Tentatively - June 9, 2022	Zoning Regs - P.H. & Ord. No. 800 approval - Update	Pettle/Meyer	2021 0518 CC - Tabled; 2022 0113 Joint Mtg; 2022 0609 P&Z
Tentatively - June 21, 2022	Capital Equipment	Olson	2021 0907 Tabled; CALO to do research & bring recommendations back to Council
Tentatively - June 21, 2022	Oncor Rate Case	Lansford	Added 2022 0601
Tentatively - June 21, 2022	County Fund for Water Projects	Machado	Waiting on information from CC Tracey
Tentatively - June 21, 2022	Other Maps - Zoning, Transportation, Annexation,	Olson/Machado	2022 0330 Possibly Annexation, Thoroghfare, & ?Land Use? Maps
Tentatively - July, 2022	Grade/Step Program	Savage/Lansford	2022 0125 Agenda Mtg -
Tentatively - July, 2022	Auditor Selection Policy	Lynch	Added 2022 0525
Tentatively - August XX,, 2022	0601 Ord801 2021 No Thru Truck Traffic	Council/Brooks	Update - Review periodically; Ordinance will be reviewed for effectiveness in one year (Ord. No. 801)
August 22, 2022	Facility Bond	Mayor	MLP wanted last date for Nov. 8, 2022 election
Tentatively - 2022	Water Rate Analysis - Ongoing (Stand still)	Savage/Machado	0810 Ord739 2016 Water Rate Amendments for 2016-2020; Waiting on numbers
Tentatively - 2022	Oncor & Frontier Franchise (All?) - Review Ongoing		2021 0615 added - When due
Tentatively - 2022	Animal Shelter - one year/automatically	Meyer	Res. No. 2019-617;2021 0720 MLP added; 2022 0523 CC WS
Tentatively - 2022	Civic Plus Contract?	Pettle	Work in Progress; CALO - no contract - reviewing pricing options
Tentatively - 2022	Proclamation - Logan Donaghy	Pettle	Added 2022 0202; MLP has sent 4emails & 2 messages; wll keep posted
Tentatively - 2022	Comp Plan	Pettle/Slaughter	Added 2022 0330 Agenda Meeting; by end of year; waiting on maps