AGENDA

CITY COUNCIL REGULAR MEETING

SEPTEMBER 6, 2022 @ 7:00 PM

Notice is hereby given the City Council for the City of Parker will meet on Tuesday, September 6, 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

PEANUT BUTTER FOOD DRIVE FOR NORTH TEXAS FOOD BANK – SEPTEMBER 1-30, 2022

COMPREHENSIVE PLAN (COMP) COMMITTEE - WEDNESDAY, SEPTEMBER 7, 2022, 9 AM

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, SEPTEMBER 14, 2022, 4 PM

CITY COUNCIL (CC) – TUESDAY, OCTOBER 4, 2022, 7 PM – CANCELED – DUE TO NATIONAL NIGHT OUT (NNO)

NATIONAL NIGHT OUT (NNO) – TUESDAY, OCTOBER 4, 2022, 6 P.M. – 9 P.M

PARKERFEST - SUNDAY, OCTOBER 30, 2022, 3 PM to 6 PM

EARLY VOTING: MONDAY, OCTOBER 24, 2022 - FRIDAY, NOVEMBER 4, 2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
October 23	October 24 Early Voting 8am–5pm	October 25 Early Voting 8am–5pm	October 26 Early Voting 8am–5pm	October 27 Early Voting 8am–5pm	October 28 Early Voting 8am–5pm	October 29 Early Voting 7am–7pm
October 30 Early Voting 11am–5pm	October 31 Early Voting 7am–7pm	November 1 Early Voting 7am–7pm	November 2 Early Voting 7am–7pm	November 3 Early Voting 7am–7pm	November 4 Early Voting 7am–7pm	November 5
November 6	November 7	November 8 Election Day 7am-7pm				

NATIONAL PRESCRIPTION DRUG TAKE BACK EVENT SATURDAY, OCTOBER 29, 2022, 10 AM – 2 PM

CITY COUNCIL (CC) – TUESDAY, NOVEMBER 1, 2022, 7 PM – CANCELED – DUE TO NOVEMBER 8, 2022 GENERAL ELECTION EARLY VOTING

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 AUGUST 16, 2022.
2. APPROVAL OF MEETING MINUTES FOR AUGUST 22, 2022.

INDIVIDUAL CONSIDERATION ITEMS

3. **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. 824 EXTENDING THE TEMPORARY MORATORIUM ENACTED BY ORDINANCE NO.'S 815 & 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.

4. PARKER PARKS AND RECREATION COMMISSION ANNUAL REVIEW.

ROUTINE ITEMS

5. UPDATE(S):

   ANY COMMITTEE UPDATES, AS NEEDED.

WORK SESSION

6. 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 September 2, 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:	August 28, 2022
Exhibits:	**Peanut Butter Food Drive For North Texas Food Bank Info**	

AGENDA SUBJECT

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

PEANUT BUTTER FOOD DRIVE FOR NORTH TEXAS FOOD BANK – SEPTEMBER 1-30, 2022

COMPREHENSIVE PLAN (COMP) COMMITTEE - WEDNESDAY, SEPTEMBER 7, 2022, 9 AM

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, SEPTEMBER 14, 2022, 4 PM

CITY COUNCIL (CC) – TUESDAY, OCTOBER 4, 2022, 7 PM – CANCELED – DUE TO NATIONAL NIGHT OUT (NNO)

NATIONAL NIGHT OUT (NNO) – TUESDAY, OCTOBER 4, 2022, 6 P.M. – 9 P.M

PARKERFEST - SUNDAY, OCTOBER 30, 2022, 3 PM to 6 PM

EARLY VOTING: MONDAY, OCTOBER 24, 2022 - FRIDAY, NOVEMBER 4, 2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
October 23	**October 24 Early Voting 8am–5pm**	**October 25 Early Voting 8am–5pm**	**October 26 Early Voting 8am–5pm**	**October 27 Early Voting 8am–5pm**	**October 28 Early Voting 8am–5pm**	**October 29 Early Voting 7am–7pm**
October 30 Early Voting 11am–5pm	**October 31 Early Voting 7am–7pm**	**November 1 Early Voting 7am–7pm**	**November 2 Early Voting 7am–7pm**	**November 3 Early Voting 7am–7pm**	**November 4 Early Voting 7am–7pm**	**November 5**
November 6	**November 7**	**November 8 Election Day 7am-7pm**				

NATIONAL PRESCRIPTION DRUG TAKE BACK EVENT SATURDAY, OCTOBER 29, 2022, 10 AM – 2 PM

CITY COUNCIL (CC) – TUESDAY, NOVEMBER 1, 2022, 7 PM – CANCELED – DUE TO NOVEMBER 8, 2022 GENERAL ELECTION EARLY VOTING

SUMMARY

Please review information provided.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	Patti Scott Grey	Date:	09/01/2022
City Attorney:	Trey Lansford	Date:	09/01/2022
City Administrator:	Luke B. Olson	Date:	09/02/2022

BENEFITING North Texas Food Bank™

SPREAD THE HOPE

PEANUT BUTTER DRIVE

September 1 – 30, 2022

Every September during Hunger Action Month, the North Texas Food Bank creates awareness about food insecurity and hosts the Peanut Butter Drive which collects a shelf-stable, kid-friendly protein for our hungry neighbors. The goal for the 2022 drive is 500,000 pounds of peanut butter physically and virtually.

Let's help meet the goal by collecting regular-sized, plastic jars of peanut butter to help feed children and their families who are facing hunger.

Collect physical Peanut Butter or donate to the Virtual Peanut Butter Drive. For more info visit ntfb.org/peanutbutterdrive.

BENEFITING North Texas Food Bank™

SPREAD THE HOPE

PEANUT BUTTER DRIVE

Septiembre 2022

Cada septiembre durante el Mes de Acción contra el Hambre (Hunger Action Month), el banco de alimentos North Texas Food Bank (NTFB) crea conciencia sobre la inseguridad alimentaria NTFB organiza una campaña para recoger la mantequilla de maní (o crema de cacahuete) ya que esta es una proteína estable y buena para los niños. Nuestra meta para la campaña 2022 es 500.000 libras de donaciones de mantequilla de maní o donaciones monetarias.

Ayudenos a cumplir la meta recolectando frascos de plástico de mantequilla de maní de tamaño regular para ayudar a alimentar a niños y sus familias en el norte de Texas.

Ayúdanos a recolectar mantequilla de maní o pueden donar a la campaña virtual. Para obtener más información, visite ntfb.org/peanutbutterdrive.

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:	August 28, 2022
Exhibits:	• **Proposed Minutes**		

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR AUGUST 16, 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:	09/01/2022
City Attorney:	Trey Lansford	Date:	09/01/2022
City Administrator:	Luke B. Olson	Date:	09/02/2022

CITY OF PARKER

MINUTES

CITY COUNCIL MEETING

AUGUST 16, 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 Michael Slaughter and Councilmembers Diana M. Abraham, Terry Lynch, Cindy Meyer and Jim Reed, and 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: Buddy Pilgrim led the pledge.

TEXAS PLEDGE: Scott Livesay 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.

Aleen Tyrrell, 5602 Elisa Lane, said she, and other Parker residents who live along the FM 2551 road widening and re-alignment project, have safety concerns and deserve protection. Ms. Tyrrell indicated the residents will be angry if the City does not do something to protect them.

ITEMS OF COMMUNITY INTEREST

Mayor Pettle reviewed the items listed below:

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

COUNCIL MEETING SCHEDULE

Mayor Pettle noted the 2022 Council Meeting Schedule in tonight's packet is tentative and may need to be updated from time to time, but it is a reference for upcoming meetings. She urged everyone to also check the City website for changes.

PEANUT BUTTER FOOD DRIVE FOR NORTH TEXAS FOOD BANK – SEPTEMBER 1-30, 2022

In September, there will be a box in the foyer of City Hall, to place food donations with an emphasis on peanut butter and jelly for the North Texas Food Bank.

COMPREHENSIVE PLAN (COMP) COMMITTEE – TENTATIVE – WEDNESDAY, SEPTEMBER 7, 2022, 9 a.m.

Mayor Pro Tem Slaughter said there will be a COMP Plan Committee Wednesday, September 7, 2022, at 9 a.m.

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, SEPTEMBER 14, 2022, 4 p.m.

The Wednesday, September 14, 2022, Parks and Recreation Commission (P&R) meeting is being planned, and the agenda will be available on the City's website, www.parkertexas.us.

PROPOSED

Mayor Pettle asked everyone to mark their calendar for the following events:
NATIONAL NIGHT OUT – TUESDAY, OCTOBER 4, 2022, 6 p.m. – 9 p.m.
PARKERFEST - SUNDAY, OCTOBER 30, 2022, 3 p.m. to 6 p.m.
EARLY VOTING OCTOBER 23, 2022 – OCTOBER 28, 2022 & NOVEMBER 8, 2022, ELECTION
PARKER CITY HALL

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
23-Oct	24-Oct Early Voting 8am – 5a.m.	25-Oct Early Voting 8am – 5a.m.	26-Oct Early Voting 8am – 5a.m.	27-Oct Early Voting 8am – 5a.m.	28-Oct Early Voting 8am – 5a.m.	29-Oct Early Voting 7am – 7a.m.
30-Oct Early Voting 11am-5a.m.	31-Oct Early Voting 7am – 7a.m.	1-Nov Early Voting 7am – 7a.m.	2-Nov Early Voting 7am – 7a.m.	3-Nov Early Voting 7am – 7a.m.	4-Nov Early Voting 7am – 7a.m.	5-Nov
6-Nov	7-Nov	8-Nov Election Day 7am – 7a.m.	9-Nov	10-Nov	11-Nov	12-Nov

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 JULY 28, 2022.
2. APPROVAL OF MEETING MINUTES FOR AUGUST 2, 2022.
3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-711 APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2022 RATE REVIEW MECHANISM FILING AND ADOPTING TARIFFS TO REFLECT RATE ADJUSTMENTS.
4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON CANCELING THE OCTOBER 4, 2022 REGULAR MEETING DUE TO NATIONAL NIGHT OUT (NNO).
5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON CANCELING THE NOVEMBER 1, 2022 REGULAR MEETING DUE TO NOVEMBER 8, 2022 EARLY VOTING.

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

INDIVIDUAL CONSIDERATION ITEMS

6. PUBLIC HEARING ON THE PROPOSED FY2022-2023 BUDGET AND TAX RATE.

   Mayor Lee Pettle opened a public hearing at 7:08 a.m. to receive comments regarding the Proposed FY2022-2023 Budget and Tax Rate.

   Finance/Human Resources Director Grant Savage reviewed the City Council Work Session FY 2022-2023 Public Hearing – Tax Rate, Tuesday, August 16, 2022

PROPOSED

PowerPoint in tonight's Council packet, noting the proposed tax rate is $0.329289 per $100 valuation, a decrease of $0.036695 from the previous year.

Mayor Pettle asked if there were any questions on the Proposed FY 2022-2023 Tax Rate.

No one came forward.

Mayor Pettle asked if there were any questions on the Proposed FY2022-2023 Budget.

No one came forward.

Mayor Pettle declared the public hearing closed at 7:15 a.m.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-712 APPOINTING AN AUDITOR AND ENTERING INTO A SERVICE CONTRACT WITH SAID AUDITOR FOR 2021-2022 AUDIT.

Finance/Human Resources Director Grant Savage reviewed the bid summary in tonight's packet, which contains the four bids the City received for audit services, BrooksWatson & Co.; Fox, Byrd & Company; LaFollett & Company; and Pattillo, Brown & Hill.

Mayor Pettle recessed the meeting at 7:28 a.m.

Mayor Pettle reconvened the meeting at 7:32 a.m.

MOTION: Councilmember Lynch moved to approve Resolution No. 2022-712 appointing LaFollett & Company, as the City's auditor for three (3) years, with an option to renew for two (2) additional years and authorizing the Mayor to execute an agreement for said services. Councilmember Reed seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

ROUTINE ITEMS

8. UPDATE(S):

ANY COMMITTEE UPDATES, AS NEEDED.

COMPREHENSIVE PLAN (COMP) COMMITTEE

Comprehensive Plan (Comp) Committee Chair Slaughter reiterated he plans to meet September 7, 2022 at 9 a.m. at City Hall and the Committee is happy to be receiving the maps necessary to move forward with the COMP Plan.

CAPITAL IMPROVEMENT PLAN (CIP)

Capital Improvement Plan Co-Chair Lynch said she is still gathering information to have a joint workshop with Council, and she would advise everyone when CIP is ready to proceed.

FM 2551

City Administrator Olson said he did not have an update on FM 2551. The project has stalled, waiting on utility providers to get supplies and finish. Mr. Olson did say any updates will be reflected on the City's website at www.parkertexas.us .

PROPOSED

MONTHLY/QUARTERLY REPORTS

July 2022 - Building Permit/Code Report

July 2022 – Court Report

July 2022 – Finance (monthly financials) Report

Investment 2nd Qtr. Report 2022

The reports were accepted.

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

The Santee family donated homemade cookies valued at $10.00 to the Parker Police Department.

Julie McGary (Teacher at Bolin Elementary), Allen, TX resident, donated flavored breads and a vegetable tray valued at $30.00.

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

FUTURE AGENDA ITEMS

9. FUTURE AGENDA ITEMS

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

Hearing no additional requests, Mayor Pettle encouraged everyone to email her requests. She noted there would be a special council meeting Monday, August 22, 2022 to consider approval of the 2022 Tax Rate; adoption the FY 2022-2023 Budget; and ratification of the property tax revenue increase in the 2022-2023 Budget. The Mayor also said the next regularly scheduled meeting would be Tuesday, September 6, 2022.

WORKSHOP

10. MUNICIPAL COMPLEX AND BOND

City Administrator Olson reviewed the information provided in tonight's Council packet, regarding the cost of getting price points for a proposed new facility for City Council and Administration and expanding/renovating the current City Hall for the Police Department. Council directed City Administrator Olson to move forward with those two (2) proposals. Mr. Olson will advise Council on period for getting additional information. He estimated approximately 45 days.

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.

PROPOSED

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 7:51 p.m.

RECONVENE REGULAR MEETING.

Mayor Lee Pettle reconvened the meeting at 8:31 p.m.

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

No action was taken.

ADJOURN

Mayor Lee Pettle adjourned the meeting at 8:32 p.m.

APPROVED:

_____
Mayor Lee Pettle

ATTESTED:

Approved on the __6th_____ day of _____September____, 2022.

_____
Patti Scott Grey, City Secretary

PROPOSED

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:	August 28, 2022
Exhibits:	• **Proposed Minutes**		

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR SEPTEMBER 6, 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:	09/01/2022
City Attorney:	Trey Lansford	Date:	09/01/2022
City Administrator:	Luke B. Olson	Date:	09/02/2022

MINUTES

CITY COUNCIL MEETING

AUGUST 22, 2022

CALL TO ORDER – Roll Call and Determination of a Quorum

The Parker City Council met in a special 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 Michael Slaughter and Councilmembers Diana M. Abraham, Terry Lynch, Cindy Meyer and Jim Reed, and 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, and Assistant Police Chief Kenneth Price

INDIVIDUAL CONSIDERATION ITEMS

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 821 ADOPTING THE 2022 TAX RATE.

   Finance/Human Resources Director Savage reviewed City Council Work Session FY 2022-223 Final Action on Tax Rate PowerPoint for all three (3) items on tonight's agenda. [***See Exhibit 1 – Finance/Human Resources Director Grant Savage's City Council Work Session FY 2022-223 Final Action on Tax Rate PowerPoint, dated August 22, 2022***.]

   MOTION: Councilmember Abraham moved to adopt Ordinance No. 821 setting a tax rate pf $0.329289, which is effectively a 2.87 percent increase in the tax rate above the No-New Revenue Tax Rate. Mayor Pro Tem Slaughter seconded with the following record vote: Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 822 ADOPTING THE 2022-2023 BUDGET.

   MOTION: Councilmember Abraham moved to adopt Ordinance No. 822 approving the Fiscal Year 2022-2023 Budget as presented. Councilmember Meyer seconded.

   Councilmember Lynch voiced concern regarding proposed Ordinance No. 822, **Section 5.**, **1.** and **2.** as follows:

PROPOSED

SECTION 5. Specific authority is given to the Mayor, conditioned as set forth below, to make the following adjustments:

1. With the concurrence of the Director of Finance, the transfer of appropriations budgeted from one account classification to another account classification within the same department.

2. With the approval of City Administrator and or Mayor, transfer of appropriations from designated appropriation from one department or activity to another department or activity within the same fund.

Councilmember Lynch suggested **Section 5.**, **1.** and **2.**, be amended to limit the Mayor's adjustments to 5 percent (5%) or $10,000. Councilmember Reed said he questioned the section as well.

There was discussion on Texas Local Government Code, Title 4. Finances, Subtitle A. Municipal Finances, Chapter 102. Municipal Budget; emergency situations when the section could be necessary and why it is important that it remain in the ordinance; and increasing the adjustment limit to $25,000, before the record vote.

The record vote for the motion was as follows: Councilmembers Abraham, Meyer, Reed, and Slaughter voting for the motion. Councilmember Lynch voted against the motion. Motion carried 4-1.

3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 823 RATIFYING THE PROPERTY TAX REVENUE INCREASE IN THE 2022-23 BUDGET AS A RESULT OF THE CITY RECEIVING MORE REVENUES FROM PROPERTY TAXES IN THE 2022-23 BUDGET THAN IN THE PREVIOUS FISCAL YEAR; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Mayor Pro Tem Slaughter moved to adopt Ordinance No. 823 ratifying the increase in property tax revenues reflected in the Fiscal Year 2022-2023 Budget. Councilmember Reed seconded the following record vote: Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

Mayor Pettle explained the tax rate was decreased, but due to Parker property values increasing, there is a tax increase.

ADJOURN

Mayor Lee Pettle adjourned the meeting at 7:38 p.m.

PROPOSED

APPROVED:

_____
Mayor Lee Pettle

ATTESTED:

Approved on the __6th_____ day
of _____September____, 2022.

_____
Patti Scott Grey, City Secretary

PROPOSED

City Council Work Session
FY 2022-2023
Final Action on Tax Rate

Monday, August 22, 2022

Exhibit 1

FY 2022-2023

PROPOSED TAX RATE

- The proposed tax rate is $0.329289 (decrease of $0.036695 from the previous year).

- Although the rate decreased, the City Council was required to hold a public hearing on the proposed tax rate because it exceeded the "No-New Revenue Tax Rate". That meeting was on August 16th.

- Final action on the tax rate will be at City Hall on Monday, August 22, 2022 at 7:00 PM.

FY 2022-2023

PROPOSED TAX RATE

Tax Rate Calculations

	2021	2022
No-New-Revenue Tax Rate	0.349195	0.320101
Voter-Approval Tax Rate (3.5%)	0.360290	0.329289
M&O Rate	0.331870	0.325247
Debt Tax Rate	0.034114	0.028152
De minimis Rate	0.389999	0.353399
Proposed Tax Rate		0.329289

City Council Work Session
FY 2022-2023
Final Action on Budget

Monday, August 22, 2022

Meeting Date: 09/06/2022 Item 2.

FY 2022-2023

BUDGET CALENDAR

Date	Budget Action
Monday, May 23	Budget Planning Workshop
Monday, June 6	Council Goals Workshop
Monday, June 20	Budget Planning Workshop
Tuesday, July 12	1st Budget Workshop
Thursday, July 28	2nd Budget Workshop
Tuesday, August 2	Set Proposed Tax Rate
Friday, August 5	File Proposed Budget with City Secretary and post on website
Tuesday, August 16	Public Hearing on Proposed Tax Rate and Budget
Monday, August 22	Final Action on Tax Rate and Budget

FY 2022-2023

PROPOSED BUDGET

- The budget has been prepared using the proposed tax rate of $0.329289 per $100 of tax assessed value.

- Final action on the budget will be at City Hall on Monday, August 22, 2022 at 7:00 PM.

CITY OF PARKER
Uniquely Country

FY 2022-2023

PROPOSED BUDGET

Fund	Fund Title	Total Revenues	Total Expenditures	Net Inc/(Dec)
01	General Fund	5,699,824	5,699,824	(0)
03	Water/Wastewater Fund	4,287,600	4,355,239	(67,639)
05	Solid Waste Fund	540,000	540,000	-
21	Law Enforcement Fund	-	4,917	(4,917)
22	Equipment Replacement Fund	415,000	335,000	80,000
23	Court Security Fund	4,200	3,500	700
24	Court Technology Fund	4,200	2,950	1,250
25	Child Safety Fund	6,000	6,000	-
26	Police Donations Fund	1,000	2,500	(1,500)
27	Fire Donations Fund	2,150	73,200	(71,050)
28	Technology Replacement Fund	55,000	55,000	-
29	Parks Fund	7,500	21,500	(14,000)
40	General Obligations Debt Service Fund	413,553	420,021	(6,468)
41	Revenue Bond I&S Fund	551,563	551,563	-
60	Utility Impact Fee Fund	200,000	-	200,000
61	Street Construction Fund	500,000	650,000	(150,000)
62	Utility Construction Fund	10,000	1,550,000	(1,540,000)
63	Drainage Improvement Fund	95,000	95,000	-
65	Facilities Improvement Fund	300,000	300,000	-
		13,092,590	14,666,215	

Comments or Questions?

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:	August 28, 2022
Exhibits:	1. **Proposed Ordinance (w-Exhibits)** 2. **Public Hearing Notice** 3. **Ord. No.'s 815 & 812 (Temporary Moratorium on Acceptance of Development Applications)**		

AGENDA SUBJECT

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. 824 EXTENDING THE TEMPORARY MORATORIUM ENACTED BY ORDINANCE NO.'s 815 & 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:	09/01/2022
City Attorney:	*Trey Lansford*	Date:	09/01/2022
City Administrator:	*Luke B. Olson*	Date:	09/02/2022

ORDINANCE NO. 824
(*Extension of 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, 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, and construction on real property in the City Limits and extraterritorial jurisdiction ("ETJ"); 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, 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

Proposed

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 updated 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, 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 water regulations, and issues that will affect future growth and development of the area within its jurisdiction; and

Proposed

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 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, 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 was published in the newspaper for a public hearing at City Council and City Council approved an extension on June 7, 2022 for an additional 90 days following the original term; and

WHEREAS, the notice for an additional extension of the temporary moratorium was 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

Proposed

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 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

Proposed

construction and land development activities. This extension of the 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. Review the City's policies on the acceptance of applications for municipal Permits for construction or development;

B. Update the City's permitting and planning requirements and processes for utility and water infrastructure;

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

D. 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.

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 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

Proposed

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

   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 water 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 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

Proposed

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 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

Proposed

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 previously extended term of the temporary mortarium which is September 7, 2022 and shall extend the moratorium for 90 days.

Proposed

READ, PASSED, AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 6TH DAY OF SEPTEMBER 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

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.
COOPER E. REINBOLD, P.E.

September 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 completed a demand study for the summer of 2022. The summer of 2022 is being ranked in the top 10 hottest summers of record. The 2022 water records from the City shows July 8th as being the day of maximum usage for this summer. We reviewed the hourly records for the maximum day and the day before and after and have tabulated those hourly results. Based on the number of current connections of 2067 and a per unit density of 1.89 persons per unit calculates a population of 5,767. For July 8th the maximum daily demand was 4,011,949 gallons which equates to a per capita demand of 695.7 gallons per capita. The maximum hourly demand occurred at 10 PM at a rate of 1,190 gallons per capita. The attached exhibits show how water was used on July 8th hour by hour and how the levels in the tanks fluctuated throughout the day.

The current North Texas Municipal Water District (NTMWD) contract allocates a maximum supply of 3.5million gallons per day (MGD). For the month ending July 31st the NTMWD suppled the City of Parker 119,031,000 gallons or an average of 3.84 MGD. From August 1, 2021, thru July 31, 2022 the NTMWD supplied the City of Parker 633,119,000 gallons or an average volume of 1,734,573 gallons per day. By the current NTMWD contract the NTMWD can provide the city 2.5(peak factor) times the average day volume. For July of 2022 the average to maximum day peaking factor was. 2.21.

Based on the revised per capita demands experienced during the summer of 2022 the City has exceeded its contractual NTMWD supply of 3.5 MGD, however the peaking factor between average demand and peak demand was not exceeded (2.21 versus 2.5) The summer of 2022 shows the NTMWD was able to supply the peak demand experienced by the City of Parker.

Based on approved lots an additional 797 lots remain to be completed. Those 797 lots equates to a population of approximately 2,224 and a maximum daily demand of 1.55 MGD for a systemwide maximum daily demand of 5.6MGD.

Based on the summer of 2022 records, we recommend no additional lots be approved for development until a contract with NTMWD is executed to supply water to the Central Pump Station. Further, we recommend that the city review the hourly usage records in depth and determine methods to better manage water and its peak use.

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

Sincerely,

John W. Birkhoff, P.E.

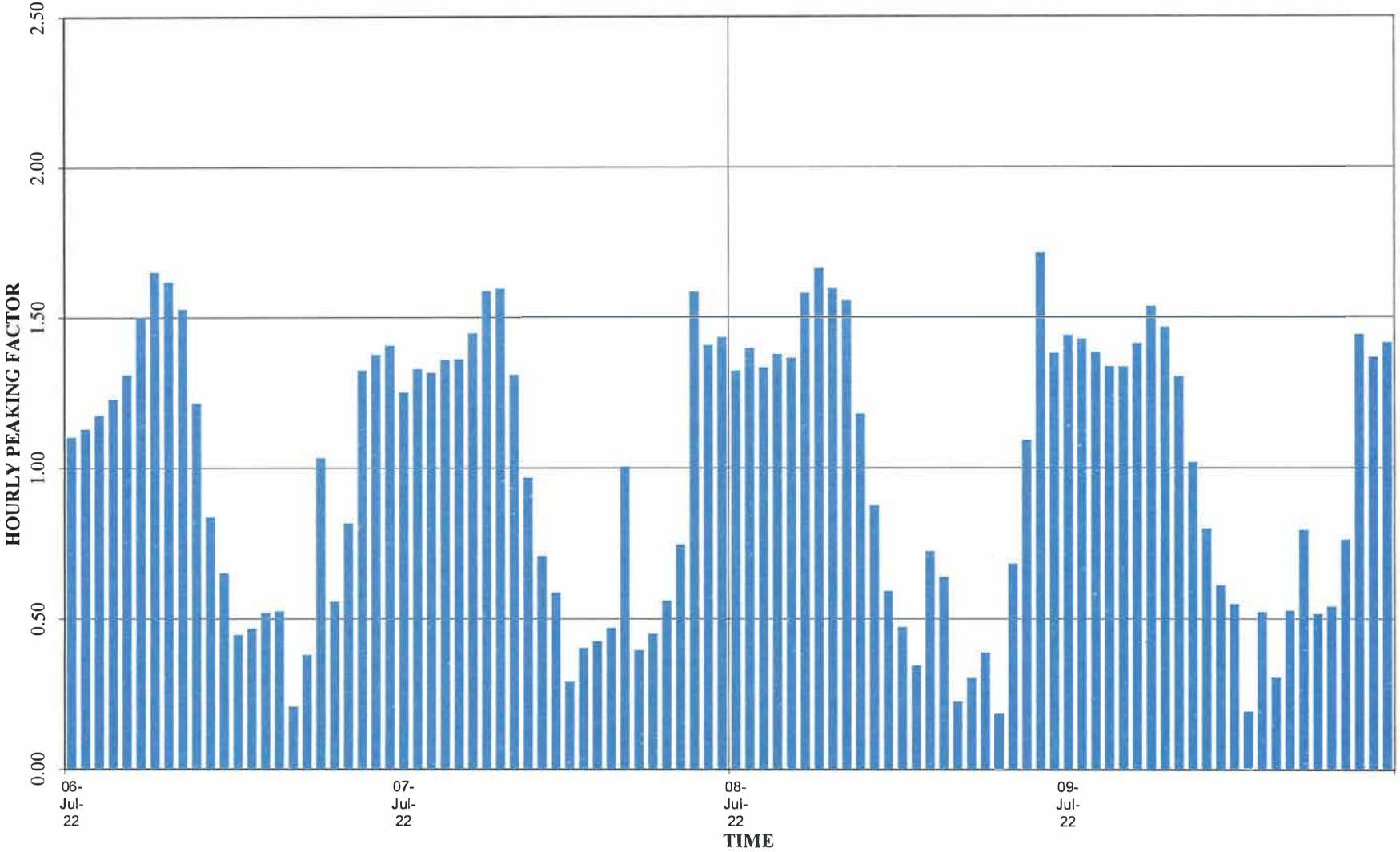
TABLE 1: CITY OF PARKER - DEMAND STUDY RESULTS
July 6 - July 9, 2022

DATE	Time (hr)	Total Hourly Pumpage (GAL)	Volume into Elev. Storage (GAL)	Volume out of Elev. Storage (GAL)	Difference Between Vol. into Elev. Stor. & Out of Elev Storage (GAL) ( ) Represents Refill Deficiency	Net System Demand (GAL)	Net System Hour Demand (gal/day)	HOURLY PEAKING FACTOR
July 6, 2022	0:00	178,159.8	0.0	0.0		178,159.8	4,275,835.2	1.10
	1:00	191,962.2	(9,428.7)	0.0		182,533.5	4,380,804.0	1.13
	2:00	192,854.4	(3,142.9)	0.0		189,711.5	4,553,076.0	1.17
	3:00	192,328.2	0.0	6,285.8		198,614.0	4,766,736.0	1.23
	4:00	195,819.0	0.0	15,714.5		211,533.5	5,076,804.0	1.31
	5:00	198,577.2	0.0	44,000.6		242,577.8	5,821,867.2	1.50
	6:00	200,751.6	0.0	66,000.9		266,752.5	6,402,060.0	1.65
	7:00	201,770.4	0.0	59,715.1		261,485.5	6,275,652.0	1.62
	8:00	199,618.8	0.0	47,143.5		246,762.3	5,922,295.2	1.53
	9:00	193,255.2	0.0	3,142.9		196,398.1	4,713,554.4	1.21
	10:00	188,757.6	(53,644.0)	0.0		135,113.6	3,242,725.3	0.84
	11:00	186,994.8	(81,715.4)	0.0		105,279.4	2,526,705.6	0.65
	12:00	182,176.8	(110,001.5)	0.0		72,175.3	1,732,207.2	0.45
	13:00	190,084.8	(117,836.0)	3,357.6		75,606.4	1,814,554.7	0.47
	14:00	165,227.4	(81,173.9)	0.0		84,053.5	2,017,284.0	0.52
	15:00	98,962.2	(13,989.6)	0.0		84,972.6	2,039,342.4	0.53
	16:00	0.0	0.0	33,705.0		33,705.0	808,920.0	0.21
	17:00	0.0	0.0	61,458.5		61,458.5	1,475,004.0	0.38
	18:00	92,896.8	0.0	74,051.4		166,948.2	4,006,756.8	1.03
	19:00	99,202.8	(9,055.5)	0.0		90,147.3	2,163,535.2	0.56
	20:00	101,125.2	0.0	30,887.8		132,013.0	3,168,312.0	0.82
	21:00	179,578.8	0.0	34,523.9		214,102.7	5,138,464.8	1.32
	22:00	194,262.6	0.0	28,286.1		222,548.7	5,341,168.8	1.38
	23:00	208,478.4	0.0	18,857.4		227,335.8	5,456,059.2	1.41
TOTAL		**3,832,845.0**	**(479,987.5)**	**527,131.0**	**(47,143.5)**	**DAILY DEMAND 3,879,988.5**		
July 7, 2022	0:00	209,163.6	0.0	0.0		209,163.6	5,019,926.4	1.25
	1:00	209,552.4	0.0	12,571.6		222,124.0	5,330,976.0	1.33
	2:00	210,594.0	0.0	9,428.7		220,022.7	5,280,544.8	1.32
	3:00	211,486.8	0.0	15,714.5		227,201.3	5,452,831.2	1.36
	4:00	211,864.2	0.0	15,714.5		227,578.7	5,461,888.8	1.36
	5:00	213,615.6	0.0	28,286.1		241,901.7	5,805,640.8	1.45
	6:00	215,091.6	0.0	50,286.4		265,378.0	6,369,072.0	1.59
	7:00	213,375.0	0.0	53,429.3		266,804.3	6,403,303.2	1.60
	8:00	208,968.6	(47,143.5)	57,080.0		218,905.1	5,253,722.5	1.31
	9:00	189,249.6	(88,001.2)	60,437.6		161,686.0	3,880,465.2	0.97
	10:00	184,225.2	(119,430.2)	53,722.4		118,517.4	2,844,416.5	0.71
	11:00	178,583.4	(134,060.8)	53,722.4		98,245.0	2,357,878.9	0.59
	12:00	69,824.4	(71,476.5)	50,364.7		48,712.6	1,169,102.6	0.29
	13:00	0.0	0.0	67,487.9		67,487.9	1,619,708.5	0.40
	14:00	0.0	0.0	71,247.2		71,247.2	1,709,931.7	0.43
	15:00	0.0	0.0	78,555.7		78,555.7	1,885,337.8	0.47
	16:00	99,637.8	0.0	68,289.4		167,927.2	4,030,252.8	1.00
	17:00	101,548.8	(35,289.8)	0.0		66,259.0	1,590,216.0	0.40
	18:00	100,393.2	(25,070.3)	0.0		75,322.9	1,807,749.6	0.45
	19:00	101,766.0	(7,929.3)	0.0		93,836.7	2,252,080.8	0.56
	20:00	103,116.6	0.0	21,786.0		124,902.6	2,997,662.4	0.75
	21:00	177,930.6	0.0	87,121.1		265,051.7	6,361,240.8	1.59
	22:00	194,548.8	0.0	40,857.7		235,406.5	5,649,756.0	1.41
	23:00	208,282.2	0.0	31,429.0		239,711.2	5,753,068.8	1.43
TOTAL		**3,612,818.4**	**(528,401.6)**	**927,532.1**	**(399,130.5)**	**DAILY DEMAND 4,011,948.9**		
July 8, 2022	0:00	208,133.4	0.0	12,571.6		220,705.0	5,296,920.0	1.32
	1:00	211,143.6	0.0	22,000.3		233,143.9	5,595,453.6	1.40
	2:00	209,941.8	0.0	12,571.6		222,513.4	5,340,321.6	1.33
	3:00	207,961.8	0.0	22,000.3		229,962.1	5,519,090.4	1.38
	4:00	208,888.8	0.0	18,857.4		227,746.2	5,465,908.8	1.37
	5:00	213,444.0	0.0	50,286.4		263,730.4	6,329,529.6	1.58
	6:00	214,599.6	0.0	62,858.0		277,457.6	6,658,982.4	1.66
	7:00	215,950.2	0.0	50,286.4		266,236.6	6,389,678.4	1.60
	8:00	215,434.8	0.0	44,000.6		259,435.4	6,226,449.6	1.56
	9:00	206,634.0	(9,643.4)	0.0		196,990.6	4,727,773.3	1.18
	10:00	202,513.8	(56,572.2)	0.0		145,941.6	3,502,598.4	0.87
	11:00	199,412.4	(100,572.8)	0.0		98,839.6	2,372,150.4	0.59
	12:00	195,235.2	(116,287.3)	0.0		78,947.9	1,894,749.6	0.47
	13:00	188,895.0	(134,555.5)	3,357.6		57,697.1	1,384,731.5	0.35
	14:00	206,565.6	(201,458.8)	115,698.1		120,804.9	2,899,316.8	0.72
	15:00	209,575.2	(282,042.4)	179,145.3		106,678.1	2,560,275.2	0.64
	16:00	194,857.8	(157,223.3)	0.0		37,634.5	903,227.8	0.23
	17:00	192,099.6	(141,430.5)	0.0		50,669.1	1,216,058.4	0.30
	18:00	189,501.6	(124,765.7)	0.0		64,735.9	1,553,661.6	0.39
	19:00	100,919.4	(70,149.0)	0.0		30,770.4	738,489.6	0.18
	20:00	100,873.8	0.0	13 143.6		114,017.4	2,736,417.6	0.68
	21:00	104,215.2	0.0	78,150.2		182,365.4	4,376,769.6	1.09
	22:00	179,109.6	0.0	106,763.8		285,873.4	6,860,961.6	1.71
	23:00	195,738.6	0.0	34,571.9		230,310.5	5,527,452.0	1.38
TOTAL		**4,571,644.8**	**(1,394,701.0)**	**826,263.1**	**568,437.8**	**DAILY DEMAND 4,003,207.0**		

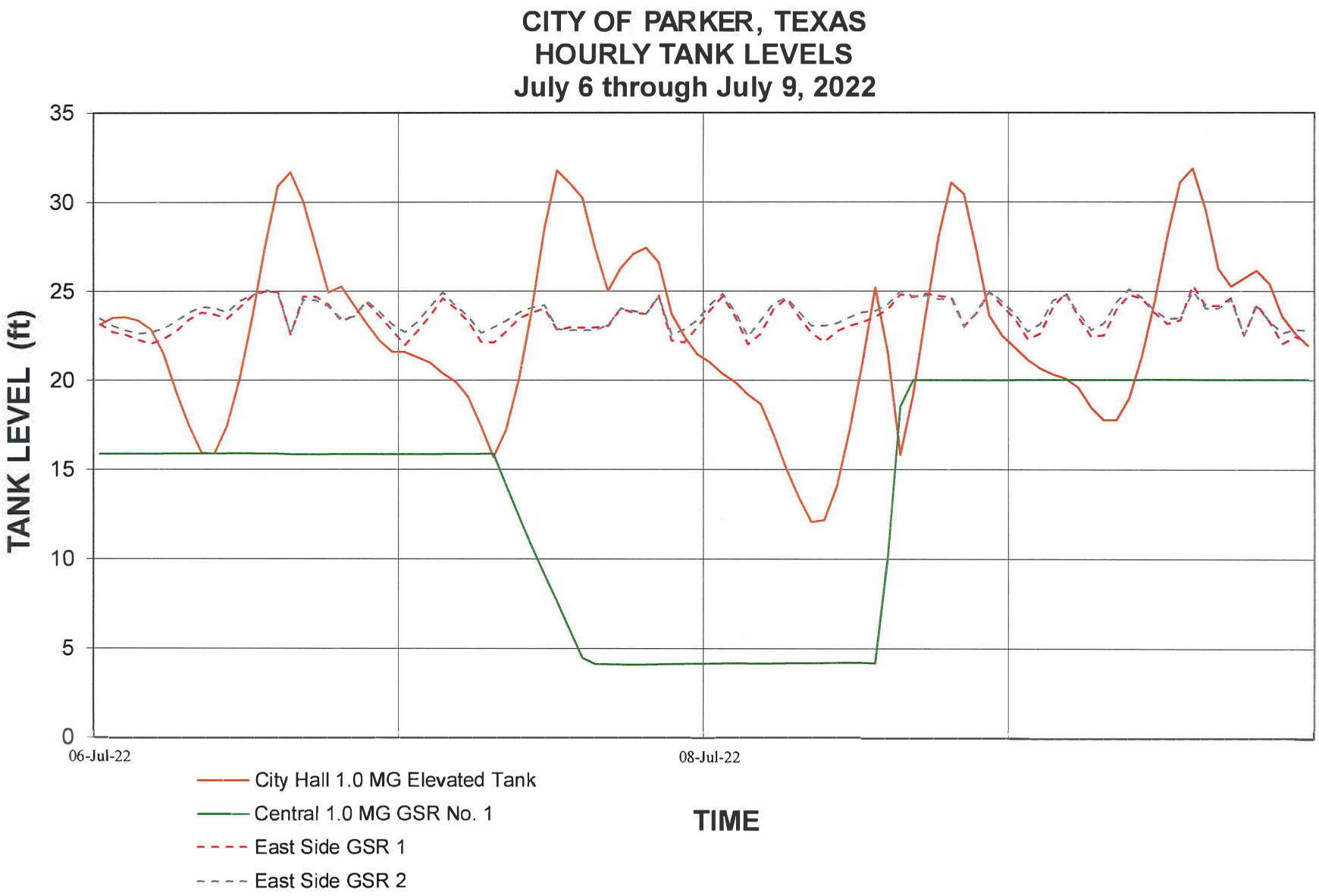
TABLE 1: CITY OF PARKER - DEMAND STUDY RESULTS
July 6 - July 9, 2022

DATE	Time (hr)	Total Hourly Pumpage (GAL)	Volume into Elev. Storage (GAL)	Volume out of Elev. Storage (GAL)	Difference Between Vol. into Elev. Stor. & Out of Elev Storage (GAL) ( ) Represents Refill Deficiency	Net System Demand (GAL)	Net System Hour Demand (gal/day)	HOURLY PEAKING FACTOR
July 9, 2022	0:00	211,292.4	0.0	22,000.3		233,292.7	5,599,024.8	1.44
	1:00	209,254.8	0.0	22,000.3		231,255.1	5,550,122.4	1.43
	2:00	208,339.2	0.0	15,714.5		224,053.7	5,377,288.8	1.38
	3:00	207,080.4	0.0	9,428.7		216,509.1	5,196,218.4	1.34
	4:00	210,090.6	0.0	6,285.8		216,376.4	5,193,033.6	1.34
	5:00	213,237.6	0.0	15,714.5		228,952.1	5,494,850.4	1.41
	6:00	214,062.0	0.0	34,571.9		248,633.9	5,967,213.6	1.53
	7:00	212,391.0	0.0	25,143.2		237,534.2	5,700,820.8	1.47
	8:00	211,155.0	0.0	0.0		211,155.0	5,067,720.0	1.30
	9:00	206,016.0	(40,857.7)	0.0		165,158.3	3,963,799.2	1.02
	10:00	201,426.6	(72,286.7)	0.0		129,139.9	3,099,357.6	0.80
	11:00	196,265.4	(97,333.9)	0.0		98,931.5	2,374,356.0	0.61
	12:00	191,870.4	(102,861.4)	0.0		89,009.0	2,136,216.0	0.55
	13:00	101,217.0	(70,149.0)	0.0		31,068.0	745,632.0	0.19
	14:00	100,404.6	(15,732.0)	0.0		84,672.6	2,032,142.4	0.52
	15:00	0.0	0.0	49,321.5		49,321.5	1,183,716.0	0.30
	16:00	0.0	0.0	85,417.7		85,417.7	2,050,024.8	0.53
	17:00	99,180.0	0.0	29,353.2		128,533.2	3,084,796.8	0.79
	18:00	98,424.6	(14,841.5)	0.0		83,583.1	2,005,994.4	0.52
	19:00	99,305.4	(11,708.3)	0.0		87,597.1	2,102,330.4	0.54
	20:00	99,786.6	0.0	23,581.5		123,368.1	2,960,834.4	0.76
	21:00	177,587.4	0.0	55,808.4		233,395.8	5,601,499.2	1.44
	22:00	193,083.6	0.0	28,286.1		221,369.7	5,312,872.8	1.37
	23:00	207,126.0	0.0	22,000.3		229,126.3	5,499,031.2	1.41
TOTAL		3,868,596.6	(425,770.5)	444,627.9	(18,857.4)	DAILY DEMAND 3,887,454.0		

CITY OF PARKER, TEXAS
DEMAND CURVE
July 6 through July 9, 2022



J:\CLERICAL\Parker\1-4096 General Services\272 - Parker Water Supply Projections\Parker Demand Study_East Side & Central GSR.xlsxPEAK FACTOR GRAPH


CITY OF PARKER, TEXAS
HOURLY TANK LEVELS
July 6 through July 9, 2022
TANK LEVEL (ft)
35
30
25
20
15
10
5
0
06-Jul-22
08-Jul-22
TIME
City Hall 1.0 MG Elevated Tank
Central 1.0 MG GSR No. 1
East Side GSR 1
East Side GSR 2

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 #:	0001829989	**PO Number:**	
Sales Rep:	Max (Mert) Tezkol	**Order Taker:**	Max (Mert) Tezkol

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

Ad Order #: 0001829989

Ad Number: 0001829989-01

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, September 6, 2022 beginning at 7:00 p.m., followed by discussion and possible action on the proposed ordinance by the Council regarding 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:	08/17/2022	Stop Date:	08/17/2022	Dallas Morning News	Legals Bids Notices - LN Legal Notices
Publish Date:	08/17/2022	Stop Date:	08/23/2022	DallasNews.com	Legals Bids Notices - LN Legal Notices

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

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.

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

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,

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.

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.

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.

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.

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

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

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, 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

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

CITY OF PARKER COLLIN COUNTY, TEXAS

ATTEST:

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.

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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:	City Council
Fund Balance-before expenditure:		Prepared by:	City Secretary Scott Grey for City Administrator Olson
Estimated Cost:		Date Prepared:	August 28, 2022
Exhibits:	1. 2021-2022 Parks and Recreation(P&R) Commission Annual Report 2. August 20, 2019, City Council Meeting Minutes Excerpt		

AGENDA SUBJECT

PARKER PARKS AND RECREATION COMMISSION ANNUAL REVIEW.

SUMMARY

Please review the 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:	09/01/2022
Interim City Attorney:	Trey Lansford	Date:	09/01/2022
City Administrator:	Luke B. Olson	Date:	09/02/2022

2021~2022 Parks and RecreationAnnual Update Report

August 31, 2022

Dear Mayor and City Council,

With Covid and inflation still in the picture, we have continued to make progress that we are
proud to report .

1. New commission members were installed December 2021. Early in December , holiday lights were installed on City Hall, compliments of J. Bell Lighting.
2. Re-Cap of Parkerfest October 24, 2021: A great tent was erected across from City Hall. Many activities took place over a 3 hour period including a successful food drive, donations for Angel Tree, food vendors , games, face painting, carnival eats and treats, pumpkin crafts with Pier Burgess garnered attention from state level officials at Keep Texas Beautiful, a petting zoo, bounce house, and much more. Over 350 people attended , thanks to Chief Brooks and his staff skillfully guiding the folks for parking, drop- offs, and navigating the attendees around The Blues Brothers band. Monies and donations raised exceeded $5000 in value for worthy community projects. We are in the process of finalizing Parkerfest 2022, with a subcommittee hard at work.
3. Wildflowers planting with seeds donated by Kimberly and Duane Hinshaw and bed work by Cherie Ware , the commissioner and volunteers resulted in a nice showing of bluebonnets and wildflowers , despite multiple hard freezes over that last 18 months. Another seeding will occur in the upcoming fall months.
4. The Parker Women's Club had their annual fundraiser , designating the Park and Recreation Commission the beneficiary of $14,000.00 for park improvements , benches and tables, and further enhancements for residents to enjoy. Kimberly Hinshaw spearheaded this contribution. Presently, the Commission is researching items and cost that would make the greatest impact on the Park/ Preserve. Also, the split rail fence (that has deteriorated) is in the midst of replacement , as soon as weather allows. The redwood signs at each entrance of the Preserve, have been completed , thanks to Rick Debus , Franks DaCosta and Logan Donaghy.
5. The Great American Clean-Up was done in conjunction with Keep Texas

Beautiful, led by Frank and Donna DaCosta. It was initially delayed by weather, by occurred in late May . Many thanks to the team of volunteers that worked hard on this outdoor project, despite the weather breaking heat. Clean-up items and materials were again provided by Keep Texas Beautiful and Lowe's.

6. First Responder Signs will again be on display following Parkerfest.
7. As of this writing, Parkerfest 2022 planning is in full swing, slated to occur Sunday, October 30, 2022, 3-6pm. A similar venue in the park - staged in same area, with entertainment, food, vendors, fun and games. We do need volunteers and hope the City Council, Parker residents and staff to assist! Admission will be canned/dry goods, and donations for Angel Tree , in lieu of a fee.
8. This past year , Keep Texas Beautiful offered several online training programs free for our commissioners , to learn unique ways other cities and towns have beautified and improved their cities.
9. The Commission plans on a Holiday Tree Lighting, treats , and special visitors from up North on Sunday, November 30, 2022 4-6 pm. Ideas and planning are underway. We are looking forward to another surprise this year.

I want to thank all the commissioners, alternates, city staff, volunteers, donors and sponsors. It's takes all of us to keep Parker unique.

Kimberly Hinshaw
Chair, Parks and Recreation Commission

August 20, 2019 City Council Meeting Minutes Excerpt

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 766, REINSTITUTING THE PARKER PARKS AND RECREATION COMMISSION. [PETTLE/OLSON/SHELBY] [TABLED – 10082018 AND 06182019]

   Mayor Pettle said when she discussed the issue of the annual review of the Parks and Recreation Commission with City Attorney Shelby he indicated the matter was best handled with the Future Agenda Items rather than being a part of the ordinance.

   MOTION: Councilmember Smith moved to approve Ordinance No. 766, reinstituting the Parker Parks and Recreation (P & R) Commission, noting the annual review would be handled on the Future Agenda Items rather than be stated in the Ordinance. Councilmember Taylor seconded with Councilmembers Abraham, Meyer, Smith, Standridge, and Taylor voting for the motion. Motion carried 5-0.

   Mayor Pettle thanked everyone who helped with the reestablishment of the Parks and Recreation (P & R) Commission.

   Kimberly Hinshaw, 5208 Estate Lane, conveyed how excited she is to see the Parks and Recreation Commission reinstituted and to be involved with it. Ms. Hinshaw said she had lots of ideas for the community as far as activities and beautification projects. She said she was a longtime resident, and that Parker was featured in D Magazine as the best little city in North Texas, partially due to the city's beautification and community efforts.

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:	August 28, 2022
Exhibits:	**None**	

AGENDA SUBJECT

UPDATE(S):

ANY COMMITTEE UPDATES, AS NEEDED.

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:	09/01/2022
City Attorney:	Trey Lansford	Date:	09/01/2022
City Administrator:	Luke B. Olson	Date:	09/02/2022

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:	August 28, 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:	09/01/2022
City Attorney:	Trey Lansford	Date:	09/01/2022
City Administrator:	Luke B. Olson	Date:	09/02/2022

AGENDA DATE	ITEM DESCRIPTION	CONTACT	Notes
2022			
~~Feb(Mar),~~ May (July), Aug, Nov	Fire Department Quarterly Report	Sheff/Miller	1st Qtr 2022 0621 CC Agenda
~~Feb(Mar), May (July)~~, Aug, Nov	Investment Quarterly Report	Savage	2nd Qtr 2022 0816 CC Agenda
	Council Committee Updates	Council	2022 0126 Any Committees updates, as needed
September 20, 2022	Other Maps - Zoning, Transportation, Annexation,	Olson, Lansford, Machado	Updating City Maps: (I) The Annexation/Boundary Map, (Ii) The Zoning Map, And (Iii) The Thoroughfare Map
September 20, 2022	Lovejoy New Venture Zoning	Machado	Permanent SF Zoning
Tentatively - September 20, 2022	Possible Budget Amendments	Savage	If needed
Tentatively - September 20, 2022	Dublin Road Safety Issues	Pettle	Workshop
Tentatively - Sept/Oct 2022	Civic Plus Contract?	Pettle	Work in Progress; CALO - no contract - reviewing pricing options
Tentatively - Oct 18, 2022	Water Rate Analysis - Ongoing	Olson/Machado	0810 Ord739 2016 Water Rate Amendments for 2016-2020; Waiting on numbers; Finalizing
Tentatively - Oct 18, 2022	Council Term Length	Lansford	
Tentatively - Oct 18, 2022	Capital Asset Policy - Revisions	Olson/Lansford	2022 0719 Postponed Res. No. 2022-706 - Capital Asset Policy
Tentatively - 2022	Fences in Drainage Easements	Lynch	Requested @ 2022 0802 CC Mtg
Tentatively - 2022	Workshop - CIP	Lynch	MLP added 2022 0713; 2022 0720 MLP - after budget
Tentatively - 2022	Oncor & Frontier Franchise (All?) - Review Ongoing		2021 0615 added - When due
Tentatively - Nov/Dec 2022	Comp Plan	Pettle/Slaughter	Added 2022 0330 Agenda Meeting; by end of year; waiting on maps
Tentatively - Nov. 15, 2022	Making Appointments: P&Z, ZBA, & P&R	C'Sec	Expiring 11/30
Tentatively - December 6, 2022	Cancel/Reschedule 2022 1220 due to Christmas Holiday?	Mayor	Check w/Mayor Pettle
Tentatively - December 6, 2022	Cancel/Reschedule 2023 0103 due to New Year's Holiday?	Mayor	Check w/Mayor Pettle
February 17, 2023	Facility Bond & Sales Tax	Council	Last Day to Order GE - Friday, Feb. 17, 2023