AGENDA

CITY COUNCIL SPECIAL MEETING

NOVEMBER 14, 2023 @ 6:00 PM

Notice is hereby given the City Council for the City of Parker will meet on Tuesday, November 14, 2023 at 6:00 PM 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

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 AT 7:00 PM.

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

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.

PRESENTATION

i. ELVIS AND LINDA NELSON DONATION

ITEMS OF COMMUNITY INTEREST

i. PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, DECEMBER 13, 2023, 5 PM

CITY COUNCIL (CC) – TUESDAY, NOVEMBER 21, 2023 (CANCELED – DUE TO THANKSGIVING HOLIDAY)
CANCELED - CITY COUNCIL (CC) – TUESDAY, JANUARY 2, 2024, 7 PM

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

1. APPROVAL OF MEETING MINUTES FOR OCTOBER 17, 2023. [CITY COUNCIL CAPITAL IMPROVEMENT PLAN (CIP) - PHASED APPROACH WORKSHOP]
2. APPROVAL OF MEETING MINUTES FOR OCTOBER 17, 2023. [REGULAR MEETING]
3. APPROVAL OF MEETING MINUTES FOR OCTOBER 24, 2023. [JOINT CITY COUNCIL & PLANNING AND ZONING (P&Z) COMMISSION COMPREHENSIVE PLAN WORKSHOP]
4. APPROVAL OF MEETING MINUTES FOR OCTOBER 30, 2023. [CITY COUNCIL CAPITAL IMPROVEMENT PLAN (CIP) - PHASED APPROACH WORKSHOP]
5. CONSIDERATION AND APPROPRIATE ACTION ON RESOLUTION NO 2023-767 REGARDING PARTICIPATION IN THE TEXAS SMARTBUY PROGRAM OF THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS PURSUANT TO TEXAS LOCAL GOVERNMENT CODE § 271.083 FOR THE PURCHASE OF TOXICOLOGY BLOOD EVIDENCE COLLECTION KITS.
6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-768 OF THE CITY OF PARKER. TEXAS FINDING THAT COSERV GAS, LTD.'S STATEMENT OF INTENT TO INCREASE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND THE CITY'S LEGAL COUNSEL..

INDIVIDUAL CONSIDERATION ITEMS

7. **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. 854 EXTENDING THE TEMPORARY MORATORIUM ENACTED BY ORDINANCE NO.'S 844, 839, 846, 833, 824, 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.

PRESENTATION

i. TEXAS COALITION FOR AFFORDABLE POWER [TCAP] – ELECTRIC SUPPLY

INDIVIDUAL CONSIDERATION ITEMS

2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-769 REGARDING __7__ VOTES FOR COLLIN COUNTY CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS.
3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 855 APPOINTING A DEPUTY CITY SECRETARY WITH THE POWERS AND DUTIES TO ASSIST WITH SAID OFFICE AND TO SERVE IN THE ABSENCE OF THE CITY SECRETARY.
4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-770 MAKING APPOINTMENTS TO THE PLANNING AND ZONING (P&Z) COMMISSION.
5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-771 MAKING APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENT (ZBA).
6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-772, MAKING APPOINTMENTS TO THE TO THE PARKS AND RECREATION COMMISSION.
7. CONSIDERATION, DISCUSSION, AND/OR APPROPRIATE ACTION ON A RESOLUTION NO 2023-773 REGARDING APPROVAL OF THE 2023-2024 INVESTMENT POLICY.
8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 856 REGARDING A TEXAS MUNICIPAL RETIREMENT SYSTEM (TMRS) ADJUSTMENT.
9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 857, APPROVING THE 2023 TAX ROLL.
10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON SETTING A PUBLIC HEARING DATE FOR LAND USE ASSUMPTIONS, WATER CAPITAL IMPROVEMENT PLAN, AND WATER IMPACT FEES.
11. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 858 AUTHORIZING EXPENDITURES AND APPROVING AMENDMENT(S) TO THE FY 2023-2024 OPERATING BUDGET.

ROUTINE ITEMS

12. UPDATE(S):

    2551

    ENTERPRISE UPDATE BY CITY ADMINISTRATOR OLSON

    NEWSLETTER

    WEBSITE

    TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)

    CIP

    COMP PLAN

    POLICE VEHICLES

    ANY ADDITIONAL UPDATES

    MONTHLY/QUARTERLY REPORTS

        September 2023 - Code Report

        October 2023 - Building Permit/Code Report

        October 2023 – Court Report

August – September 2023 – Finance (monthly financials) Report

Fire 3rd Qtr. Report 2023

Investment 3rd Qtr. Report 2023

September - October 2023 – Police Report

September 2023 Police Report

October 2023 Police Report

DONATION(S)

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

Kristl Pearl from Dublin Road Estates' National Night Out (NNO) event donated $154 and $130 cash respectively to Parker Fire and Police Departments [2 of 2 Donations – Note: Kristl Pearl from Dublin Road Estates' National Night Out (NNO) event donated $100 each via Phil & JoAnn DeNitto checks 10348 & 10349 to Parker Fire and Police Departments.{1 of 2 Donations - Recorded on 2023 1017 CC Agenda/Minutes}].

E.B.A. Automotive 5843 Curtis Dr. Suite 500 Allen, TX 75002 donated donuts valued at $10 to the City of Parker.

Chip and Linda Justice donated Tiff's Treats valued at $100 to the Parker Police Department.

Elvis and Linda Nelson donated $500 to the Parker Fire Department in recognition of their efforts to save Elvis' life in January 2022 and their property in February 2023.

Kathy Young donated homemade banana nut bread valued at $10 to the Parker Police Department.

The Regh's donated Nothing Bundt Cakes valued at 30.00 to the Parker Police Department.

Scott Jeffries and Andrea Petro donated $500 each to the Parker Fire and Police Departments.

First United, Durant, OK donated $500 via Check No. 229278 to City of Parker, TX Parkerfest.

Maryam Boroujerdi and Mohammad Massoudi donated one (1) Dozen Bundtinis valued at $28 to City Staff.

FUTURE AGENDA ITEMS

14. FUTURE AGENDA ITEMS

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 to the requirement 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 November 10, 2023, by 5:00 p.m. at the Parker City Hall, and required by Texas Open Meetings Act (TOMA) is also posted to the City of Parker Website at www.parkertexas.us.

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:	November 2, 2023
Exhibits:	**None**	

AGENDA SUBJECT

ELVIS AND LINDA NELSON DONATION

SUMMARY

Information will be provided at the 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:	11/09/2023
City Attorney:	Amy J. Stanphill	Date:	11/ xx /2023 via Municode
City Administrator:	Luke B. Olson	Date:	11/xx/2023

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:	October 30, 2023
Exhibits:	**None**	

AGENDA SUBJECT

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, DECEMEMBE 13, 2023, 5 PM

CITY COUNCIL (CC) – TUESDAY, NOVEMBER 21, 2023 (CANCELED – DUE TO THANKSGIVING HOLIDAY)

CANCELED - CITY COUNCIL (CC) – TUESDAY, JANUARY 2, 2024, 7 PM

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:	11/09/2023
City Attorney:	Amy J. Stanphill	Date:	11/ xx /2023 via Municode
City Administrator:	Luke B. Olson	Date:	11/xx/2023

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:	October 30, 2023
Exhibits:	**Proposed Minutes**		

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR OCTOBER 17, 2023. [CITY COUNCIL CAPITAL IMPROVEMENT PLAN (CIP) - PHASED APPROACH WORKSHOP]

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:	11/09/2023
City Attorney:	Amy J. Stanphill	Date:	11/xx/2023 via Municode
City Administrator:	Luke B. Olson	Date:	11 xx /2023

CITY OF PARKER

MINUTES

CITY COUNCIL MEETING

OCTOBER 17, 2023

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.

At 4:01 p.m., Mayor Lee Pettle announced there would be a slight delay. She was waiting on a quorum, as there were a couple councilmembers caught in traffic.

Mayor Lee Pettle called the meeting to order at 4:11 p.m. Mayor Pro Tem Jim Reed (arrived at 4:09 p.m.) and Councilmembers Todd Fecht (arrived at 4:14 p.m.), Randy Kercho, Terry Lynch, and Amanda Noe were present.

Staff Present: City Administrator Luke Olson, Asst. City Administrator/City Secretary Patti Scott Grey, Finance/Human Resources Director Grant Savage, City Attorney Amy J. Stanphill, Public Works Director Gary Machado, Fire Chief Mike Sheff, and Police Sergeant Courtnye Dixon

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.

No comments

WORKSHOP

CAPITAL IMPROVEMENT PLAN (CIP)

CONSIDERATION OF PHASED APPROACH

Mayor Pettle turned the meeting over to the Council for a recap, review of updates, which were included in tonight's packet, "City of Parker, Texas Capital Improvement Plan FY23-24 – FY28-29 10/02/2023 Rev 0.2", and further discussion of the CIP plan.

The Mayor, Council, and City Staff made suggestions for additional corrections/updates. Councilmembers Noe and Lynch said they would make the changes to the draft documents and send City Administrator Olson an update before the next CIP meeting for that packet. [***See Exhibit 1 –*** City of Parker, Texas Capital Improvement Plan FY23-24 – FY28-29 10/17/2023 Rev 0.3***, dated October 30, 2023***.]

NEXT SCHEDULED CAPITAL IMPROVEMENT PLAN (CIP) MEETING

The Mayor and City Council scheduled the next special City Council/CIP meeting for Monday, October 30, 2023, 5:00 p.m. – 7:00 p.m..

ADJOURN

Mayor Lee Pettle adjourned the meeting at 5:59 p.m.

PROPOSED

APPROVED:

_____
Mayor Lee Pettle

ATTESTED:

Approved on the ___14th___ day
of ____November_____, 2023.

_____
Patti Scott Grey, City Secretary

PROPOSED

Exhibit 1

City of Parker Texas
Capital Improvement Plan
FY23-24 - FY28-29

10/30/2023 Rev 0.3

City Administrator: Luke Olson 10/30/23 Revised by: Parker City Council

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Introduction

The Parker Capital Improvement Plan (CIP) provides a multi-year view into the City's proposed and approved capital expenditures. The CIP is envisioned to be a living document which is updated as needed to reflect capital expenditure additions/deletions and/or changes in costs as well as serving a point of reference during the City's annual budgeting process. Ultimately, the plan encourages careful project planning and design to avoid costly mistakes and to help Parker reach desired community objectives within its fiscal capacity.

A well-planned maintained and executed capital plan is a wise investment that will enable the city to:

- maximize use of municipal assets,
- lower maintenance and replacement costs,
- decrease risk of injury or liability from using deteriorating capital assets,
- enhance efficiencies in vehicles and equipment,
- decrease future expenditures through proactive maintenance and replacement of equipment, facilities, and infrastructure,
- assist in identifying the alternative means to finance capital needs and weigh the impact on the City's tax rates against its proposed capital needs, and
- increase the attractiveness of Parker as a place to live.

The CIP is updated as needed to address:

- Progress made toward funding the planned projects,
- Updating the six-year projections, and
- Keeping current with changing information and priorities relating to the city's needs.

Adequate funding of capital needs presents many small cities with significant challenges, and Parker is no exception. With appropriate planning and careful use of resources, the City of Parker can address many of its most pressing needs affordably and sustainably.

This plan was developed in close collaboration with the Mayor, City Administrator, Finance Director, City Attorney, Department Directors, City Engineer, and the City Council. The effort could only come to fruition with these stakeholders' deep engagement.

DRAFT

Capital Planning Process Goals and Objectives

The Capital Planning Process seeks the following objectives:

- To maintain Parker's physical assets by providing funding in the annual operating budget to protect its capital investments and minimize future maintenance and replacement costs.
- To pursue a preventive maintenance program as a cost-effective approach to protecting its capital investments and maximizing the useful life of its capital assets including the procurement of outside services where city staff capacity or expertise appears insufficient to perform such preventative maintenance.
- To provide and preserve the infrastructure and equipment needed for achieving the highest levels of public services and quality of life possible by annually updating a six-year Capital Improvement Plan to ensure adequate investment in the City's capital assets.

Definition of a Capital Asset

Capital assets for purposes of the CIP are defined in Resolution 2022-706. Capital assets are real or personal property that have a value equal to or greater than the capitalization threshold defined and have an estimated life of longer than one year. Capital assets include land, land improvements, buildings building improvements, machinery and equipment, computer equipment, vehicles and heavy equipment, infrastructure, and construction in progress.

Per Resolution 2022-706, capitalization thresholds and estimated useful lives of capital asset categories are as follows:

Asset Description	Capitalization Threshold	Estimated Useful Lives
Land	$1	
Land Improvements	$12,500	20 Yrs
Buildings & Building Improvements	$25,000	30 Yrs - 40 Yrs
Vehicles and equipment		
• Computer Equipment	$25,000	3 Yrs – 10 Yrs
• Vehicles & Heavy Equipment	$1	5 Yrs – 20 Yrs
• Machinery & Equipment	$2,500	5 Yrs – 10 Yrs
Infrastructure	$25,000	20 Yrs

Donated capital assets are recorded at their estimated fair market value at the time of acquisition plus ancillary charges. Assets acquired with grant funds will be capitalized based on the grant agreement.

Water and Sewer assets are capitalized and have useful lives based upon the underlying asset type (primarily building & building improvements, infrastructure, and machinery & equipment)

DRAFT

Capital Improvements Planning Process

The annual capital planning process is a process by which the city identifies the need to acquire new capital assets, repair or replace existing assets, and the proposed financing of each. It is an annual process conducted with the Mayor, City Administrator, Finance Director, City Attorney, Department Directors, City Engineer, and the City Council. The process includes the following steps:

- conduct an annual review of the capital improvements program of the city as well as proposals addressing the needs of the city's infrastructure and/or the acquisition and maintenance of capital assets,
- review proposals for possible approval by City Council,
- make recommendations and consider project scope and funding regarding the above,
- review in conjunction with the Annual budgeting process
- prepare and present an annual report, and
- update the Capital Improvement Plan.

The CIP is a living plan, as such, proposals as well as approved capital expenditures are subject to change based on new service delivery needs, special financing opportunities, emergency needs, compliance with unfunded mandates, and changing economic conditions. Every effort is made to make the six-year plan as accurate, thorough, and predictable as possible.

Active Capital Projects (FY23-24)

An annual inventory of the upcoming year's active proposed and approved capital projects is a way to monitor the implementation of the Capital Plan. It is also a tool to be used in budget planning and staff resourcing. It can be used for identifying potential funding needs, sources, and re-allocations. It is a tool to help monitor our progress in achieving our stated goals and report on completion success.

DRAFT

Active Capital Projects

Category	*Expenditure*	*Status*	*Proposed Costs*	*Funding Source*	*Grant $ Funding*	*Grant Source*
Buildings and Improvements						
Water Department Building	Design and Build the Water Department Building located at the Dillehay Pump Station	IN DESIGN	875,000	Fund 62 & TBD		
Administrative Facility	Study building a new or renovate existing Admin Building			Fund 65		
Police Station	Study building a new Police Station			Fund 65		
	Create written Building and Improvement Maintenance assessment program					
Vehicles and Equipment						
Police and Public Works	Replace Police and DPW Vehicles with Leased vehicles **(Included in FY23-24 Budget)**	IN PROGRESS	120,000	Fund 22		
Public Works	Replace 2006 Cub Cadet Utility Vehicle 4X4 (06-320) **(Included in FY23-24 Budget)**	IN PROGRESS	16,500	Fund 22		
Police/Fire	Radio Replacements **(Included in FY23-24 Budget)**		60,000	Fund 28		
Administration	Computer Replacements (**Included in FY23-24 Budget**)		30,000	Fund 28		
Administration	Replace PD Copier **(Included in FY23-24 Budget)**		15,000	Fund 28		
Infrastructure						
Streets						
Maintenance (Patch)						
	Develop written policies and procedures relating to street maintenance.					
	Annual Street Maintenance	IN PLANNING	240,326	Fund 61		
Curtis Road (Dillehay to Southridge Pkwy)	Patch Overlay 750'x20' Asphalt	IN PLANNING	75,000	Fund 61		

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Active Capital Projects

Wagon Wheel	Apply fog seal and crack sealant to the asphalt road (1700'x20')	IN PLANNING	7,820	Fund 61		
Sycamore Lane	Apply fog seal and crack sealant to the asphalt road (5300'x20')	IN PLANNING	24,380	Fund 61		
Springhill Estates (ALL)	Apply fog seal and crack sealant to the asphalt road (5883'x24')	IN PLANNING	32,474	Fund 61		
Repair						
Lewis Lane (ALL)	Complete jurisdiction analysis and obtain written agreement on the responsibilities of entities.	IN PLANNING		Fund 61		
Lewis Lane (Kings Crossing Phase 4N to KC Phase 3N)	Remix section next to King's Xing Phase 4. 1000'x24' Asphalt w/ Glas Pave	IN PLANNING	300,000	Fund 61		
Gray Lane	PCI 25; 2211'x19' Asphalt Overlay	IN PLANNING	200,000	Fund 61		
Moss Ridge	Repair Concrete with patch sections	IN PLANNING	256,000	Fund 61		
Drainage						
	Develop written policies and procedures relating to drainage.			Fund 63		
Dublin Road South	Engineering Study and construction of a drainage improvement for S-Curve	IN PROGRESS	250,000	Fund 63		
Water and Sewer System						
Dillehay / FM2551	Replacing and relocating FM2551/Dillehay Water Lines **(Various Approvals - see project detail)**	IN PROGRESS	1,200,000	CC Funds	1,200,000	
Dublin Road Water Lines Eng	Design new Water Infrastructure plan for Dublin Road (North and South)	IN PLANNING		Fund 62		
Dublin Road - South Water Line	Remove and replace existing water lines along Dublin Road - South	IN PLANNING	1,200,000	ARPA	1,200,000	
Water Impact Fee Study	2023-2033 Water Impact Fee Analysis (**Approved Res No 2023-732 4/18/2023)**		25,800	Fund 60		
NTMWD Delivery Point No.2	Connecting the lines from Central Pump Station to NTMWD **(Included in FY23-24 Budget)**	IN PROGRESS	190,000	Fund 62		

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Capital Project Schedule (FY23-24 through FY28-29)

The FY23-24 through FY28-29 Capital Project Schedule is a working document that aims to identify as many proposed capital expenditures as possible to allow sufficient time to weigh their expected benefits against their costs and allow adequate time to finance the City's needs. Projects on this schedule have been identified in a reference study or by a departmental director. Projects are listed in these categories: Facilities, Vehicles and Equipment, Streets, Drainage, Water Infrastructure, Parks and Public Spaces. While this schedule cannot possibly identify all possible future capital needs, it can allow the city to forecast, prioritize and schedule planned capital expenditures over a six-year horizon.

The budget figures included in this schedule are estimates to help identify the scale of the project. The budgeted value of a given project should be refined and justified as the project approaches the first year of the Capital Plan. If a project is expected to be supported with grant funds, where possible, potential funding sources have been identified.

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Capital Project Schedule

Buildings and Improvements

Building	Expenditure	Proposed Costs							Potential Source	Potential Grant $	Potential Grant Source
		FY23-24	FY24-25	FY25-26	FY26-27	FY27-28	FY28-29	Grand Total			
Water Department Building	Design and Build the Water Department Building located at the Dillehay Pump Station	875,000						875,000	Fund 62 & TBD		
Administrative Facility	Study building a new or renovate existing Admin Building							-	Fund 65		
Police Station	Study building a new Police Station							-	Fund 65		
	Building Improvements				1,500,000			1,500,000	Fund 65		
	Create written Building and Improvement Maintenance assessment program							-	Fund 01		
	Building & Improvements Total	***875,000***	***-***	***-***	***1,500,000***	***-***	***-***	***2,375,000***			

Vehicles and Equipment

Department	Expenditure	Proposed Costs							Potential Source	Potential Grant $	Potential Grant Source
		FY23-24	FY24-25	FY25-26	FY26-27	FY27-28	FY28-29	Grand Total			
Police and Public Works	Replace Police and DPW Vehicles with Leased vehicles	120,000	130,000	150,000	150,000	160,000	160,000	870,000	Fund 22		
Public Works	Replace 2006 Cub Cadet Utility Vehicle 4x4 (06-320)	16,500						16,500	Fund 22		
Public Works	Replace 2006 Scag Mower (06-350)		12,000					12,000	Fund 22		
Public Works	Replace 2012 Scag 61" Velocity Plus Mower (12-352)			12,000				12,000	Fund 22		
Public Works	Replace 2021 Hustler Super Z 60" Mower (21-354)					12,000		12,000	Fund 22		

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Capital Project Schedule

Public Works	Replace 2022 Hustler Super Z 60" Mower (22-355)						12,000	12,000	Fund 22		
Public Works	Replace 2003 Carrier 16' Enclosed Trailer (00-392)			6,000				6,000	Fund 22		
Public Works	Add Dump truck				150,000			150,000	Fund 01		
Fire	Replace 2002 Smeal Fire Truck-Pumper (02-811) **Approved Res No 2023-755 9/19/2023 w/delivery est 605 Days**		875,293					875,293	Fund 22		
Fire	Replace 2010 Ford F-750 Brush Truck (10-811) **Approved Res No 2023-754 8/15/2023 delivery w/l 23-24 mo.**		180,000					180,000	Fund 22		
Fire	Replace 2016 Ford F-250 (16-812)			60,000				60,000	Fund 22		
Police/Fire	Radio Replacements	60,000						60,000	Fund 28		
Administration	Computer Replacements	30,000						30,000	Fund 28		
Administration	Replace PD Copier	15,000						15,000	Fund 28		
	Vehicle & Equipment Total	***241,500***	***1,197,293***	***228,000***	***300,000***	***172,000***	***172,000***	***2,310,793***			

Infrastructure

Street Segment	***Expenditure***	***Proposed Costs***							***Potential Source***	***Potential Grant $***	***Potential Grant Source***
		FY23-24	***FY24-25***	***FY25-26***	***FY26-27***	***FY27-28***	***FY28-29***	***Grand Total***			
Streets											
Maintenance (Patch)											
	Develop written policies and procedures plan for annual street maintenance.								Fund 61		
Annual Street Maintenance	Based on Street Maintenance Plan	240,326	380,000	380,000	380,000	380,000	380,000	2,140,326	Fund 61		

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Capital Project Schedule

Curtis Road (Partial)	Patch w/ Asphalt overlay 750'x20'	75,000						75,000	Fund 61		
Wagon Wheel	Apply fog seal and crack sealant to the asphalt road (1700'x20')	7,820						7,820	Fund 61		
Sycamore Lane	Apply fog seal and crack sealant to the asphalt road (5300'x20')	24,380						24,380	Fund 61		
Springhill Estates (ALL}	Apply fog seal and crack sealant to the asphalt road (5883'x24')	32,474						32,474	Fund 61		
	Subtotal	***380,000***	***380,000***	***380,000***	***380,000***	***380,000***	***380,000***	***2,280,000***			
Repairs											
Dublin Road South (Park to South Limit)	Remix straight segments 5300'x22', Reconstruct S-Curve 600'x22', Asphalt w/ Glas Pave		1,785,950					1,785,950	Fund 61		
Dublin Road North (Parker to Park)	Remix complete section. 7957'x22', Asphalt w/ Glas Pave				2,985,223			2,985,223	Fund 61		
Lewis Lane (ALL)	Complete jurisdiction analysis and obtain written agreement mtce resp.							-	Fund 61		
Lewis Lane (Kings Crossing Phase 4N to Phase 3N)	Remix section 1000'x24' Asphalt road w/ Glas Pave	300,000						300,000	Fund 61		
Lewis Lane (Other Sections)	PCI 40, 3,286 est total (reconstruct)		1,414,060					1,414,060	Fund 61		
Church Ln	PCI 20; 2,172' (reconstruct)			1,212,277				1,212,277	Fund 61		
Gray Ln	PCI 25; 2211'x19' Asphalt Overlay	200,000						200,000	Fund 61		
Donihoo Ln	PCI 35; 2,037' (reconstruct)				1,216,514			1,216,514	Fund 61		
Gregory Ln (Hogge to Gray)	PCI 40; 1,277' (remix)		418,457					418,457	Fund 61		
Gregory Ln (Gray to End	PCI 40; 4,171' (remix)					1,674,370		1,674,370	Fund 61		

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Capital Project Schedule

Hackberry Ln (Donihoo to Pecan Orchard)	PCI 40; 1,763' (reconstruct)				1,052,879			1,052,879	Fund 61		
Hackberry Ln (Pecan Orchard to Cul de Sac)	PCI 40; 1,674' (reconstruct)					1,069,708		1,069,708	Fund 61		
Ranchview Ln	PCI 40; 1,002' (remix)		328,358					328,358	Fund 61		
Woodcreek	PCI 40; 668' (remix)		218,952					218,952	Fund 61		
Kara Lane	PCI 45, 2,606' (ovelay)					469,691		469,691	Fund 61		
Pecan Orchard Ln (Springhill Estates to Hackberry)	PCI 50; 1,146' (remix)			401,817				401,817	Fund 61		
Pecan Orchard Ln (Hackberry to Cul De Sac)	PCI 50; 1,088' (remix)			381,481				381,481	Fund 61		
Wagon Wheel	PCI 50; 1.676' (remix)							-	Fund 61		
Windmill Creek	PCI 50; 1.628' (overlay)					293,422		293,422	Fund 61		
Moss Ridge Rd.	PCI 55, 6,195', Repair Concrete with patch sections	256,000						256,000	Fund 61		
Sycamore Ln	PCI 55; 5,319' (reconstruct)						3,636,834	3,636,834	Fund 61		
	Subtotal	**756,000**	**4,165,776**	**1,995,575**	**5,254,615**	**3,507,190**	**3,636,834**	**19,315,991**			
	Streets Total	***1,136,000***	***4,545,776***	***2,375,575***	***5,634,615***	***3,887,190***	***4,016,834***	***21,595,991***			

Drainage

City Wide	Develop written policies and procedures relating to drainage impacting streets.							-	Fund 63		

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Capital Project Schedule

Dublin Road South S-Curve	Engineering Study and construction of a drainage improvement for S-Curve	250,000						250,000	Fund 63		
	Drainage Total	***250,000***	***-***	***-***	***-***	***-***	***-***	***250,000***			
	Infrastructure Total	***1,386,000***	***4,545,776***	***2,375,575***	***5,634,615***	***3,887,190***	***4,016,834***	***21,845,991***			

Water and Sewer Systems

Project	***Expenditure***	***Proposed Costs***							***Potential Source***	***Potential Grant $***	***Potential Grant Source***
		FY23-24	***FY24-25***	***FY25-26***	***FY26-27***	***FY27-28***	***FY28-29***	***Grand Total***			
FM2551 / Dillehay	Replacing and relocating FM2551/Dillehay Water Lines **(Various Approvals - see project detail**)	1,200,000						1,200,000	CC Funds	1,200,000	CC Funds
Dublin Road Water Lines Engineering	Design new Water Infrastructure plan for Dublin Road (North and South)							-	Fund 03		-
Dublin Road – South Water Lines	Remove and replace existing water lines along Dublin Road - South	1,200,000						1,200,000	ARPA	1,200,000	ARPA
Dublin Road North Water Lines	Replacing Dublin Road – North Water Lines			1,200,000				1,200,000	Fund 62		
Water Impact Fee Study	2023-2033 Water Impact Fee Analysis Approved Res No 2023-732 4/18/2023	25,800						25,800	Fund 60		
NTMWD Delivery Point No. 2	Connecting the lines from Central Pump Station to NTMWD (Included in FY23-24 Budget)	190,000						190,000	Fund 60		
Bois D' Arc Lane	8-inch Water Line							-	-		
Elevated Storage Tank	Design and Build 2nd Water Tower at Chaparral				5,016,250			5,016,250	Fund 60 & Fund 62		
	Water & Sewer Total	***2,615,800***	***-***	***1,200,000***	***5,016,250***	***-***	***-***	***8,832,050***		***2,400,000***	

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Capital Project Schedule

Totals

	Proposed Costs							From Other Sources
	FY23-24	FY24-25	FY25-26	FY26-27	FY27-28	FY28-29	Grand Total	
Buildings and Improvements	875,000	-	-	1,500,000	-	-	2,375,000	-
Vehicles and Equipment	241,500	1,197,293	228,000	300,000	172,000	172,000	2,310,793	-
Infrastructure	1,386,000	4,545,776	2,375,575	5,634,615	3,887,190	4,016,834	21,845,991	-
Water and Sewer Systems	2,615,800	-	1,200,000	5,016,250	-	-	8,832,050	2,400,000
Total ALL	***5,118,300***	***5,743,069***	***3,803,575***	***12,450,865***	***4,059,190***	***4,188,834***	***35,363,834***	***2,400,000***

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Capital Projects

Building and Improvement Projects

There are several major municipal facility capital projects that are in the planning and feasibility study stages. These projects can have a substantial impact on future capital needs and expenditures, so they should be monitored as part of the capital planning process. The Capital Improvement Planning process should consider recommendations for the initiation of feasibility studies, especially where projects may be partially supported by grant funds or bonds.

Project: New Water Department Building at the Dillehay Pump Station

Status: Proposed - In Planning/Design - Construction planned for FY23-24

Department: Public Works Water Department

Project Scope: This project scope is to design and build a new Water Department Facility located on the same property as the new Dillehay pump station. The building is envisioned to be a 12,000 sqft. metal building with a brick façade. The building will have an enclosed office space within the larger building and several large garage doors to allow for equipment maintenance. - The scope of work for FY23-24 is to complete the design and construction of the building.

Background: The water department personnel have been operating out of the Old Parker Fire Station and the old white metal garage building (located adjacent to the old fire station). These buildings have offices, restrooms, work benches, tools and equipment, storage, and work facilities. The buildings have reached the end of their useful life and are not fit for reuse or renovation. The Old Fire Station is a metal building with a brick façade that was built in 1982. The old white garage is of similar vintage and is showing signs of age. Relocating the water department offices, storage, and shop facilities to the location near the Dillehay pump station will enable these buildings to be vacated, allowing for their demolition, making way for alternative uses of the land.

Funding: This is a water department project. There is approximately $325,000 available from the 2018 Revenue Bond for use of this project. The source of the remaining funds needed has not yet been identified.

Timeline: The project should commence imminently.

DRAFT

Study: New Parker Police Building

Status: Proposed **-** Feasibility study planned for FY23-24

Department: Parker Police Department

Study Purpose: To evaluate the design and construction of a new Police Department Building. A feasibility study is required to define the scope of this project. The study should consider options to repurpose the existing administrative building as a possible Police Department building. The study should reassess the space requirements summary, document existing conditions, establish design parameters, develop and evaluate alternatives, and recommend the most cost-effective and aesthetically cohesive solution possible for a first-rate Police facility.

Background: The Parker Police Department has operated out of a portable building for several years. It is costly to continue to pay rent for this facility, and that money could be better spent on a permanent building. The facility needs to be larger to meet the needs of the Police force. The city will be better served by investing money in a new structure that meets the 21st-century safety and readiness demands placed on our Police Department.

Funding: This project will be funded through the Capital Facilities Fund (Fund 65). The current fund balance including the FY23-24 transfer will be $1,200,000. This plus an additional $300,000 could fund this project.

Timeline: Based on the feasibility study results, we can expect to know in FY23-24 whether Parker will be ready to fund the new Police facility.

Study: New Administration Building or Building Reuse Study

Status: Proposed - Feasibility Study Planned for FY23-24

Department: City Administration

Study Purpose: To rehabilitate or construct a new main City Administration Building including the Council Chambers. A feasibility study is required to obtain funding support for a new or rehabilitated City Administration Building. The study should include consideration for reuse of the existing building to address the best-suited use for this facility for the city.

DRAFT

Background: Parker City Hall is challenged to meet the space needs of the Parker Administrative Staff and the residents of the City of Parker. The space lacks proper ADA accessibility, sufficient parking, and has constrained meeting, office, and storage space, and is limited for expansion opportunities. The study will explore the feasibility of expansion and remodeling of the existing facility, but also consider other possible alternative use options, such as the Parker Police Department Facility.

Funding: The project will be funded through the Capital Facilities Fund (Fund 65). Financing options will be evaluated.

Timeline: The city should commence with a study to assess feasibility options for the existing administrative building to be completed by Spring 2024. If successful, the city would need to appropriate funds needed to design and build the new administrative building by FY25-26.

Project: Building and Improvement Maintenance

Status: Proposed

Department :

Background: Parker owns a portfolio of at least 5 buildings of various ages. The City of Parker should conduct an annual building assessment (not feasibility studies) for the city properties. Roof, Septic, HVAC, and generator assessments should be conducted on an annual basis. These assessments inform the six-year capital plan. As additional properties are built, these properties should be added to the annual assessments.

Facility	*Address*	*PCA 360 Audit*	*Roof Assessed*	*Roof last Replaced*	*HVAC Replaced*	*Septic Replaced*	*Generators Replaced*
Parker City Hall	5700 E. Parker Road		2022		2015-2018		
Parker Fire Department	5700 E. Parker Road		2022		2008	2023	2009
Parker Police Dept.	5700 E. Parker Road		N/A		2014		
Parker Water Dept.	5700 E. Parker Road		2022		2020		
East Water Storage Facility	Parker Road						2007
Central Water Storage Facility	Dillehay			2021	2020-2021		2021

Infrastructure Projects (Streets and Drainage)

Infrastructure Capital Improvement planning is driven by the mission to provide a safe and reliable street and drainage system for residents and visitors. The plan considers both scheduled maintenance and repair of poor streets and other surface drainage issues.

Streets identified in the 2021 Street Condition Survey with a rating of below fair condition are included in the infrastructure projects. For each street, additional information, including average daily traffic, number of properties on the street, other areas utilizing the street, alternate route available, drainage conditions, and previous work on the street, was reviewed.

Many of the projects for streets, drainage, and water are interrelated and are considered as one within the Capital Improvement Plan for specific projects. Below is a recap of projects grouped by the major project.

Project: FM2551 (from FM2514 to FM2170)

Status: Approved - IN PROGRESS

Department: Public Works Water Department

Project Scope: Reconstruction and widening of FM2551 from 2 lanes to a 6-lane thoroughfare. Collin County is managing the project, and TXDOT has oversight of the construction. The city is responsible for the movement of water lines and utilities and providing input to project managers for the safety of residents.

Background: The continued local housing growth and development has resulted in a significant increase in the traffic volume on this road during recent years. Dillehay (2551) has been planned for expansion at both the county and state levels for quite some time. The scheduled widening of the road is taking place now. Parker has an obligation to fund the water infrastructure portion of the project.

Funding: Collin County has committed to provide $1,200,000 in funding or this project and the city has entered into Interlocal Agreements to aid in performing the work needed. Our city engineer, Birkhoff & Assoc. has been contracted to perform the engineering services related to the movement of utilities.

Timeline: Construction Start: Fall 2023. End: Summer 2026

DRAFT

Project: Dublin Road – South (Betsy Lane to South City Limit)

Status: Proposed – IN DESIGN

Department: Public Works

Project Scope: This project estimate includes the replacement of the road surface, addressing a critical S-Curve, and replacement of a water line. This is a multi-year project. The first phase of this project is to replace the water lines including an engineering study. Drainage improvement needs for the S-Curve will be determined and addressed. Right-of-way study will be completed as needed.

Background: The Street Condition Survey identified the majority of this street with a very poor rating of 30.

This is a significant collector street for subdivisions and private streets in the southern portion of Dublin Road. In addition, many people take this street to travel north and south as an alternative to FM2551 (Murphy Rd). A traffic study in 2021 showed an average traffic volume of 1,456 vehicles per day.

A city water line lies along and under this street. These lines are aging and undersized and need to be replaced. Such replacement should be coordinated with the reconstruction of the road. The current roadway is about 20' wide. The width of this street will be increased to 22'-24' wherever possible. The street has an S-curve that experiences accidents with drivers running off the street. The design will consider options to improve the safety of the road. In addition, stop signs will be put at the intersections at Creekside and Edgewater with the purpose of slowing travelers before they reach the curve. A drainage review will also be performed to determine that the streets will include proper drainage after construction. A right-of-way review will be performed to evaluate property ownership in conjunction with street widths and drainage needs.

Funding: This street project will be funded with money from Capital Street Construction Fund (Fund 61) and the Water Line will be funded using available ARPA funds.

Timeline: This project should commence imminently after the water lines are replaced, and the drainage study is complete. The S-Curve drainage plan should be implemented in conjunction with the road reconstruction project.

DRAFT

Project: Dublin Road – North (Parker Road to Betsy Lane)

Status: Proposed – IN PLANNING

Department: Public Works

Project Scope: This project includes replacing the road surface and water lines. It will mirror that of South Dublin Road.

Background: The Street Condition Survey identified this street to have a poor rating of 45-50.

This is a significant collector street for subdivisions and streets in the northern portion of Dublin Road. In addition, many people take this street for traveling north and south as an alternative to FM2551 (Murphy Rd). A traffic study in 2021 showed an average traffic volume of 1,640 vehicles per day.

In 2020, maintenance was performed on the street, providing important stabilization in areas that were in poor condition. However, the street has shown early signs of wear that need to be addressed.

A city water line lies along and under this street. These lines are aging and undersized. These lines need to be replaced. Such replacement should be coordinated with the reconstruction of the road. The current roadway is about 20' wide. The width of this street will be increased to 22'-24' wherever possible. The street has an S-curve that experiences accidents with drivers running off the street. The design will consider options to improve the safety of the road. In addition, stop signs will be put at the intersections at north and south of the curve with the purpose of slowing travelers before they reach the curve. A drainage review will also be performed to determine that the streets will include proper drainage after construction.

A right-of-way review will be performed to evaluate property ownership in conjunction with street widths and drainage needs.

Funding: This street project will be funded with money from Capital Street Construction Fund (Fund 61) and the Water Line will be funded through the Utility Construction Fund (Fund 62).

Timeline: Target of FY25-26 for water lines and FY26-27 for the road.

Project: Lewis Lane

Status: Proposed

Department: Public Works

Project Scope: The goal for FY23-24 is to complete a jurisdiction analysis and reconstruct one segment between Kings Crossing Phase 4 North to Phase 3 North.

The remaining portions that are within Parker's responsibility will be targeted for reconstruction in future years working with Lucas and Collin County to coordinate their segments at the same time. A drainage review will be performed prior to commencing work to ensure no significant drainage issues need to be addressed.

Background: The Street Condition Survey rated the total of Lewis Lane with a 40 PCI rating, one in poor condition. This is a collector street with increasing populations from residents in subdivisions within Parker and Lucas. In addition, this street is a north/south alternative for FM2551 (Dillehay)

This street is the responsibility of multiple entities (Parker, Lucas, and Collin County), and legal ownership of each section is not documented and agreed upon among the entities. This is critical to resolving the problems on this street. The Developer reconstructed a portion of the street (Kings Crossing Phase 3N to Phase 3S) in 2022. The remaining portions of the street are maintained by adding asphalt to patches, which wash away when rains occur.

Funding: This project will be paid through the Capital Street Construction Fund (Fund 61).

Timeline: Target dates to complete jurisdiction analysis and first segment in FY23-24 with the remaining portion of road FY24-25.

Project: Gray Lane

Status: Proposed - IN PLANNING

Department: Public Works

Project Scope: Road reconstruction

Background: Gray Lane was evaluated by the Street Condition Survey with a very poor rating of 25

Funding: This project will be paid through the Capital Street Construction Fund (Fund 61).

Timeline: Target FY23-24

DRAFT

Project: Moss Ridge

Status: Proposed – IN PLANNING

Scope: Replace selected concrete panels

Background: The Street Condition Survey rated Moss Ridge with a 55 PCI rating, a condition on the cusp of fair. This subdivision and associated street were built in the late 1980s. This is a concrete surface road, and a number of the panels are cracking.

This project will replace the concrete panels that are in poor condition. This will enable the street to move to a more acceptable condition and be good for years to come.

Over the years, the drainage easements have become less pronounced. Changes have occurred impacting the flow of water. A drainage review will be done prior to construction.

Funding: This project will be paid through the Capital Street Construction Fund (Fund 61).

Timeline: Target FY23-24

Future Project: Chaparral Road & Springhill Estates Drive

Status: Proposed - Future

Scope: Expand roads to 4-lane and add bridge over Cottonwood Creek

Background:

Funding: Unknown

Timeline: Unknown

Study: Drainage Policy and Procedures

Status: Proposed

Department:

Study Purpose: Develop written policies and procedures relating to city drainage.

DRAFT

Background: Residents frequently have questions about drainage including who owns drainage infrastructures, what the city policy is for maintaining drainage, and who has responsibilities for the various aspects required to maintain a proper drainage structure throughout the city.

Funding: This project will be paid through the Capital Drainage Fund (Fund 61).

Timeline: Target FY23-24

Water and Sewer System Projects

Water Improvement planning is driven by the need to maintain our water systems in working condition, providing safe and sufficient water for residents as needed. Water improvements include the needs of our water lines, standalone or interconnected with storage tanks, valves, hydrants, and water towers.

The city has several water infrastructure projects in the planning stage for the future. The goal of these projects is to continue to provide a water distribution system that meets the necessary volume and peak demand projections associated with future growth projections of our city. The projects scoped here are derived from the 2023-2033 Impact Fee Analysis (DRAFT).

Water infrastructure improvements connected to streets are identified in the Infrastructure Projects above.

Project: Water Impact Fee Study

Status: Approved - IN PROGRESS

Department: Public Works

Project Scope: The city contracted with our city engineer, Birkhoff & Assoc to assist City staff in providing a 2023-2033 Impact Fee Analysis to provide the Capital Improvement Plan of the water distribution system and a Water Impact Fee Study outlining Capital Improvements of the system and a calculation of the Water Impact Fee.

Background: The City of Parker owns and operates their water distribution system comprised of pump stations, ground storage reservoirs, elevated storage tanks, and pipeline infrastructure. This system is being improved and expanded to meet the needs of the water demands imposed

by the current residents and future residents of Parker. Chapter 395 of the Texas Local Government Code requires that political subdivisions create a Capital Improvement Plan and its costs if it wishes to impose “impact fees” on new development. The city created a Capital Improvement Plan for Water Impact Fees in 2016. According to Texas law, it is time for that study to be reviewed.

Funding: The is a Water System project. The costs of this project will be paid through the Utility Impact Fee Fund (Fund 60)

Timeline: Target FY23-24 (Ist Quarter)

Approved Project: NTMWD Delivery Point #2

Status: IN PROGRESS

Department: Public Works

Project Scope: Attach the Central Pump Station to the NTMWD delivery point. The bulk of this work has already been completed. This is to make the final connection.

Background: The city completed construction of the Central Pump Station in FY22-23. For the station to be fully operational, it must be attached to the NTMWD delivery point.

Funding: The is a Water System project. These funds are part of the Utility Construction Fund (Fund 62).

Timeline:

Project: Build a Secondary Elevated Water Tower at Chaparral Road

Status: Proposed - targeting FY26-27

Department: Public Works Water Department

Project Scope: To construct a secondary elevated water tower and 16” water pipe infrastructure to connect to the existing water distribution system. The first phase of this project will be to perform a study to determine the timing of the need.

DRAFT

Background: The 2023-2033 Impact Fee Analysis (DRAFT) recommends constructing a secondary water tower to meet the projected water demand of residents based on future growth projections.

An Elevated storage tank within the Parker water distribution system is required by TCEQ to maintain system pressure. The Parker secondary elevated storage tank is expected to be sized to meet the maximum hourly demand working in conjunction with the pump stations, while maintaining system pressures.

The City currently has one 1.0-MG elevated storage tank located on Parker Road, adjacent to City Hall, with a high water level at 800-ft MSL. The Chaparral Elevated Storage Tank and water line project would consist of constructing an elevated storage tank with approximately 385 linear feet of 16-inch waterline connected between the new elevated tank and the existing 16-inch waterlines**.** The utilized capacity during the CFR period was calculated to be 63.0%

Funding: Secure grant or bond funding.

Timeline: Secure funding and commence construction on or before FY26-27.

Reference Reports for Capital Needs

Category	Plan Reference Title	Last Updated
Community Development	Comprehensive Plan	In revision
Buildings and Improvements	Facilities Maintenance Plan	Need to Create (update annually)
Infrastructure	Street Maintenance Plan	Need to Create (update annually)
Infrastructure	Street Condition Survey	2021 (update every X years)
Infrastructure	Drainage Maintenance Plan	Need to Create (update annually)
Water and Sewer System	CIP for 2016-2026 Water Impact Fee	2016 (update every X years)
Vehicles and Equipment	Equipment Capital Replacement Schedule	Annual
Vehicles and Equipment	Technology Replacement Schedule	Need to Create (update annually)

Financing the CIP

CIP Projects are funded through general fund revenues and other resources available to the City. Funding considerations go beyond individual projects. The city's funding strategies will consider several variables, including amounts available in project funds, other City needs, debt, and the impact on taxpayers. Below, we will address the city's sources of funds and current funding.

Sources of Funds

Operational Revenue: Revenues generated in the

- General Fund through ad valorem taxes, sales taxes or fees.
- Proprietary Fund primarily through water & wastewater revenues.

Local Sales Tax – The city charges a 2% Sales Tax. The General Fund receives a 1% sales tax. In May 2023, the voters elected to adopt a 1% sales tax dedicated to repairing and maintaining existing city streets in accordance with Chapter 327 of the Texas Tax Code. The new tax goes into effect on October 1, 2023. These revenues are directly reported to the Street Construction Fund. This tax expires after four years unless a new election is held to reauthorize the tax.

Impact Fees – The city charges a **Water Impact Fee** on new Single-Family Residences based on a Water Impact Fee Study. New residential homes with a 1" meter pay a fee of $3,938.95, and those with a 2" meter pay $15,755.82 as approved by the city council on April 4, 2017. The use of these funds is restricted to financing capital improvements required by new developments in accordance with Chapter 395 of the Texas Local Government Code.

Developer Contributions: Contributions of capital infrastructure in conjunction with new development in the city.

Intergovernmental: Funds supplied through other governmental agencies such as TxDOT, Collin County, State, and/or Federal government.

Other Grants and Donations: Funds received from other organizations and individuals.

Bonds: Bonds refer to expenditures that are financing through borrowing. A bond is a written promise to pay a specified sum of money, called the face value (par value) or principle amount, at a specified date or dates in the future, called maturity date(s), together with periodic interest at a specified rate.

There are different kinds of borrowing, each with its advantages and disadvantages.

- **General Obligation Bonds (GO):** Debt instruments authorized by a vote among registered voters.
- **Certificates of Obligation (CO):** Debt instruments authorized by a vote of the City Council.
- **Revenue Bonds**: Debt instruments, the repayment of which depends on the revenue stream generated by the city's water & wastewater system.

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Current Funding

General Funds

Fund		*FY22 – 23**	*FY23 - 24*		
#	**Title & Purpose**	**Fund Balance**	**Transfers**	**Other Rev**	**Total Additions**
22	Equipment Replacement Fund – Replacement of existing vehicles and equipment or lease of city vehicles	$700,509	$350,000	$165,000	$515,000
24	Technology Replacement Fund – Replacement of existing technology equipment	$73,997	$105,000	0	$105,000
61	Capital Street Construction Fund - Construction or maintenance of street projects.	$1,290,936	$970,000	$380,000	$1,350,000
63	Capital Drainage Fund - Construction or maintenance of drainage-related improvements	$313,239	$100,000		$100,000
65	Capital Facilities Fund - Land acquisition, construction, renovation, and equipping of city facilities.	$976,635	$300,000		$300,000
	Total	$3,355,316	$1,825,000	$545,000	$2,370,000

* Preliminary and unaudited.

These funds are supported from several sources, including:

- **Transfers:** The city has established a pay-as-you-go approach to addressing capital needs using special funds. A portion of the city's General Fund Operational Revenues are allocated each year to these funds during the annual budgeting process. They can only be used for the purpose specified without city council approval. The equipment replacement fund also receives a transfer from the Proprietary Fund (Water/Wastewater) Operational Revenue of $25,000.
- **Sales Tax**: These amounts are directly reported to the Street Construction Fund. The city anticipates approximately $380,000 in fiscal 2023-24.
- **Proceeds** from the sale of city property within these funds are directly allocated to these funds. The equipment replacement fund reflects $140,000 proceeds from the sale of city property.

Proprietary Funds (Water/Wastewater)

Utility Impact Fees Fund (Fund 60): This fund is supported by the Water Impact Fees from New Single Family Residential homes. As of September 30, 2023, the Utility Impact Fees Fund had a balance of $2,071,001.

DRAFT

Utility Construction Fund (Fund 62): This fund was supported from the $6,075,000 proceeds of the 2018 combination tax and revenue bond plus interest earned to construct facilities needed for water services operations. As of September 30,2023, $506,000 remained of those funds.

American Rescue Plan Act of 2021 (ARPA): The provisions of this act provided supplemental funds to the city in FY21 and FY22. These funds can only be used for specified purposes, including investment in water infrastructure. *Funding must be obligated by the end of calendar year 2024 and expended by the end of calendar year 2026.*

As of September 30, 2023, the City has $1,223,553 of these funds to be allocated for qualified capital projects. The City Council has the authority to spend these funds within the authority of the act.

County Funds: The city has a commitment to receive funds from Collin County for purpose of the 2551/Dillehay Project. For more information, refer to that project.

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Existing Debt Obligations

Bond	Interest Rate	Maturity	Original Balance	Outstanding Balance	Remaining Principal +
Government Activities (General Fund)					
2015 Certificate of Obligation	2.09%	2025	$1,485,000	$320,000	$326,688
2019 General Obligation Refinancing Bond	3.00%	2028	$1,285,000	$583,914	$621,278
			$2,770,000	$903,914	$947,966
Business Type Activities (Water/Wastewater)					
2018 Combination Tax &Revenue Bond	3.00-4.00%	2038	$6,075,000	$5,755,000	$1,726,350
2019 General Obligation Refinancing Bond	3.00%	2028	$1,200,000	$543,170	$582,931
			$7,275,000	$6,298,170	$2,309,281

Long Term Debt

The Capital Plan and program is a means for identifying projects that are best accomplished through the use of debt financing.

Long-term debt is an important financing source for capital projects that cannot be accommodated within the annual operating budget. The Capital Plan and program is a means for identifying projects that are candidates for debt financing.

The amount of annual debt service to be authorized is an important consideration in determining options for long term debt. Optimal annual debt service is expected to range from 2% of operating revenues at the low end to no more than 10% of operating revenues at the high end.

Debt Ratio Calculations

	FY23-24		
Bond	**Debt Service**	**Budgeted Revenues**	**Debt Ratio**
Government Activities (General Fund)			
2015 Certificate of Obligation	165,016		
2019 General Obligation Refinancing Bond	170,256		
Total	***335,272***	***7,551,006***	***4%***
Business Type Activities (Water/Wastewater)			
2018 Combination Tax & Revenue Bond	395,950		
2019 General Obligation Refinancing Bond	158,994		
Total	***554,944***	***6,083,200***	***9%***

Capital Planning Cycle

The Capital Planning Cycle is held in coordination with the Annual Budget Cycle.

September- October: The fiscal year closes on September 30. Department heads assess progress in meeting goals outlined in the Capital Improvement Plan. A progress report will be presented to the council by the end of October.

The City Administrator meets with the selected department heads to review existing and proposed new major capital projects or equipment as they relate to the current Capital Improvement Plan. This is to include a roll forward of unfinished projects with the addition of new projects proposed for the sixth year. A report of this information will be provided to the council.

Early November: The City Council meets with the City Administrator, Mayor, City Attorney, and Finance Director, to receive preliminary guidance on the funding resources expected to be available for capital projects in the upcoming fiscal year.

November – December: The City Administrator meets with department leaders to discuss the specifics of their capital requests, review documentation framing the relative urgency of those requests, and review any cost estimates received as they pertain to the projects. This activity may continue into early January.

January: The City Administrator summarizes capital spending requests, including the updated cost estimates, and makes recommendations for the coming fiscal year, and presents a report to the City Council.

January: Council meets to discuss the City Administrator's recommendations. The council also will discuss the past year's CIP process, consider possible CIP process improvements, and begin working on the CIP plan revision for the coming year.

January: Financing Options are evaluated and presented to council. If a general obligation bond is considered, information must be available prior to ballot deadline in February.

January – February: Council holds workshops as needed to discuss the Capital Improvement Plan.

February: Ballot initiatives, if any are filed.

March: City Council adopts the annual update of the Capital Improvement Plan.

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April – June: The Finance Director incorporates the Capital Improvement Plan items for the current fiscal year incorporated into the budget cycles.

May: Council appoints lead of Capital Improvement Plan.

July – August: Bond initiatives, if any, deemed for a November ballot are to be addressed at this time. Ballot initiatives, if any, are filed.

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Appendix A

Capital Assets per the Audited Financial Statements as of September 30, 2022.

D. Capital Assets

A summary of changes in governmental activities capital assets for the year end was as follows:

	Beginning Balances	Increases	Decreases/ Reclassifications	Ending Balances
Capital assets, not being depreciated:				
Land	$ 843,484	$ -	$ -	$ 843,484
Construction in progress	58,337	18,839	-	77,176
Total capital assets not being depreciated	901,821	18,839	-	920,660
Capital assets, being depreciated/amortized:				
Land improvements	212,367	-	-	212,367
Buildings and improvements	2,616,328	-	-	2,616,328
Vehicles and equipment	4,443,915	112,928	(925,136)	3,631,707
Infrastructure	52,266,733	941,416	-	53,208,149
Right-to-use leased assets	-	277,247	-	277,247
Total capital assets, being depreciated/amortized	59,539,343	1,331,591	(925,136)	59,945,798
Less accumulated depreciation/amortization:				
Land improvements	(103,272)	(10,618)	-	(113,890)
Buildings and improvements	(974,038)	(61,183)	-	(1,035,221)
Vehicles and equipment	(2,817,752)	(418,153)	694,418	(2,541,487)
Infrastructure	(22,731,915)	(2,039,274)	-	(24,771,189)
Right-to-use leased assets	-	(196,856)	-	(196,856)
Total accumulated depreciation/amortization	(26,626,977)	(2,726,084)	694,418	(28,658,643)
Net capital assets being depreciated/amortized	32,912,366	(1,394,493)	(230,718)	31,287,155
Governmental Capital Assets	$ 33,814,187	$ (1,375,654)	$ (230,718)	$ 32,207,815

A summary of changes in business-type activities capital assets for the year end was as follows:

	Beginning Balances	Increases	Decreases/ Reclassifications	Ending Balances
Capital assets, not being depreciated:				
Land	$ 323,666	$ -	$ -	$ 323,666
Construction in progress	4,992,608	1,147,737	-	6,140,345
Total capital assets not being depreciated	5,316,274	1,147,737	-	6,464,011
Captial assets, being depreciated:				
Water and sewer system	22,774,416	978,150	-	23,752,566
Vehicles and equipment	238,274	6,837	(82,980)	162,131
Total capital assets being depreciated	23,012,690	984,987	(82,980)	23,914,697
Less accumulated depreciation				
Water and sewer system	(6,222,958)	(608,834)	-	(6,831,792)
Vehicles and equipment	(239,211)	(3,518)	82,980	(159,749)
Total accumulated depreciation	(6,462,169)	(612,352)	82,980	(6,991,541)
Net capital assets being depreciated	16,550,521	372,635	-	16,923,156
Total Captial Assets	$ 21,866,795	$ 1,520,372	$ -	$ 23,387,167

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Revision History

Revision 0.3	Reworded the introduction and added/removed bullets.
	Clarified water & sewer system capitalization and useful lives.
	Refined the definition of the CIP Process
	Updated active projects and project schedule to reflect approved. Also updated STATUS in the individual project details to identify proposed or approved.
	Reworded the funding of the proposed Water Department Building
	Added paragraph to describe information used to aid in determining how streets were considered for prioritization.
	Updated wording on Dublin Road projects scope, funding, and timeline.
	Added project sheet for Future Projects related to Chaparral and Springhill. (This will be further updated after specifics are made available)
	Added project for Water Impact Fee Study and NTMWD Delivery Point #2
	Updated spreadsheets – based on feedback and updated information.
Revision 0.2	Definition of Capital Asset - Changed to reflect Resolution 2022-706, approved 10/18/2022 (Agenda Packet).
	Reformatted categories to be in line with Assets as reflected in the Financial Statements and included Appendix A.
	Added items in spreadsheets • Public Work Dump Truck - FY26-27 (?) • Study drainage polices and procedures • Added streets – Chapparal and Springhill Estates
	Updated street amounts to reflect • Streets in years based on estimated costs from engineers estimates plus 25% engineering fee and 7% increase per year. • Dublin Rd – South street cost based on engineer's estimates. North street cost based on remix instead of reconstruction. • 2551/Dillehay updated to reflect information about Collin County funds.
Revision 0.1	Initial Draft

Capital Improvement Project Detail - Option B

This option would lessen the level of detail specified on the CIP document. It could include a new paragraph under the Definition of a Capital Asset and could state something like:

"The Capital Improvement Plan will address capital projects with a cost of $25,000 or greater. Other projects affecting these assets will be included in total."

The option also eliminates listing of specific streets targeted for "patch with seal fog". In doing so, I added Wagonwheel repair costs, previously considered would be after the CIP period. This is the difference between the totals on the two Options.

Active Capital Projects

Category	*Expenditure*	*Status*	*Proposed Costs*	*Funding Source*	*Grant $ Funding*	*Grant Source*
Buildings and Improvements						
Water Department	Design and Build the Water Department Building located at the Dillehay Pump	IN DESIGN	875,000	Fund 62 & TBD		
Administrative Facility	Study building a new or renovate existing Admin Building			Fund 65		
Police Station	Study building a new Police Station			Fund 65		
	Create written Building and Improvement Maintenance assessment program					
Vehicles and Equipment						
Police and Public Works	Replace Police and DPW Vehicles with Leased vehicles **(Included in FY23-24 Budget)**	IN PROGRESS	120,000	Fund 22		
Infrastructure						
Streets						
Maintenance (Patch)						
	Develop written policies and procedures relating to street maintenance.					

	Annual Street Maintenance	IN PLANNING	305,000	Fund 61		
Curtis Road (Dillehay to	Patch Overlay 750'x20' Asphalt	IN PLANNING	75,000	Fund 61		
Repair						
Lewis Lane (ALL)	Complete jurisdiction analysis and obtain written agreement on the responsibilities of entities.	IN PLANNING		Fund 61		
Lewis Lane (Kings Crossing Phase 4N to KC Phase 3N)	Remix section next to King's Xing Phase 4. 1000'x24' Asphalt w/ Glas Pave	IN PLANNING	300,000	Fund 61		
Gray Lane	PCI 25; 2211'x19' Asphalt Overlay	IN PLANNING	200,000	Fund 61		
Moss Ridge	Repair Concrete with patch sections	IN PLANNING	256,000	Fund 61		
Drainage						
	Develop written policies and procedures relating to drainage.			Fund 63		
Dublin Road South	Engineering Study and construction of a drainage improvement for S-Curve	IN PROGRESS	250,000	Fund 63		
Water and Sewer System						
FM2551 / Dillehay	FM2551/Dillehay Water Lines **(Various Approvals - see project detail)**	IN PROGRESS	1,200,000	CC Funds	1,200,000	
Dublin Road Water Lines Eng	Design new Water Infrastructure plan for Dublin Road (North and South)	IN PLANNING		Fund 62		
Dublin Road - South Water Line	Remove and replace existing water lines along Dublin Road - South	IN PLANNING	1,200,000	ARPA	1,200,000	
Water Impact Fee Study	2023-2033 Water Impact Fee Analysis (Approved Res No 2023-732		25,800	Fund 60		
NTMWD Delivery Point No.2	Connecting the lines from Central Pump Station to NTMWD (Included in FY23-24	IN PROGRESS	190,000	Fund 62		

Capital Projects Schedule

Buildings and Improvements

Building	Expenditure	Proposed Costs							Potential Source	Potential Grant $	Potential Grant Source
		FY23-24	FY24-25	FY25-26	FY26-27	FY27-28	FY28-29	Grand Total			
Water Department Building	Design and Build the Water Department Building located at the Dillehay Pump Station	875,000						875,000	Fund 62 & TBD		
Administrative Facility	Study building a new or renovate existing Admin Building							-	Fund 65		
Police Station	Study building a new Police Station							-	Fund 65		
	Building Improvements				1,500,000			1,500,000	Fund 65		
	Create written Building and Improvement Maintenance assessment program							-	Fund 01		
	Building & Improvements Total	***875,000***	***-***	***-***	***1,500,000***	***-***	***-***	***2,375,000***			

Vehicles and Equipment

Department	Expenditure	Proposed Costs							Potential Source	Potential Grant $	Potential Grant Source
		FY23-24	FY24-25	FY25-26	FY26-27	FY27-28	FY28-29	Grand Total			
Police and Public Works	Replace Police and DPW Vehicles with Leased vehicles	120,000	130,000	150,000	150,000	160,000	160,000	870,000	Fund 22		
Public Works	Add Dump truck				150,000			150,000	Fund 01		
Fire	Replace 2002 Smeal Fire Truck-Pumper (02-811) **Approved Res No 2023-755 9/19/2023 w/delivery est 605 Days**		875,293					875,293	Fund 22		
Fire	Replace 2010 Ford F-750 Brush Truck (10-811) **Approved Res No 2023-754 8/15/2023 delivery w/l 23-24 mo.**		180,000					180,000	Fund 22		
Fire	Replace 2016 Ford F-250 (16-812)			60,000				60,000	Fund 22		
	Other Vehicles & Equipment <$25k	16,500	12,000	18,000		12,000	12,000	70,500	Fund 28		
	Other Computer Equipment <$25k	105,000						105,000	Fund 28		
	Vehicle & Equipment Total	***241,500***	***1,197,293***	***228,000***	***300,000***	***172,000***	***172,000***	***2,310,793***			

Infrastructure

Street Segment	Expenditure	Proposed Costs							Potential Source	Potential Grant $	Potential Grant Source
		FY23-24	FY24-25	FY25-26	FY26-27	FY27-28	FY28-29	Grand Total			

Streets											
Maintenance (Patch)											
	Develop written policies and procedures plan for annual street maintenance.								Fund 61		
Annual Street Maintenance	Based on Street Maintenance Plan	305,000	380,000	380,000	380,000	380,000	380,000	2,205,000	Fund 61		
Curtis Road (Partial)	PCI 40 Patch w/ Asphalt Overlay (750'x20')	75,000						75,000	Fund 61		
	Subtotal	***380,000***	***380,000***	***380,000***	***380,000***	***380,000***	***380,000***	***2,280,000***			
Repairs											
Dublin Road South (Park to South Limit)	Remix straight segments 5300'x22', Reconstruct S-Curve 600'x22', Asphalt w/ Glas Pave		1,785,950					1,785,950	Fund 61		
Dublin Road North (Parker to Park)	Remix complete section. 7957'x22', Asphalt w/ Glas Pave				2,985,223			2,985,223	Fund 61		
Lewis Lane (ALL)	Complete jurisdiction analysis and obtain written agreement mtce resp.							-	Fund 61		
Lewis Lane (Kings Crossing Phase 4N to Phase 3N)	Remix section 1000'x24' Asphalt road w/ Glas Pave	300,000						300,000	Fund 61		
Lewis Lane (Other Sections)	PCI 40, 3,286 est total (reconstruct)		1,414,060					1,414,060	Fund 61		
Church Ln	PCI 20; 2,172' (reconstruct)			1,212,277				1,212,277	Fund 61		
Gray Ln	PCI 25; 2211'x19' Asphalt Overlay	200,000						200,000	Fund 61		
Donihoo Ln	PCI 35; 2,037' (reconstruct)				1,216,514			1,216,514	Fund 61		
Gregory Ln (Hogge to Gray)	PCI 40; 1,277' (remix)		418,457					418,457	Fund 61		
Gregory Ln (Gray to End	PCI 40; 4,171' (remix)					1,674,370		1,674,370	Fund 61		
Hackberry Ln (Donihoo to Pecan Orchard)	PCI 40; 1,763' (reconstruct)				1,052,879			1,052,879	Fund 61		
Hackberry Ln (Pecan Orchard to Cul de Sac)	PCI 40; 1,674' (reconstruct)					1,069,708		1,069,708	Fund 61		
Ranchview Ln	PCI 40; 1,002' (remix)		328,358					328,358	Fund 61		
Woodcreek	PCI 40; 668' (remix)		218,952					218,952	Fund 61		
Kara Lane	PCI 45, 2,606' (ovelay)					469,691		469,691	Fund 61		

Pecan Orchard Ln (Springhill Estates to Hackberry)	PCI 50; 1,146' (remix)			401,817				401,817	Fund 61		
Pecan Orchard Ln (Hackberry to Cul De Sac)	PCI 50; 1,088' (remix)			381,481				381,481	Fund 61		
Wagon Wheel	PCI 50; 1.676' (remix)					672,799		672,799	Fund 61		
Windmill Creek	PCI 50; 1.628' (overlay)					293,422		293,422	Fund 61		
Moss Ridge Rd.	PCI 55, 6,195', Repair Concrete with patch sections	256,000						256,000	Fund 61		
Sycamore Ln	PCI 55; 5,319' (reconstruct)						3,636,834	3,636,834	Fund 61		
	Subtotal	**756,000**	**4,165,776**	**1,995,575**	**5,254,615**	**4,179,989**	**3,636,834**	**19,988,790**			
	Streets Total	***1,136,000***	***4,545,776***	***2,375,575***	***5,634,615***	***4,559,989***	***4,016,834***	***22,268,790***			
Drainage											
City Wide	Develop written policies and procedures relating to drainage impacting streets.							-	Fund 63		
Dublin Road South S-Curve	Engineering Study and construction of a drainage improvement for S-Curve	250,000						250,000	Fund 63		
	Drainage Total	***250,000***	***-***	***-***	***-***	***-***	***-***	***250,000***			
	Infrastructure Total	***1,386,000***	***4,545,776***	***2,375,575***	***5,634,615***	***4,559,989***	***4,016,834***	***22,518,790***			
Water and Sewer Systems											
Project	***Expenditure***	***Proposed Costs***							***Potential Source***	***Potential Grant $***	***Potential Grant Source***
		FY23-24	***FY24-25***	***FY25-26***	***FY26-27***	***FY27-28***	***FY28-29***	***Grand Total***			
FM2551 / Dillehay	Replacing and relocating FM2551/Dillehay Water Lines **(Various Approvals - see project detail**)	1,200,000						1,200,000	CC Funds	1,200,000	CC Funds
Dublin Road Water Lines Engineering	Design new Water Infrastructure plan for Dublin Road (North and South)							-	Fund 03		-
Dublin Road – South Water Lines	Remove and replace existing water lines along Dublin Road - South	1,200,000						1,200,000	ARPA	1,200,000	ARPA
Dublin Road North Water Lines	Replacing Dublin Road – North Water Lines			1,200,000				1,200,000	Fund 62		

Water Impact Fee Study	2023-2033 Water Impact Fee Analysis **Approved Res No 2023-732 4/18/2023**	25,800						25,800	Fund 60		
NTMWD Delivery Point No. 2	Connecting the lines from Central Pump Station to NTMWD **(Included in FY23-24 Budget)**	190,000						190,000	Fund 60		
Bois D' Arc Lane	8-inch Water Line							-	-		
Elevated Storage Tank	Design and Build 2nd Water Tower at Chaparral				5,016,250			5,016,250	Fund 60 & Fund 62		
	Water & Sewer Total	***2,615,800***	***-***	***1,200,000***	***5,016,250***	***-***	***-***	***8,832,050***		***2,400,000***	

		Proposed Costs							From Other Sources
		FY23-24	FY24-25	FY25-26	FY26-27	FY27-28	FY28-29	Grand Total	
	Buildings and Improvements	875,000	-	-	1,500,000	-	-	2,375,000	-
	Vehicles and Equipment	241,500	1,197,293	228,000	300,000	172,000	172,000	2,310,793	-
	Infrastructure	1,386,000	4,545,776	2,375,575	5,634,615	4,559,989	4,016,834	22,518,790	-
	Water and Sewer Systems	2,615,800	-	1,200,000	5,016,250	-	-	8,832,050	2,400,000
	Total ALL	***5,118,300***	***5,743,069***	***3,803,575***	***12,450,865***	***4,731,989***	***4,188,834***	***36,036,633***	***2,400,000***

Totals by Source		Proposed Costs						
		FY23-24	FY24-25	FY25-26	FY26-27	FY27-28	FY28-29	Grand Total
Fund 01	General Fund	-	-	-	150,000	-	-	150,000
Fund 22	Equipment Replacement Fund	120,000	1,185,293	210,000	150,000	160,000	160,000	1,985,293
Fund 28	Technology Replacement Fund	121,500	12,000	18,000	-	12,000	12,000	175,500
Fund 61	Capital Street Construction Fund	1,136,000	4,545,776	2,375,575	5,634,615	4,559,989	4,016,834	22,268,790
Fund 63	Capital Drainage Fund	250,000	-	-	-	-	-	250,000
Fund 65	Capital Facilities Fund	-	-	-	1,500,000	-	-	1,500,000
Fund 62 & TBD		875,000	-	-	-	-	-	875,000
	Total General Fund	***2,502,500***	***5,743,069***	***2,603,575***	***7,434,615***	***4,731,989***	***4,188,834***	***27,204,583***
Fund 03	Water/Sewer Fund	-	-	-	-	-	-	-
Fund 62	Utility Construction Fund	-	-	1,200,000	-	-	-	1,200,000
Fund 60	Utility Impact Fee Fund	215,800	-	-	-	-	-	215,800
Fund 60 & Fund 62		-	-	-	5,016,250	-	-	5,016,250
ARPA	Federal Funds	1,200,000	-	-	-	-	-	1,200,000
CC Funds	Collin County Funds	1,200,000	-	-	-	-	-	1,200,000
	Total Water/Sewer Fund	***2,615,800***	***-***	***1,200,000***	***5,016,250***	***-***	***-***	***8,832,050***
	Total ALL	***5,118,300***	***5,743,069***	***3,803,575***	***12,450,865***	***4,731,989***	***4,188,834***	***36,036,633***
		-	-	-	-	-	-	-

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:	October 30, 2023
Exhibits:	**Proposed Minutes**		

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR OCTOBER 17, 2023. [REGULAR MEETING]

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:	11/09/2023
City Attorney:	Amy J. Stanphill	Date:	11/xx/2023 via Municode
City Administrator:	Luke B. Olson	Date:	11/ xx /2023

MINUTES

CITY COUNCIL MEETING

OCTOBER 17, 2023

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 6:02 p.m. Mayor Pro Tem Jim Reed and Councilmembers Todd Fecht, Randy Kercho, Terry Lynch, and Amanda Noe were present.

Staff Present: City Administrator Luke Olson, Asst. City Administrator/City Secretary Patti Scott Grey, Finance/Human Resources Director Grant Savage, City Attorney Amy J. Stanphill, Public Works Director Gary Machado, Fire Chief Mike Sheff, and Police Sergeant Courtnye Dixon

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

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

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

Mayor Lee Pettle recessed the regular meeting to Executive Session at 6:02 p.m.

RECONVENE REGULAR MEETING.

Mayor Lee Pettle reconvened the meeting at 7:00 p.m.

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

No action was taken.

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Lynnette Ammar led the pledge.

TEXAS PLEDGE: Police Sergeant Courtnye Dixon led the pledge.

PROPOSED

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.**

Lynnette Ammar, 6903 Audubon Drive, voiced concerns on the lack of feedback regarding the proposed Wastewater Treatment Plant (WWTP) in the City's Extra-Territorial Jurisdiction (ETJ), including the information her son, Parker Ammar, presented, and that our noise ordinance was not being followed and/or enforced. Mrs. Ammar requested residents receive regular WWTP updates and the City's noise ordinance be enforced or removed.

ITEMS OF COMMUNITY INTEREST

Mayor Pettle reviewed the upcoming Community Interest items below:

WATER IMPACT FEE CAPITAL IMPROVEMENT ADVISORY COMMITTEE MEETING – THURSDAY, OCTOBER 19, 2023, 7 PM

COMPREHENSIVE PLAN WORKSHOP (CITY COUNCIL & PLANNING AND ZONING COMMISSION) – TUESDAY, OCTOBER 24, 2023, 6:00 PM – 8:00 PM

NATIONAL PRESCRIPTION DRUG TAKE BACK EVENT SATURDAY, OCTOBER 28, 2023, 10 AM – 2 PM

PARKERFEST - SUNDAY, OCTOBER 29, 2023, 3 PM to 6 PM

REMINDER – NOVEMBER 7, 2023 – GENERAL ELECTION (EV AND ED INFO) –

Sunday *(Domingo)*	Monday *(Lunes)*	Tuesday *(Martes)*	Wednesday *(Miércoles)*	Thursday *(Jueves)*	Friday *(Viernes)*	Saturday *(Sábado)*
October 22 No Voting *(22 de octubre) (Sin votar)*	October 23 Early Voting *(23 de octubre) (Votación adelantada)* 8 am – 5 pm	October 24 Early Voting *(24 de octubre) (Votación adelantada)* 8 am – 5 pm	October 25 Early Voting *(25 de octubre) (Votación adelantada)* 8 am – 5 pm	October 26 Early Voting *(26 de octubre) (Votación adelantada)* 8 am – 5 pm	October 27 Early Voting *(27 de octubre) (Votación adelantada)* 8 am – 5 pm	October 28 Early Voting *(28 de octubre) (Votación adelantada)* 7 am – 7 pm
October 29 Early Voting *(29 de octubre) (Votación adelantada)* 11 am – 5 pm	October 30 Early Voting *(30 de octubre) (Votación adelantada)* 7am - 7pm	October 31 Early Voting *(31 de octubre) (Votación adelantada)* 7am - 7pm	November 1 Early Voting *(1 de noviembre) (Votación adelantada)* 7am - 7pm	November 2 Early Voting *(2 de noviembre) (Votación adelantada)* 7am - 7pm	November 3 Early Voting *(3 de noviembre) (Votación adelantada)* 7am - 7pm	November 4 *No Voting (4 de noviembre) (Sin votar)*

Election Day - November 7, 2023 - 7 am - 7 pm

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, NOVEMBER 8, 2023, 5 PM

CITY COUNCIL (CC) – TUESDAY, NOVEMBER 21, 2023 (CANCELED – DUE TO THANKSGIVING HOLIDAY)

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 SEPTEMBER 19, 2023. [REGULAR MEETING]

2. APPROVAL OF MEETING MINUTES FOR OCTOBER 2, 2023. [CITY COUNCIL CAPITAL IMPROVEMENT PLAN (CIP) - PHASED APPROACH & COMPREHENSIVE PLAN WORKSHOP]
3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-763 AMENDING AND RESTATING RESOLUTION 2023-761 REGARDING THE SUSPENSION OF SELECT PARK RULES PURSUANT TO PARKER CODE OF ORDINANCE SECTIONS 97.11 AND 97.14 FOR PARKERFEST 2023 ON SUNDAY, OCTOBER 29, 2023, FROM 12:00 P.M. TO 8:00 P.M. UPON SATISFYING CERTAIN CONDITIONS.
4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-764 APPROVING THE TERMS OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF MURPHY AND THE CITY OF PARKER PROVIDING FOR POLICE DISPATCH SERVICES.

MOTION: Councilmember Lynch moved to approve consent agenda items 1 through 4 as presented. Councilmember Kercho seconded with Councilmembers Fecht, Kercho, Lynch, Noe, and Reed voting for the motion. Motion carried 5-0.

INDIVIDUAL CONSIDERATION ITEMS

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-765 AMENDING AND RESTATING RESOLUTION NO. 2023-735 TO APPOINT A SECRETARY FOR THE WATER IMPACT FEE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE.

MOTION: Councilmember Lynch moved to approve Resolution No. 2023-765 amending and restating Resolution No. 2023-735 to appoint a secretary for the Water Impact Fee Capital Improvements Advisory Committee. Mayor Pro Tem Reed seconded.

Councilmember Lynch nominated Wei Wei Jeang as the Water Impact Fee Capital Improvements Advisory Committee Secretary. Mayor Pro Tem Reed seconded.

Councilmembers Fecht, Kercho, Lynch, Noe, and Reed voting for the motion appointing Wei Wei Jeang Water Impact Fee Capital Improvements Advisory Committee Secretary. Motion carried 5-0.

The Council thanked Ms. Jeang.

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-766, AMENDING AND RESTATING RESOLUTION NO. 2023-736 (COURT OFFICIALS) TO REPLACE THE MUNICIPAL COURT ALTERNATE JUDGE.

City Attorney Stanphill reviewed the item, stating the Municipal court alternate judge, Efren Ordonez, has decided to retire. The City now needs to fill that position and this resolution would appoint a candidate, Judge Cass Robert Callaway, who fulfills the requirements necessary, if Council so desires.

Mayor Pettle asked candidate Judge Cass Robert Callaway to come to the podium and tell everyone a little about himself. Judge Callaway reviewed his service.

PROPOSED

MOTION: Mayor Pro Tem Reed moved to approve Resolution No. 2023-766, amending and restating Resolution No. 2023-736 (Court Officials) to replace the Municipal Court Alternate Judge with Judge Cass Robert Callaway. Councilmember Fecht seconded with Councilmembers Fecht, Kercho, Lynch, Noe, and Reed voting for the motion. Motion carried 5-0.

The Council welcomed Judge Cass Callaway as the City's Municipal Court Alternate Judge.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 853 AMENDING ORDINANCE NO. 698 GRANTING AN EXCEPTION AND ALTERNATE COVERAGE FOR RETIREE BETTY MCMENAMY UNDER THE CONDITIONS SET FORTH HEREIN, PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

City Administrator Olson reviewed the item, stating the City recommends replacing retiree Betty McMenamy's health coverage.

MOTION: Councilmember Lynch moved to approve Ordinance No. 853 amending Ordinance No. 698 granting an exception and alternate coverage for retiree Betty McMenamy under the conditions set forth herein, providing a repealer clause; and providing an effective date. Councilmember Noe seconded with Councilmembers Fecht, Kercho, Lynch, Noe, and Reed voting for the motion. Motion carried 5-0.

ROUTINE ITEMS

8. UPDATE(S):

FM2551

City Administrator Olson and Public Works Director Machado reported Texas Department of Transportation (TxDot) moved its construction headquarter trailers to the corner of Dillehay Drive and Parker Road and power poles setup work is being completed for installation. Construction should be underway soon.

Police Vehicle

City Administrator Olson said the Parker police has two vehicles that need immediate replacement, the first vehicle has already had two (2) engines, a transmission and other work and it now needs about $8,000 additional work, not under warranty, and the second vehicle has met requirements for replacement, as well.

The City Staff thought they secured another deal but that fell through and now Mr. Olson and Chief Price are looking at alternate sources for cars and believe they have found one in Pennsylvania. They are still trying to locate a second vehicle. Enterprise indicated they will put this vehicle under their plan with the City. Mr. Olson said he will provide updates as they become available.

Capital Improvement Plan (CIP)

Councilmember Noe was asked to make an update on the CIP meeting, which was prior to tonight's council meeting. Mrs. Noe stated a rough draft of a CIP plan consisting of capital assets is in process. The plan would include roads, drainage, water projects (lines, meters and tower), facilities, and any asset, equipment, or project estimated over $25,000. The Mayor and Council are looking at various funding sources

PROPOSED

for projects and will be prioritizing start dates of various projects. This is still in the development stage.

Newsletter

Mayor Pettle noted the newsletter was paused at the June 20, 2023 City Council meeting. The remaining Newsletter Committee members and City Staff are determining what information should be in the newsletter and how this should be transmitted. They are looking at different formats, electronic on city's website, a few paper copies for any residents wanting to pick up a copy at City Hall, and if needed, continuing a mail out. The first "trial" newsletter is on the city's website now at https://www.parkertexas.us/ArchiveCenter/ViewFile/Item/3512 and attached as Exhibit 1 – Newsletter, dated October 2023]. Council, City Staff, and residents were encouraged to take a look and send comments. Our goal is to provide useful information to residents in a way that works and is possibly more cost effective.

Website

Councilmember Lynch was asked to update everyone on the Website Development Committee meeting and their progress. Mrs. Lynch said the Committee met yesterday, Monday, October 16, 2023, 3:00-4:30 PM and they were in the process of redesigning the City's website to make it more user friendly and hopefully contain additional helpful information that residents want and can use. The Committee is looking at various cities' sites and also developing their own content. Councilmember Lynch asked residents to share their thoughts, ideas, and suggestions, and thanked City Staff members City Administrator Olson, Court Clerk Newton, and Utility Billing Administrator Shults for their efforts.

Texas Commission on Environmental Quality (TCEQ)

Mr. Olson said the State Office of Administrative Hearing (SOAH) on the Municipal Utilities District (MUD) is scheduled for November 28, 2023 at 9 AM via zoom. The City has filed for a rehearing on the WWTP and it is unknown when the City will get a ruling.

ANY ADDITIONAL UPDATES

None

MONTHLY/QUARTERLY REPORTS

Council accepted the departmental and quarterly reports hyperlinked below:

September 2023 - Building Permit

September 2023 – Court Report

September 2023 – Republic Services Inc., dba Allied Waste Services of Plano

DONATION(S)

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

   Patrick and Alex Tayor donated snacks valued at $20 to the Parker Police Department.

PROPOSED

Kristl Pearl from Dublin Road Estates' National Night Out (NNO) event donated pizza, candy and baked goods valued at $100 to City Staff.

Kristl Pearl from Dublin Road Estates' National Night Out (NNO) event donated $100 each to Parker Fire and Police Departments.

Cyndi Daughtery donated food valued at $20 to the Parker Police Department.

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

FUTURE AGENDA ITEMS

10. FUTURE AGENDA ITEMS

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

Hearing no additional requests, she asked Council if they would like to add Lindy M. "Buddy" Pilgrim's request to change the property tax exemption to a Property Tax Freeze for those eligible. There was no comment from Council to add the request to Future Agenda Items. Public Works Director Machado said he would have two (2) final plats for the Council soon. Mayor Pettle encouraged everyone to email her any requests. She noted there would be a Joint City Council /Planning & Zoning (P&Z) Commission Comprehensive Plan Workshop, October 24, 2023, at 6:00 PM; a Capital Improvement Plan Workshop, October 30, 2023, 5:00 – 7:00 PM; and the next regularly scheduled meeting would be Tuesday, November 14, 2023, due to the November 7, 2023 Election Day voting.

ADJOURN

Mayor Lee Pettle adjourned the meeting at 7:43 p.m.

APPROVED:

_____
Mayor Lee Pettle

ATTESTED:

Approved on the __14th___ day

of ____November_____, 2023.

_____
Patti Scott Grey, City Secretary

PROPOSED

Just a friendly reminder that residents are required to register their home alarms each year. The Renewal fee is $20 with payment due by the 31st of January. After January 31st a $10 late fee will be applied to your registration. Payments may be made beginning December 1, 2023 for the 2024 Registration. New Alarm Registration forms are needed, and can be found at: **www.parkertexas.us**

Fall is here, and the Public Works Department would like to remind everyone to clean your leaves out of your ditch. The fallen leaves that are left in the ditch have the potential to clog drainage. Clean ditches equals proper drainage!

The City of Parker is accepting applications for Planning & Zoning, Parks and Recreation, and Zoning Board of Adjustments. If you are interested please fill out an application and return by email to

pgrey@parkertexas.us or drop off at City Hall. Applications are due close of business on November 3, 2023

Parkerfest 2023! October 29th, 3PM-6PM Don't miss the Fun!

The City of Parker does not call for outstanding warrant payments over the phone. If you receive any related calls, please contact our Municipal Court, 972-442-6999.

Help keep your carts clean by bagging all trash and never putting liquids in the cart. Recyclables should be empty, clean and dry. Do not bag these items. Only carts with obvious damage can be replaced.

REMINDER – NOVEMBER 7, 2023 – GENERAL ELECTION (EV AND ED INFO) –

Sunday *(Domingo)*	Monday *(Lunes)*	Tuesday *(Martes)*	Wednesday *(Miércoles)*	Thursday *(Jueves)*	Friday *(Viernes)*	Saturday *(Sábado)*
October 22 No Voting *(22 de octubre) (Sin votar)*	October 23 Early Voting *(23 de octubre) (Votación adelantada)* 8 am – 5 pm	October 24 Early Voting *(24 de octubre) (Votación adelantada)* 8 am – 5 pm	October 25 Early Voting *(25 de octubre) (Votación adelantada)* 8 am – 5 pm	October 26 Early Voting *(26 de octubre) (Votación adelantada)* 8 am – 5 pm	October 27 Early Voting *(27 de octubre) (Votación adelantada)* 8 am – 5 pm	October 28 Early Voting *(28 de octubre) (Votación adelantada)* 7 am – 7 pm
October 29 Early Voting *(29 de octubre) (Votación adelantada)* 11 am – 5 pm	October 30 Early Voting *(30 de octubre) (Votación adelantada)* 7am - 7pm	October 31 Early Voting *(31 de octubre) (Votación adelantada)* 7am - 7pm	November 1 Early Voting *(1 de noviembre) (Votación adelantada)* 7am - 7pm	November 2 Early Voting *(2 de noviembre) (Votación adelantada)* 7am - 7pm	November 3 Early Voting *(3 de noviembre) (Votación adelantada)* 7am - 7pm	November 4 *No Voting (4 de noviembre) (Sin votar)*

Once again, Parker City Hall will be a county vote center. For a sample ballot, visit the Collin County website at www.collincountytx.gov/elections

National Prescription Drug Take Back Event!

Saturday, October 28th 10 AM - 2 PM

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:	October 30, 2023
Exhibits:	**Proposed Minutes**		

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR OCTOBER 24, 2023. [JOINT CITY COUNCIL & PLANNING AND ZONING (P&Z) COMMISSION COMPREHENSIVE PLAN WORKSHOP]

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:	11/09/2023
City Attorney:	Amy J. Stanphill	Date:	11/xx/2023 via Municode
City Administrator:	Luke B. Olson	Date:	11 xx /2023

MINUTES

CITY COUNCIL & PLANNING AND ZONING (P&Z) COMMISSION

SPECIAL MEETING – COMPREHENSIVE PLAN WORKSHOP

OCTOBER 24, 2023

CALL TO ORDER – Roll Call and Determination of a Quorum

The Parker City Council and Planning and Zoning (P&Z) Commission 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 6:04 p.m. Mayor Pro Tem Jim Reed and Councilmembers Randy Kercho, Terry Lynch, and Amanda Noe were present. Councilmember Todd Fecht was absent.

A super-quorum of the Council was established,

Staff Present: City Administrator Luke Olson, City Attorney Amy J. Stanphill, Deputy City Secretary/Court Clerk Lori Newton, and Public Works Director Gary Machado

ESTABLISHING A P&Z QUORUM

Mayor Pettle asked City Administrator Olson if there was a P&Z quorum. Mr. Olson replied no, as there was one P&Z Commissioner present, P&Z Alternate 3 Lucy Estabrook, and three (3) Commissioners were needed for a quorum.

Mayor Pettle asked Council if they were willing to wait a reasonable amount of time (15 minutes) to see if additional P&Z Commissioners arrived or could be contacted.

Mayor Lee Pettle recessed the meeting for lack of a quorum at 6:05 p.m.

RECESS (15 MINUTES)

RECONVENED – NO P&Z QUORUM WAS ESTABLISHED

Mayor Lee Pettle reconvened the meeting at 6:20 p.m. to confirm whether a quorum of P&Z Commissioners was established. No additional P&Z Commissioners arrived or were present.

ADJOURN

Mayor Lee Pettle adjourned the meeting at 6:21 p.m., due to lack of a P&Z quorum.

APPROVED:

_____

Mayor Lee Pettle

Proposed

ATTESTED:

Approved on the __14th___ day of _____November____, 2023.

_____
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:	October 30, 2023
Exhibits:	**Proposed Minutes**		

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR OCTOBER 30, 2023. [CITY COUNCIL CAPITAL IMPROVEMENT PLAN (CIP) - PHASED APPROACH WORKSHOP]

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:	11/09/2023
City Attorney:	Amy J. Stanphill	Date:	11/xx/2023 via Municode
City Administrator:	Luke B. Olson	Date:	11 xx /2023

CITY OF PARKER

MINUTES

CITY COUNCIL MEETING

OCTOBER 30, 2023

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 5:00 p.m. Mayor Pro Tem Jim Reed and Councilmembers Todd Fecht, Randy Kercho, Terry Lynch, and Amanda Noe (arrived at 5:07 p.m.) were present.

Staff Present: City Administrator Luke Olson, Asst. City Administrator/City Secretary Patti Scott Grey, Finance/Human Resources Director Grant Savage, City Attorney Amy J. Stanphill, Public Works and Director Gary Machado

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.**

No comments

WORKSHOP

CAPITAL IMPROVEMENT PLAN (CIP)

CONSIDERATION OF PHASED APPROACH

Mayor Pettle turned the meeting over to the Council for a recap, review of updates, which were included in tonight's packet, "City of Parker, Texas Capital Improvement Plan FY23-24 – FY28-29 10/30/2023 Rev 0.3", and further discussion of the CIP plan.

The Mayor, Council, and City Staff made suggestions for additional corrections/updates. Councilmembers Noe and Lynch said they would make the changes to the draft documents and send City Administrator Olson an update before the next CIP meeting for that packet. [***See Exhibit 1 –*** City of Parker, Texas Capital Improvement Plan FY23-24 – FY28-29 10/30/2023 Rev 0.4***, dated November 13, 2023***.]

TOWN HALL MEETING

Mayor Pettle said she thought there should be a Town Hall meeting regarding the proposed Capital Improvement Plan. She inquired whether the Council thought the meeting should be before or after the proposed plan was more complete.

After discussion, Council agreed the Town Hall should wait until the proposed plan was more complete.

ADJOURN

Mayor Lee Pettle adjourned the meeting at 7:00 p.m.

PROPOSED

APPROVED:

_____
Mayor Lee Pettle

ATTESTED:

Approved on the ___14th___ day
of ____November_____, 2023.

_____
Patti Scott Grey, City Secretary

PROPOSED

Exhibit 1

City of Parker Texas
Capital Improvement Plan
FY23-24 - FY28-29

11/13/2023 Rev 0.4

City Administrator: Luke Olson 11/13/23 Revised by: Parker City Council

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Introduction

The Parker Capital Improvement Plan (CIP) was developed in close collaboration with the Mayor, City Administrator, Finance Director, City Attorney, Department Directors, City Engineer, and the City Council. The effort could only come to fruition with these stakeholders' deep engagement.

The Parker Capital Improvement Plan (CIP) provides a multi-year view into the City's proposed and approved capital expenditures. The CIP is envisioned to be a living document which is updated as needed to reflect capital expenditure additions/deletions and/or changes in costs as well as serving as a point of reference during the City's annual budgeting process. Ultimately, the plan encourages careful project planning and design to avoid costly mistakes and to help Parker reach desired community objectives within its fiscal capacity.

A well-planned, updated and executed capital plan is a wise investment that will enable the city to:

- maximize use of municipal assets,
- lower maintenance and replacement costs,
- decrease risk of injury or liability from using deteriorating capital assets,
- enhance efficiencies in vehicles and equipment,
- decrease future expenditures through proactive maintenance and replacement of equipment, facilities, and infrastructure,
- weigh proposed capital expenditure benefits against the impact on the City's financial soundness, and
- allow adequate time to identify alternative means to finance approved capital needs.

Adequate funding of capital needs presents many small cities with significant challenges, and Parker is no exception. With appropriate planning and careful use of resources, the City of Parker can address many of its most pressing needs affordably and sustainably.

Capital Planning Process Goals and Objectives

The Capital Planning Process seeks the following objectives:

- To provide and preserve the infrastructure and equipment needed for achieving the highest levels of public services and quality of life possible by annually updating a six-year Capital Improvement Plan to ensure adequate investment in the City's capital assets.

DRAFT

- To maintain Parker's physical assets by providing funding in the annual operating budget to protect its capital investments and minimize future maintenance and replacement costs.
- To pursue a preventive maintenance program as a cost-effective approach to protecting its capital investments and maximizing the useful life of its capital assets including the procurement of outside services where city staff capacity or expertise appears insufficient to perform such preventative maintenance.

Definition of a Capital Asset

Capital assets for purposes of the CIP are defined in Resolution 2022-706. Capital assets are real or personal property that have a value equal to or greater than the capitalization threshold defined and have an estimated life of longer than one year. Capital assets include land, land improvements, buildings building improvements, machinery and equipment, computer equipment, vehicles and heavy equipment, and infrastructure.

Per Resolution 2022-706, capitalization thresholds and estimated useful lives of capital asset categories are as follows:

Asset Description	Capitalization Threshold	Estimated Useful Lives
Land	$1	
Land Improvements	$12,500	20 Yrs
Buildings & Building Improvements	$25,000	30 Yrs - 40 Yrs
Vehicles and equipment		
• Computer Equipment	$25,000	3 Yrs – 10 Yrs
• Vehicles & Heavy Equipment	$1	5 Yrs – 20 Yrs
• Machinery & Equipment	$2,500	5 Yrs – 10 Yrs
Infrastructure	$25,000	20 Yrs

Donated capital assets are recorded at their estimated fair market value at the time of acquisition plus ancillary charges. Assets acquired with grant funds will be capitalized based on the grant agreement.

Water and Sewer assets are capitalized and have useful lives based upon the underlying asset type (primarily building & building improvements, infrastructure, and machinery & equipment)

The Capital Improvement Plan will address capital projects with a cost of $25,000 or greater. Other capital asset additions which fall below the $25,000 threshold will be accumulated and added to each category as one line item.

DRAFT

Capital Improvements Planning Process

The annual capital planning process is a process by which the city identifies the need to acquire new capital assets, repair or replace existing assets, and the proposed financing of each. It is an annual process conducted with the Mayor, City Administrator, Finance Director, City Attorney, Department Directors, City Engineer, and the City Council. The process includes the following steps:

- conduct an annual review of the capital improvements program of the city as well as proposals addressing the needs of the city's infrastructure and/or the acquisition and maintenance of capital assets,
- make recommendations and consider project scope and funding regarding the above,
- review in conjunction with the Annual budgeting process
- prepare and present an annual report documenting capital asset additions/deletions during the prior year and status of approved but uncompleted capital projects , along with an updated Capital Improvement Plan for the next six-year period.

Approved projects are indicated with the Resolution, all others are considered proposed and require consideration by the City Council. Proposed costs reflect an estimation of the total costs to be incurred for each Capital Project. Once a project is approved, if bids received by the City exceed the proposed estimate by more than ___%, the project will be re-considered by City Council and/or its citizens, if so required.

The CIP can be used for identifying potential funding needs, sources, and re-allocations. It is a tool to help monitor our progress in achieving our stated goals and report on completion success.

The CIP is a living plan, as such, proposals as well as approved capital expenditures are subject to change based on new service delivery needs, special financing opportunities, emergency needs, compliance with unfunded mandates, and changing economic conditions. Every effort is made to make the six-year plan as accurate, thorough, and predictable as possible.

References to "Fund XX" in the Project Schedules refer to a particular accounting funds maintained by the City. They are largely funded by the City's existing revenue sources inclusive of ad valorem taxes, sales taxes and water and wastewater fees. Other funding references are generally from external sources stemming typically from Federal, State, or County funds made available to municipalities.

DRAFT

Current Fiscal Year Approved & Proposed Capital Projects (FY23-24)

The following schedule reflects both Approved & Proposed Projects targeted for expenditures during the current fiscal year as identified in the Annual CIP Process. This inventory of the upcoming year's approved & proposed capital projects it is a tool to be used in budget planning, staff resourcing, and a way to monitor the implementation of the Capital Plan. See "Capital Improvement Planning Process" for description of Approved and Proposed.

DRAFT

Current Year Capital Projects

Category	Expenditure	Status	Proposed Costs	Funding Source	Grant $ Funding	Grant Source
Buildings and Improvements						
Water Department Building	Design and Build the Water Department Building located at the Dillehay Pump Station	IN DESIGN	875,000	Fund 62		
City Government Facilities	Evaluate, design, and build and/or renovate existing facilities to provide for needs of the city.			Fund 65		
	Buildings & Improvements Total		***875,000***			
Vehicles and Equipment						
Police and Public Works	Replace Police and DPW Vehicles with Leased vehicles **(Included in FY23-24 Budget)**	IN PROGRESS	120,000	Fund 22		
ALL	Other Vehicles & Equipment < $25k		16,500	Fund 22		
ALL	Other Computer Equipment < $25k		105,000	Fund 28		
	Vehicles & Equipment Total		***241,500***			
Infrastructure						
Streets						
Maintenance (Patch)						
	Develop written policies and procedures relating to street maintenance.					
	Annual Street Maintenance	IN PLANNING	305,000	Fund 61		
Curtis Road (Dillehay to Southridge Pkwy)	Patch Overlay 750'x20' Asphalt	IN PLANNING	75,000	Fund 61		
	Subtotal		***380,000***			
Repair						
Lewis Lane (ALL)	Complete jurisdiction analysis and obtain written agreement on the responsibilities of entities.	IN PLANNING		Fund 61		

DRAFT

Current Year Capital Projects

Lewis Lane (Kings Crossing Phase 4N to KC Phase 3N)	Remix section next to King's Xing Phase 4. 1000'x24' Asphalt w/ Glas Pave	IN PLANNING	300,000	Fund 61		
Gray Lane	PCI 25; 2211'x19' Asphalt Overlay	IN PLANNING	200,000	Fund 61		
Moss Ridge	Repair Concrete with patch sections	IN PLANNING	256,000	Fund 61		
	Subtotal		*756,000*			
	Streets Total		*1,136,000*			
Drainage						
	Develop written policies and procedures relating to drainage.			Fund 63		
Dublin Road South	Engineering Study and construction of a drainage improvement for S-Curve	IN PROGRESS	250,000	Fund 63		
	Drainage Total		*250,000*			
Water and Sewer System						
Dillehay / FM2551	Replacing and relocating FM2551/Dillehay Water Lines **(Various Approvals - see project detail)**	IN PROGRESS	1,200,000	CC Funds	1,200,000	
Dublin Road Water Lines Eng	Design new Water Infrastructure plan for Dublin Road (North and South)	IN PLANNING		Fund 62		
Dublin Road - South Water Line	Remove and replace existing water lines along Dublin Road - South	IN PLANNING	1,200,000	ARPA	1,200,000	
Water Impact Fee Study	2023-2033 Water Impact Fee Analysis (**Approved Res No 2023-732 4/18/2023)**		25,800	Fund 60		
NTMWD Delivery Point No.2	Connecting the lines from Dillehay (Central) Pump Station to NTMWD **(Included in FY23-24 Budget)**	IN PLANNING	190,000	Fund 62		
	Water & Sewer System Total		*2,615,800*		*2,400,000*	
	Total All		*5,118,300*			
	Government (General) Funds		*1,627,500*			
	Proprietary (Water & Sewer) Funds		*3,490,800*		*2,400,000*	

DRAFT

Capital Project Schedule (FY23-24 through FY28-29)

The FY23-24 through FY28-29 Capital Project Schedule is a working document that aims to identify all known proposed capital expenditures which may arise over the next six years. Early identification allows more time to weigh their expected benefits against their costs and to consider financing alternatives. Projects on this schedule have been identified in a reference study or by a departmental director. Projects are listed in these categories: Facilities, Vehicles and Equipment, Streets, Drainage, Water Infrastructure, Parks and Public Spaces. While this schedule cannot possibly identify all possible future capital needs, it can allow the city to forecast, prioritize and schedule planned capital expenditures over a six-year horizon.

The Capital Project Schedule incorporates the Current Fiscal Year Approved & Proposed Capital Projects schedule in addition to potential capital needs over the following five-year period. Overall, it presents a six-year view of Approved & Proposed Capital Projects and the associated individual and cumulative estimated costs. See “Capital Improvement Planning Process” for description of Approved and Proposed.

DRAFT

Capital Project Schedule

Buildings and Improvements

Building	Expenditure	Proposed Costs							Potential Source	Potential Grant $	Potential Grant Source
		FY23-24	FY24-25	FY25-26	FY26-27	FY27-28	FY28-29	Grand Total			
Water Department Building	Design and Build the Water Department Building located at the Dillehay Pump Station	875,000						875,000	Fund 62		
City Government Facilities	Evaluate, design, and build and/or renovate existing facilities to provide for needs of city.							-	Fund 65		
	Create written Building and Improvement Maintenance assessment program							-	Fund 65		
	Building & Improvements Total	***875,000***	***-***	***-***	***-***	***-***	***-***	***875,000***			

Vehicles and Equipment

Department	Expenditure	Proposed Costs							Potential Source	Potential Grant $	Potential Grant Source
		FY23-24	FY24-25	FY25-26	FY26-27	FY27-28	FY28-29	Grand Total			
Police and Public Works	Replace Police and DPW Vehicles with Leased vehicles	120,000	130,000	150,000	150,000	160,000	160,000	870,000	Fund 22		
Public Works	Add Dump truck				150,000			150,000			
Fire	Replace 2002 Smeal Fire Truck-Pumper (02-811) **Approved Res No 2023-755 9/19/2023 w/delivery est 605 Days**		875,293					875,293	Fund 22		
Fire	Replace 2010 Ford F-750 Brush Truck (10-811) **Approved Res No 2023-754 8/15/2023 delivery w/l 23-24 mo.**		180,000					180,000	Fund 22		
Fire	Replace 2016 Ford F-250 (16-812)			60,000				60,000	Fund 22		
ALL	Other Vehicles & Equipment < $25k	16,500	12,000	18,000		12,000	12,000	70,500	Fund 22		

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Capital Project Schedule

ALL	Other Computer Equipment < $25k	105,000						105,000	Fund 28		
	Vehicle & Equipment Total	***241,500***	***1,197,293***	***228,000***	***300,000***	***172,000***	***172,000***	***2,310,793***			

Infrastructure

Street Segment	***Expenditure***	***Proposed Costs***							***Potential Source***	***Potential Grant $***	***Potential Grant Source***
		FY23-24	***FY24-25***	***FY25-26***	***FY26-27***	***FY27-28***	***FY28-29***	***Grand Total***			
Streets											
Maintenance (Patch)											
	Develop written policies and procedures plan for annual street maintenance.								Fund 61		
Annual Street Maintenance	Based on Street Maintenance Plan	305,000	380,000	380,000	380,000	380,000	380,000	2,205,000	Fund 61		
Curtis Road (Partial)	Patch w/ Asphalt overlay 750'x20'	75,000						75,000	Fund 61		
	Subtotal	***380,000***	***380,000***	***380,000***	***380,000***	***380,000***	***380,000***	***2,280,000***			
Repairs											
Dublin Road South (Park to South Limit)	Remix straight segments 5300'x22', Reconstruct S-Curve 600'x22', Asphalt w/ Glas Pave		1,785,950					1,785,950	Fund 61		
Dublin Road North (Parker to Park)	Remix complete section. 7957'x22', Asphalt w/ Glas Pave				2,985,223			2,985,223	Fund 61		
Lewis Lane (ALL)	Complete jurisdiction analysis and obtain written agreement mtce resp.							-	Fund 61		
Lewis Lane (Kings Crossing Phase 4N to Phase 3N)	Remix section 1000'x24' Asphalt road w/ Glas Pave	300,000						300,000	Fund 61		
Lewis Lane (Other Sections)	PCI 40, 3,286 est total (reconstruct)		1,414,060					1,414,060	Fund 61		

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Capital Project Schedule

Church Ln	PCI 20; 2,172' (reconstruct)			1,212,277				1,212,277	Fund 61		
Gray Ln	PCI 25; 2211'x19' Asphalt Overlay	200,000						200,000	Fund 61		
Donihoo Ln	PCI 35; 2,037' (reconstruct)				1,216,514			1,216,514	Fund 61		
Gregory Ln (Hogge to Gray)	PCI 40; 1,277' (remix)		418,457					418,457	Fund 61		
Gregory Ln (Gray to End	PCI 40; 4,171' (remix)					1,674,370		1,674,370	Fund 61		
Hackberry Ln (Donihoo to Pecan Orchard)	PCI 40; 1,763' (reconstruct)				1,052,879			1,052,879	Fund 61		
Hackberry Ln (Pecan Orchard to Cul de Sac)	PCI 40; 1,674' (reconstruct)					1,069,708		1,069,708	Fund 61		
Ranchview Ln	PCI 40; 1,002' (remix)		328,358					328,358	Fund 61		
Woodcreek	PCI 40; 668' (remix)		218,952					218,952	Fund 61		
Kara Lane	PCI 45, 2,606' (ovelay)					469,691		469,691	Fund 61		
Pecan Orchard Ln (Springhill Estates to Hackberry)	PCI 50; 1,146' (remix)			401,817				401,817	Fund 61		
Pecan Orchard Ln (Hackberry to Cul De Sac)	PCI 50; 1,088' (remix)			381,481				381,481	Fund 61		
Wagon Wheel	PCI 50; 1.676' (remix)							-	Fund 61		
Windmill Creek	PCI 50; 1.628' (overlay)					293,422		293,422	Fund 61		
Moss Ridge Rd.	PCI 55, 6,195', Repair Concrete with patch sections	256,000						256,000	Fund 61		

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Capital Project Schedule

Sycamore Ln	PCI 55; 5,319' (reconstruct)						3,636,834	3,636,834	Fund 61		
	Subtotal	**756,000**	**4,165,776**	**1,995,575**	**5,254,615**	**3,507,190**	**3,636,834**	**19,315,991**			
	Streets Total	***1,136,000***	***4,545,776***	***2,375,575***	***5,634,615***	***3,887,190***	***4,016,834***	***21,595,991***			

Drainage

City Wide	Develop written policies and procedures relating to drainage impacting streets.							-	Fund 63		
Dublin Road South S-Curve	Engineering Study and construction of a drainage improvement for S-Curve	250,000						250,000	Fund 63		
	Drainage Total	***250,000***	***-***	***-***	***-***	***-***	***-***	***250,000***			
	Infrastructure Total	***1,386,000***	***4,545,776***	***2,375,575***	***5,634,615***	***3,887,190***	***4,016,834***	***21,845,991***			

Water and Sewer Systems

Project	*Expenditure*	*Proposed Costs*							*Potential Source*	*Potential Grant $*	*Potential Grant Source*
		FY23-24	*FY24-25*	*FY25-26*	*FY26-27*	*FY27-28*	*FY28-29*	*Grand Total*			
FM2551 / Dillehay	Replacing and relocating FM2551/Dillehay Water Lines **(Various Approvals - see project detail)**	1,200,000						1,200,000	CC Funds	1,200,000	CC Funds
Dublin Road Water Lines Engineering	Design new Water Infrastructure plan for Dublin Road (North and South)							-	Fund 62		-
Dublin Road – South Water Lines	Remove and replace existing water lines along Dublin Road - South	1,200,000						1,200,000	ARPA	1,200,000	ARPA
Dublin Road North Water Lines	Replacing Dublin Road – North Water Lines			1,200,000				1,200,000	Fund 62		

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Capital Project Schedule

Water Impact Fee Study	2023-2033 Water Impact Fee Analysis **Approved Res No 2023-732 4/18/2023**	25,800						25,800	Fund 60		
NTMWD Delivery Point No. 2	Connecting the lines from Dillehay (Central)+B55 Pump Station to NTMWD **(Included in FY23-24 Budget)**	190,000						190,000	Fund 60		
Bois D' Arc Lane	8-inch Water Line							-	-		
Elevated Storage Tank	Design and Build 2nd Water Tower at Chaparral				5,016,250			5,016,250	Fund 60 & Fund 62		
	Water & Sewer Total	***2,615,800***	***-***	***1,200,000***	***5,016,250***	***-***	***-***	***8,832,050***		***2,400,000***	

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Capital Project Schedule
Totals

	Proposed Costs							From Other Sources
	FY23-24	FY24-25	FY25-26	FY26-27	FY27-28	FY28-29	Grand Total	
Buildings and Improvements	875,000	-	-	-	-	-	875,000	-
Vehicles and Equipment	241,500	1,197,293	228,000	300,000	172,000	172,000	2,310,793	-
Infrastructure	1,386,000	4,545,776	2,375,575	5,634,615	3,887,190	4,016,834	21,845,991	-
Water and Sewer Systems	2,615,800	-	1,200,000	5,016,250	-	-	8,832,050	2,400,000
Total ALL	**5,118,300**	**5,743,069**	**3,803,575**	**10,950,865**	**4,059,190**	**4,188,834**	**33,863,834**	**2,400,000**
From Other Sources	**2,400,000**							
Government (General) Fund Needs	**1,627,500**	**5,743,069**	**2,603,575**	**5,784,615**	**4,059,190**	**4,188,834**	**24,006,784**	
Proprietary (Water & Sewer) Fund Needs	**3,490,800**	**-**	**1,200,000**	**5,016,250**	**-**	**-**	**9,707,050**	**2,400,000**
From Other Sources	**2,400,000**							

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Capital Projects

Building and Improvement Projects

There are several major municipal facility capital projects that are in the planning and feasibility study stages. These projects can have a substantial impact on future capital needs and expenditures, so they should be monitored as part of the capital planning process. The Capital Improvement Planning process should consider recommendations for the initiation of feasibility studies, especially where projects may be partially supported by grant funds or bonds.

Project: New Water Department Building at the Dillehay (Central) Pump Station

Status: Proposed - In Planning/Design - Construction requested for FY23-24

Department: Public Works

Project Scope: This project scope is to design and build a new Water Department Facility located on the same property as the new Dillehay pump station. The building is envisioned to be 12,000 sqft. metal building with a brick façade. The building will have enclosed office space within the larger building and several large garage doors to allow for equipment storage and maintenance. - The scope of work for FY23-24 is to complete the design and construction of the building.

Background: The water department personnel have been operating out of the Old Parker Fire Station and the old white metal garage building (located adjacent to the old fire station). These buildings have offices, restrooms, work benches, tools and equipment, storage, and work facilities. The buildings have reached the end of their useful life and are not fit for reuse or renovation. The Old Fire Station is a metal building with a brick façade that was built in 1982. The old white garage is of similar vintage and is showing signs of age. Relocating the water department offices, storage, and shop facilities to the location near the Dillehay pump station will enable these buildings to be vacated, allowing for their demolition, making way for alternative uses of the land.

Funding: This is a project for administration of our Water System. Funding will be from Fund 62 (Utility Construction Fund).

Timeline: The project should commence imminently.

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Project: City Government Facilities

Status: Proposed – Discussion Phase – New/Renovated Police Station and City Hall

Department: All City Government

Project Scope: After identifying the funds available for city government facilities, the identified needs are to be reviewed and prioritized, options identified, and a plan of action defined for proceeding. With this in hand, the next steps can begin.

Background:

The Parker Police Department has operated out of a portable building for several years. It is costly to continue to pay rent for this facility, and that money could be better spent on a permanent building.

Parker City Hall is challenged to meet the space needs of the Parker Administrative Staff and the Council and Municipal Court Chambers. The space lacks proper ADA accessibility, sufficient parking, and has constrained meeting, office, and storage space.

Several options have been considered over the years. Voters rejected proposal in 2020 for request to borrow up to $9,500,000 and in 2022 for request to borrow up to $8,630,000.

Funding: This project will be funded through the Capital Facilities Fund (Fund 65).

Timeline: TBD

Project: Building and Improvement Maintenance

Status: Proposed

Department : All Government

Background: Parker owns a portfolio of at least 5 buildings of various ages. The City of Parker should conduct an annual building assessment (not feasibility studies) for the city properties. Condition of key structural and operational components of the buildings should be assessed on an annual basis. Information from these assessments would be factored into the six-year capital plan. As additional properties are built, these properties should be added to the annual assessments.

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Facility	Address	PCA 360 Audit	Roof Assessed	Roof last Replaced	HVAC Replaced	Septic Replaced	Generators Replaced
Parker City Hall	5700 E. Parker Road		2022		2015-2018		
Parker Fire Department	5700 E. Parker Road		2022		2008	2023	2009
Parker Police Dept.	5700 E. Parker Road		N/A		2014		
Parker Water Dept.	5700 E. Parker Road		2022		2020		
East Water Storage Facility	Parker Road						2007
Central Water Storage Facility	Dillehay			2021	2020-2021		2021

Infrastructure Projects (Streets and Drainage)

Infrastructure Capital Improvement planning is driven by the mission to provide a safe and reliable street and drainage system for residents and visitors. The plan considers both scheduled maintenance and repair of poor streets and other surface drainage issues.

Streets identified in the 2021 Street Condition Survey with a rating of below fair condition are included in the infrastructure projects. For each street, additional information, including average daily traffic, number of properties on the street, other areas utilizing the street, alternate route available, drainage conditions, and previous work on the street, was reviewed.

Many of the projects for streets, drainage, and water are interrelated and are considered as one within the Capital Improvement Plan for specific projects. Below is a recap of projects grouped by the major project.

Project: FM2551 (from FM2514 to FM2170)

Status: Approved - IN PROGRESS

Department: Public Works

Project Scope: Reconstruction and widening of FM2551 from 2 lanes to a 6-lane thoroughfare. Collin County is managing the project, and TXDOT has oversight of the construction. The city is responsible for the movement of water lines and utilities and providing input to project managers for the safety of residents.

Background: The continued local housing growth and development has resulted in a significant increase in the traffic volume on this road during recent years. Dillehay (2551) has been planned for expansion at both the county and state levels for quite some time. The scheduled

widening of the road is taking place now. Parker has an obligation to fund the water infrastructure portion of the project.

Funding: Collin County has committed to provide $1,200,000 in funding or this project and the city has entered into Interlocal Agreements to aid in performing the work needed. Our city engineer, Birkhoff & Assoc. has been contracted to perform the engineering services related to the movement of utilities.

Timeline: Construction Start: Fall 2023. End: Summer 2026

Project: Dublin Road – South (Betsy Lane to South City Limit)

Status: Proposed – IN DESIGN

Department: Public Works

Project Scope: This project estimate includes the replacement of the road surface, addressing a critical S-Curve, and replacement of a water line. This is a multi-year project. The first phase of this project is to replace the water lines including an engineering study. Drainage improvement needs for the S-Curve will be determined and addressed. Right-of-way study will be completed as needed.

Background: The Street Condition Survey identified the majority of this street with a very poor rating of 30.

This is a significant collector street for subdivisions and private streets in the southern portion of Dublin Road. In addition, many people take this street to travel north and south as an alternative to FM2551 (Murphy Rd). A traffic study in 2021 showed an average traffic volume of 1,456 vehicles per day.

A city water line lies along and under this street. These lines are aging and undersized and need to be replaced. Such replacement should be coordinated with the reconstruction of the road. The current roadway is about 20’ wide. The width of this street will be increased to 22’-24’ wherever possible. The street has an S-curve that experiences accidents with drivers running off the street. The design will consider options to improve the safety of the road. In addition, stop signs will be put at the intersections at Creekside and Edgewater with the purpose of slowing travelers before they reach the curve. A drainage review will also be performed to determine that the streets will include proper drainage after construction. A right-of-way review will be performed to evaluate property ownership in conjunction with street widths and drainage needs.

Funding: This street project will be funded with money from Capital Street Construction Fund (Fund 61), drainage costs will be funded from the Capital Drainage Fund (Fund 63), and the Water Line will be funded using available ARPA funds.

Timeline: This project should commence imminently after the water lines are replaced, and the drainage study is complete. The S-Curve drainage plan should be implemented in conjunction with the road reconstruction project.

Project: Dublin Road – North (Parker Road to Betsy Lane)

Status: Proposed – IN PLANNING

Department: Public Works

Project Scope: This project includes replacing the road surface and water lines. It will mirror that of South Dublin Road.

Background: The Street Condition Survey identified this street to have a poor rating of 45-50.

This is a significant collector street for subdivisions and streets in the northern portion of Dublin Road. In addition, many people take this street for traveling north and south as an alternative to FM2551 (Murphy Rd). A traffic study in 2021 showed an average traffic volume of 1,640 vehicles per day.

In 2020, maintenance was performed on the street, providing important stabilization in areas that were in poor condition. However, the street has shown early signs of wear that need to be addressed.

A city water line lies along and under this street. These lines are aging and undersized. These lines need to be replaced. Such replacement should be coordinated with the reconstruction of the road. The current roadway is about 20' wide. The width of this street will be increased to 22'-24' wherever possible. The street has an S-curve that experiences accidents with drivers running off the street. The design will consider options to improve the safety of the road. In addition, stop signs will be put at the intersections at north and south of the curve with the purpose of slowing travelers before they reach the curve. A drainage review will also be performed to determine that the streets will include proper drainage after construction.

A right-of-way review will be performed to evaluate property ownership in conjunction with street widths and drainage needs.

Funding: This street project will be funded with money from Capital Street Construction Fund (Fund 61), drainage costs will be funded from the Capital Drainage Fund (Fund 63), and the Water Line will be funded through the Utility Construction Fund (Fund 62).

Timeline: Target of FY25-26 for water lines and FY26-27 for the road.

Project: Lewis Lane

Status: Proposed

Department: Public Works

Project Scope: The goal for FY23-24 is to complete a jurisdiction analysis and reconstruct one segment between Kings Crossing Phase 4 North to Phase 3 North.

The remaining portions that are within Parker's responsibility will be targeted for reconstruction in future years working with Lucas and Collin County to coordinate their segments at the same time. A drainage review will be performed prior to commencing work to ensure no significant drainage issues need to be addressed.

Background: The Street Condition Survey rated the total of Lewis Lane with a 40 PCI rating, one in poor condition. This is a collector street with increasing populations from residents in subdivisions within Parker and Lucas. In addition, this street is a north/south alternative for FM2551 (Dillehay)

This street is the responsibility of multiple entities (Parker, Lucas, and Collin County), and legal ownership of each section is not documented and agreed upon among the entities. This is critical to resolving the problems on this street. The Developer reconstructed a portion of the street (Kings Crossing Phase 3N to Phase 3S) in 2022. The remaining portions of the street are maintained by adding asphalt to patches, which wash away when rains occur.

Funding: This project will be paid through the Capital Street Construction Fund (Fund 61).

Timeline: Target dates to complete jurisdiction analysis and first segment in FY23-24 with the remaining portion of road FY24-25.

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Project: Gray Lane

Status: Proposed - IN PLANNING

Department: Public Works

Project Scope: Road reconstruction

Background: Gray Lane was evaluated by the Street Condition Survey with a very poor rating of 25

Funding: This project will be paid through the Capital Street Construction Fund (Fund 61).

Timeline: Target FY23-24

Project: Moss Ridge

Status: Proposed – IN PLANNING

Department: Public Works

Scope: Replace selected concrete panels

Background: The Street Condition Survey rated Moss Ridge with a 55 PCI rating, a condition on the cusp of fair. This subdivision and associated street were built in the late 1980s. This is a concrete surface road, and a number of the panels are cracking.

This project will replace the concrete panels that are in poor condition. This will enable the street to move to a more acceptable condition and be good for years to come.

Over the years, the drainage easements have become less pronounced. Changes have occurred impacting the flow of water. A drainage review will be done prior to construction.

Funding: This project will be paid through the Capital Street Construction Fund (Fund 61).

Timeline: Target FY23-24

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Project: Chaparral Road & Springhill Estates Drive

Status: Proposed - Future

Department: Public Works

Scope: Expand roads to 4-lane and add bridge over Cottonwood Creek

Background: Connected to prior agreements with the city of Allen which stipulate timing based on defined thresholds. Agreements being researched for additional clarification.

Funding: Unknown

Timeline: Unknown

Project: Drainage Policy and Procedures

Status: Proposed

Department: Public Works

Study Purpose: Develop written policies and procedures relating to city drainage.

Background: Residents frequently have questions about drainage including who owns drainage infrastructures, what the city policy is for maintaining drainage, and who has responsibilities for the various aspects required to maintain a proper drainage structure throughout the city.

Funding: This project will be paid through the Capital Drainage Fund (Fund 61).

Timeline: Target FY23-24

Water and Sewer System Projects

Water Improvement planning is driven by the need to maintain our water systems in working condition, providing safe and sufficient water for residents as needed. Water improvements include the needs of our water lines, standalone or interconnected with storage tanks, valves, hydrants, and water towers.

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The city has several water infrastructure projects in the planning stage for the future. The goal of these projects is to continue to provide a water distribution system that meets the necessary volume and peak demand projections associated with future growth projections of our city. The projects scoped here are derived from the 2023-2033 Impact Fee Analysis (DRAFT).

Water infrastructure improvements connected to streets are identified in the Infrastructure Projects above.

Project: Water Impact Fee Study

Status: Approved - IN PROGRESS

Department: Public Works

Project Scope: The city contracted with our city engineer, Birkhoff & Assoc to assist City staff in providing a 2023-2033 Impact Fee Analysis to provide the Capital Improvement Plan of the water distribution system and a Water Impact Fee Study outlining Capital Improvements of the system and a calculation of the Water Impact Fee.

Background: The City of Parker owns and operates their water distribution system comprised of pump stations, ground storage reservoirs, elevated storage tanks, and pipeline infrastructure. This system is being improved and expanded to meet the needs of the water demands imposed by the current residents and future residents of Parker. Chapter 395 of the Texas Local Government Code requires that political subdivisions create a Capital Improvement Plan and its costs if it wishes to impose “impact fees” on new development. The city created a Capital Improvement Plan for Water Impact Fees in 2016. According to Texas law, it is time for that study to be reviewed.

Funding: This is a Water System project. The costs of this project will be paid through the Utility Impact Fee Fund (Fund 60)

Timeline: Target FY23-24

Project: NTMWD Delivery Point #2

Status: Approved - IN PROGRESS

Department: Public Works

Project Scope: Attach the Dillehay (Central) Pump Station to the NTMWD delivery point. The bulk of this work has already been completed. This is to make the final connection.

Background: The city completed construction of the Dillehay (Central) Pump Station in FY22-23. For the station to be fully operational, it must be attached to the NTMWD delivery point.

Funding: The is a Water System project. These funds are part of the Utility Construction Fund (Fund 62).

Timeline: Target FY23-24

Project: Build a Secondary Elevated Water Tower at Chaparral Road

Status: Planning to commence FY23-24 with construction commencing on or before FY26-27.

Department: Public Works

Project Scope: To construct a secondary elevated water tower and 16" water pipe infrastructure to connect to the existing water distribution system. The first phase of this project will be to perform a study to determine the timing of the need.

Background: The 2023-2033 Impact Fee Analysis (DRAFT) recommends constructing a secondary water tower to meet the projected water demand of residents based on future growth projections.

An Elevated storage tank within the Parker water distribution system is required by TCEQ to maintain system pressure. The Parker secondary elevated storage tank is expected to be sized to meet the maximum hourly demand working in conjunction with the pump stations, while maintaining system pressures.

The City currently has one 1.0-MG elevated storage tank located on Parker Road, adjacent to City Hall, with a high water level at 800-ft MSL. The Chaparral Elevated Storage Tank and water line project would consist of constructing an elevated storage tank with approximately 385 linear feet of 16-inch waterline connected between the new elevated tank and the existing 16-inch waterlines**.** The utilized capacity during the CFR period was calculated to be 63.0%

Funding: This project will be funded through the Utility Impact Fee Fund (Fund 60) and Utility Construction Fund (Fund 62)

Timeline: Commence construction on or before FY26-27.

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Reference Reports for Capital Needs

Category	Plan Reference Title	Last Updated / Frequency
Community Development	Comprehensive Plan	In revision
Buildings and Improvements	Facilities Maintenance Plan	Need to Create (update annually)
Infrastructure	Street Maintenance Plan	Need to Create (update annually)
Infrastructure	Street Condition Survey	2021 (update every 5 years)
Infrastructure	Drainage Maintenance Plan	Need to Create (update every year)
Water and Sewer System	CIP for 2016-2026 Water Impact Fee	2016 (update every 5 years)
Vehicles and Equipment	Equipment Capital Replacement Schedule	Annual
Vehicles and Equipment	Technology Replacement Schedule	Need to Create (update annually)

Financing the CIP

CIP Projects are funded through general fund revenues and other resources available to the City. Funding considerations go beyond individual projects. The city's funding strategies will consider several variables, including amounts available in project funds, other City needs, debt, and the impact on taxpayers. Below, we will address the city's sources of funds and current funding.

Sources of Funds

Operational Revenue: Revenues generated in the

- Government (General) Fund through ad valorem taxes, sales taxes or fees.
- Proprietary (Water & Sewer) Fund primarily through water & wastewater revenues.

Local Sales Tax – The city charges a 2% Sales Tax. The General Fund receives a 1% sales tax. In May 2023, the voters elected to adopt a 1% sales tax dedicated to repairing and maintaining existing city streets in accordance with Chapter 327 of the Texas Tax Code. The new tax went into effect on October 1, 2023 with its derived revenues being dedicated to the Street Construction Fund. This tax expires after four years unless a new election is held to reauthorize the tax.

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Impact Fees – The city charges a **Water Impact Fee** on primarily new Single-Family Residences based on a Water Impact Fee Study. New residential homes pay a fee based on the size of their water meter. The use of these funds is restricted to financing capital improvements required by new developments in accordance with Chapter 395 of the Texas Local Government Code.

Developer Contributions: Contributions of capital infrastructure in conjunction with new development in the city.

Intergovernmental: Funds supplied through other governmental agencies such as TxDOT, Collin County, State, and/or Federal government.

Other Grants and Donations: Funds received from other organizations and individuals.

Bonds: Bonds refer to debts of the City arising from Municipal Bonds issued by the City.

There are different kinds of borrowing, each with its advantages and disadvantages.

- **General Obligation Bonds (GO):** Debt instruments authorized by a vote among registered voters.
- **Certificates of Obligation (CO):** Debt instruments authorized by a vote of the City Council.
- **Revenue Bonds**: Debt instruments, the repayment of which depends on the revenue stream generated by the city's water & wastewater system.

Current Funding

Government (General) Funds are supported from several sources, which include:

Transfers: The city has established a pay-as-you-go approach to addressing capital needs using special funds. A portion of the city's General Fund and Proprietary Fund Operational Revenues are allocated each year to these funds during the annual budgeting process. They can only be used for the purpose specified without city council approval. Funds to which transfers are made include:

Funds		
#	***Title***	***Purpose***
22	Equipment Replacement Fund	Equipment Replacement Fund - Purchase or lease of city vehicles
24	Technology Replacement Fund	Replacement of existing technology equipment
61	Capital Street Construction Fund	Construction or maintenance of street projects.
63	Capital Drainage Fund	Construction or maintenance of drainage-related improvements.

65	Capital Facilities Fund	Land acquisition, construction, renovation, and equipping of city facilities.

Sales Tax: As of October 1, 2023, half of collected Sales Taxes are dedicated to the General Fund while the other half is dedicated to the Capital Street Construction Fund. The additional 1% sales tax effective in 2023 is projected to provide approximately $380,000 annually to the Capital Street Construction Fund.

Proceeds from the sale of city property within these funds are directly allocated to these funds. In FY23-24, the equipment replacement fund projects $140,000 proceeds from the sale of city property.

Proprietary Funds (Water/Wastewater)

Utility Impact Fees Fund (Fund 60): This fund is supported by the Water Impact Fees from New Single Family Residential homes. As of September 30, 2023, the Utility Impact Fees Fund had a balance of $2,071,001.

Utility Construction Fund (Fund 62): This fund was supported from the $6,075,000 proceeds of the 2018 combination tax and revenue bond plus interest earned to construct facilities needed for water services operations. The balance in this fund at September 30, 2023 is $479,887. Future additions to this fund will come from revenues collected in anticipation of future capital needs, debt from the sale of revenue bonds, and grants as may become available.

American Rescue Plan Act of 2021 (ARPA): The provisions of this act provided supplemental funds to the city in FY21 and FY22. These funds can only be used for specified purposes, including investment in water infrastructure. *Funding must be obligated by the end of calendar year 2024 and expended by the end of calendar year 2026.*

As of September 30, 2023, the City has $1,223,553 of these funds to be allocated for qualified capital projects. The City Council has the authority to spend these funds within the authority of the act.

County Funds: The city has a commitment to receive funds from Collin County for purpose of the 2551/Dillehay Project. For more information, refer to that project.

Existing Debt Obligations

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Bond	*Interest Rate*	*Maturity*	*Original Balance*	*Outstanding Balance*	*Remaining Principal + Interest*
Government Activities (General Fund)					
2015 Certificate of Obligation	2.09%	2025	1,485,000	320,000	326,688
2019 General Obligation Refinancing Bond	3.00%	2028	1,285,000	585,000	624,285
Total			2,770,000	905,000	950,973
Business Type Activities (Water/Wastewater)					
2018 Combination Tax &Revenue Bond	3.00-4.00%	2038	6,075,000	5,755,000	7,786,050
2019 General Obligation Refinancing Bond	3.00%	2028	1,200,000	540,000	596,540
Total			7,275,000	6,295,000	8,382,590
Total Long-Term Debt			10,045,000	7,200,000	9,333,563

Balances as of September 30, 2023

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Long Term Debt

The Capital Improvement Plan is a means to identify potential capital needs of the City over the next six-year period that surpasses its revenue estimates over that same time frame and therefore would be a candidate for funding through long-term debt.

The amount of annual debt service to be authorized is an important consideration in determining options for long term debt. We believe that annual debt service should range from 2% of operating revenues at the low end to no more than 10% of operating revenues at the high end. Below is the current year debt ratio calculation.

Debt Ratio Calculations

	FY23-24		
Bond	**Debt Service**	**Budgeted Revenues**	**Debt Ratio**
Government Activities (General Fund)			
2015 Certificate of Obligation	165,016		
2019 General Obligation Refinancing Bond	170,256		
Total	***335,272***	***7,551,006***	***4%***
Business Type Activities (Water/Wastewater)			
2018 Combination Tax & Revenue Bond	395,950		
2019 General Obligation Refinancing Bond	158,994		
Total	***554,944***	***6,083,200***	***9%***

Another consideration to be made when considering adding debt is the impact on the city bond rating. The current city rating from S&P Global rating is AA+

Projected Cash Needs

Below is a recap of the projected cash needs over the CIP period. These projections identify the point at which additional funds will be needed.

Capital Planning Cycle

The Capital Planning Cycle is held in coordination with the Annual Budget Cycle.

September- October: The fiscal year closes on September 30. Department heads assess progress in meeting goals outlined in the Capital Improvement Plan. A progress report will be presented to the council by the end of October.

The City Administrator meets with the selected department heads to review existing and proposed new major capital projects or equipment as they relate to the current Capital Improvement Plan. This is to include a roll forward of unfinished projects with the addition of new projects proposed for the sixth year. A report of this information will be provided to the council.

Early November: The City Council meets with the City Administrator, Mayor, City Attorney, and Finance Director, to receive preliminary guidance on the funding resources expected to be available for capital projects in the upcoming fiscal year.

November – December: The City Administrator meets with department leaders to discuss the specifics of their capital requests, review documentation framing the relative urgency of those requests, and review any cost estimates received as they pertain to the projects. This activity may continue into early January.

January: The City Administrator summarizes capital spending requests, including the updated cost estimates, and makes recommendations for the coming fiscal year, and presents a report to the City Council.

January: Council meets to discuss the City Administrator's recommendations. The council also will discuss the past year's CIP process, consider possible CIP process improvements, and begin working on the CIP plan revision for the coming year.

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January: Financing Options are evaluated and presented to council. If a general obligation bond is considered, information must be available prior to ballot deadline in February.

January – February: Council holds workshops as needed to discuss the Capital Improvement Plan.

February: Ballot initiatives, if any are filed.

March: City Council adopts the annual update of the Capital Improvement Plan.

April – June: The Finance Director incorporates the Capital Improvement Plan items for the current fiscal year incorporated into the budget cycles.

May: Council appoints lead of Capital Improvement Plan.

July – August: Bond initiatives, if any, deemed for a November ballot are to be addressed at this time. Ballot initiatives, if any, are filed.

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Appendix A

Capital Assets per the Audited Financial Statements as of September 30, 2022.

D. Capital Assets

A summary of changes in governmental activities capital assets for the year end was as follows:

	Beginning Balances	Increases	Decreases/ Reclassifications	Ending Balances
Capital assets, not being depreciated:				
Land	$ 843,484	$ -	$ -	$ 843,484
Construction in progress	58,337	18,839	-	77,176
Total capital assets not being depreciated	901,821	18,839	-	920,660
Capital assets, being depreciated/amortized:				
Land improvements	212,367	-	-	212,367
Buildings and improvements	2,616,328	-	-	2,616,328
Vehicles and equipment	4,443,915	112,928	(925,136)	3,631,707
Infrastructure	52,266,733	941,416	-	53,208,149
Right-to-use leased assets	-	277,247	-	277,247
Total capital assets, being depreciated/amortized	59,539,343	1,331,591	(925,136)	59,945,798
Less accumulated depreciation/amortization:				
Land improvements	(103,272)	(10,618)	-	(113,890)
Buildings and improvements	(974,038)	(61,183)	-	(1,035,221)
Vehicles and equipment	(2,817,752)	(418,153)	694,418	(2,541,487)
Infrastructure	(22,731,915)	(2,039,274)	-	(24,771,189)
Right-to-use leased assets	-	(196,856)	-	(196,856)
Total accumulated depreciation/amortization	(26,626,977)	(2,726,084)	694,418	(28,658,643)
Net capital assets being depreciated/amortized	32,912,366	(1,394,493)	(230,718)	31,287,155
Governmental Capital Assets	$ 33,814,187	$ (1,375,654)	$ (230,718)	$ 32,207,815

A summary of changes in business-type activities capital assets for the year end was as follows:

	Beginning Balances	Increases	Decreases/ Reclassifications	Ending Balances
Capital assets, not being depreciated:				
Land	$ 323,666	$ -	$ -	$ 323,666
Construction in progress	4,992,608	1,147,737	-	6,140,345
Total capital assets not being depreciated	5,316,274	1,147,737	-	6,464,011
Captial assets, being depreciated:				
Water and sewer system	22,774,416	978,150	-	23,752,566
Vehicles and equipment	238,274	6,837	(82,980)	162,131
Total capital assets being depreciated	23,012,690	984,987	(82,980)	23,914,697
Less accumulated depreciation				
Water and sewer system	(6,222,958)	(608,834)	-	(6,831,792)
Vehicles and equipment	(239,211)	(3,518)	82,980	(159,749)
Total accumulated depreciation	(6,462,169)	(612,352)	82,980	(6,991,541)
Net capital assets being depreciated	16,550,521	372,635	-	16,923,156
Total Captial Assets	$ 21,866,795	$ 1,520,372	$ -	$ 23,387,167

DRAFT

Revision History

Revision 0.4	Slight changes to the introduction.
	The Capital Improvement Plan process was updated to clarify differences in approved vs proposed projects, use of the CIP, and explanation of references to "Fund XX".
	Description of the current year approved & proposed capital projects, and the capital project schedule was updated slightly.
	City Government Facilities needs (police and administrative) were combined and changed to a project. This project will be updated with more information after discussion.
	Minor changes to other project details, mostly funding and timeline.
	Minor changes to sources of funds, current funds, and long-term debt to improve clarity.
	A new section "Projected Cash Needs" was added. However, the detail is not yet provided. It will be provided at a future time.
Revision 0.3	Reworded the introduction and added/removed bullets.
	Clarified water & sewer system capitalization and useful lives.
	Refined the definition of the CIP Process
	Updated active projects and project schedule to reflect approved. Also updated STATUS in the individual project details to identify proposed or approved.
	Reworded the funding of the proposed Water Department Building
	Added paragraph to describe information used to aid in determining how streets were considered for prioritization.
	Updated wording on Dublin Road projects scope, funding, and timeline.
	Added project sheet for Future Projects related to Chaparral and Springhill. (This will be further updated after specifics are made available)
	Added project for Water Impact Fee Study and NTMWD Delivery Point #2
	Updated spreadsheets – based on feedback and updated information.
Revision 0.2	Definition of Capital Asset - Changed to reflect Resolution 2022-706, approved 10/18/2022 (Agenda Packet).
	Reformatted categories to be in line with Assets as reflected in the Financial Statements and included Appendix A.
	Added items in spreadsheets • Public Work Dump Truck - FY26-27 (?) • Study drainage polices and procedures • Added streets – Chapparal and Springhill Estates

	Updated street amounts to reflect • Streets in years based on estimated costs from engineers estimates plus 25% engineering fee and 7% increase per year. • Dublin Rd – South street cost based on engineer's estimates. North street cost based on remix instead of reconstruction. • 2551/Dillehay updated to reflect information about Collin County funds.
Revision 0.1	Initial Draft

DRAFT

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Police Department
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey for Police Chief Price
Estimated Cost:		Date Prepared:	November 9, 2023
Exhibits:	1. Proposed Res. No, 2023-767 2. Texas SmartBuy Membership Program Info		

AGENDA SUBJECT

CONSIDERATION AND APPROPRIATE ACTION ON RESOLUTION NO 2023-767 REGARDING PARTICIPATION IN THE TEXAS SMARTBUY PROGRAM OF THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS PURSUANT TO TEXAS LOCAL GOVERNMENT CODE § 271.083 FOR THE PURCHASE OF TOXICOLOGY BLOOD EVIDENCE COLLECTION KITS.

SUMMARY

Effective March 1, 2022, DPS Crime Laboratory locations no longer accept toxicology blood evidence collection kits purchased from third party vendors according to Texas Department of Public Safety (DPS) announcement dated December 17, 2021. Instead, DPS approved toxicology blood evidence collection kits can be purchased through Texas Smart Buy. This Resolution is to authorize execution of the Texas Smart Buy resolution for the City's participation in the program to purchase necessary kits.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	Kenneth Price	Date:	11/9/2023
City Attorney:	Amy J. Stanphill	Date:	11/XX/2023 via Municode
City Administrator:	Luke B. Olson	Date:	11/XX/2023

CITY OF PARKER

RESOLUTION NO. 2023-767
(Police Smart Buy)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AUTHORIZING EXECUTION OF APPROPRIATE DOCUMENTS TO PARTICIPATE IN THE TEXAS SMART BUY MEMBERSHIP PROGRAM OF THE TEXAS COMPTROLLER; PROVIDING REPLEAER.

WHEREAS, Chapter 791 of the Texas Government Code provides that local governments may contract in order to increase the efficiency and effectiveness of the delivery of services to the public; and

WHEREAS, §§271.082 and 271.083 of the Texas Local Government Code authorize the Texas Comptroller of Public Accounts to provide purchasing services for local governments; and

WHEREAS, The Texas Department of Public Safety has approved toxicology blood evidence collection kits to be purchased through the Texas Smart Buy Membership Program of the Texas Comptroller of Public Accounts effective March 1, 2022;

WHEREAS, The Parker Police Department requires purchase of approved toxicology blood evidence collection kits through the Smart Buy Membership Program; and

WHEREAS, The annual fee for service shall be $100.

NOW THEREFORE, be it resolved by the City Council of the City of Parker, Collin County, Texas, as follows:

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

SECTION 2. Execution of the Texas Smart Buy Membership Program document reflected in Exhibit A is approved.

SECTION 3. The Mayor is hereby authorized to execute the document, attached hereto as Exhibit A, and all other necessary and related documents in connection therewith.

SECTION 4. That all provisions of any and all resolutions of the City of Parker found to be in conflict with the provisions of this Resolution be, and the same are hereby, repealed to the extent of the conflict, and all other provisions of the resolutions of the City of Parker not in conflict with the provisions of this Resolution shall remain in full force and effect.

Proposed

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 14TH DAY OF NOVEMBER 2023.

PARKER:

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

_____
Amy J. Stanphill, City Attorney

Proposed

EXHIBIT A

TEXAS SMART BUY MEMBERSHIP PROGRAM RESOLUTION

Proposed

Texas SmartBuy Membership Program

Resolution

State of Texas, County of Collin
(County Entity Located In)

Whereas, the Texas Comptroller of Public Accounts is authorized to provide purchasing services for local governments **pursuant to §§271.082 and 271.083 of the Local Government Code**.

Whereas, the City Council
(Enter Board of Directors, City Council, Commissioner's Court, School Board, etc..)

of City of Parker, is a:
(Enter Name of Qualified Applicant/Entity)

(Check One of the Following)

- ○ Appraisal District
- ○ Community Supervision/Corrections Department
- ○ County
- ○ Fire Prevention District
- ○ Judicial District
- ○ Library District
- ☑ Municipality
- ○ State-funded Assistance Organization
- ○ Special District
  - ○ Emergency Service
  - ○ Housing
  - ○ Political Subdivision
  - ○ Port or Transportation Authority
- ○ Workforce Development Board
- ○ Charter/Academy School
- ○ Council of Governments/Planning Commissions
- ○ Education Service Center
- ○ Hospital District
- ○ Junior/Community College
- ○ Mental Health/Mental Disability Organization
- ○ School District
- ○ Texas Rising Star Care Provider
- ○ Utility District
  - ○ Drainage
  - ○ Municipal
  - ○ Special

defined as an entity qualified to participate in the Texas SmartBuy Membership Program of the Texas Comptroller of Public Accounts pursuant to §271.081 of the Local Government Code.

Luke Olson, City Administrator and
Primary Contact and Title

Grant Savage, Finance Director
Secondary Contact and Title

is/are authorized to execute all documentation for City of Parker pertaining to its participation in the
(Entity Name)

Texas Comptroller of Public Accounts Cooperative Purchasing Program; and

Whereas, City of Parker acknowledges its obligation to pay annual participation fees established by the
(Entity Name)

Texas Comptroller of Public Accounts.

Now, Therefore Be it Resolved, that request be made to the Texas Comptroller of Public Accounts to approve City of Parker for participation in the Texas Comptroller of Public Accounts Cooperative Purchasing Program.
(Entity Name)

Adopted this 14 day of November, 2023 by City of Parker
(Entity Name)

By: _____
Signature of Chair

Lee Pettle, Mayor
Printed Name and Title of Chair

_____
Signature of Primary Contact

Luke Olson, City Administrator
Printed Name and Title of Primary Contact

_____
Signature of Secondary Contact

Grant Savage, Finance Director
Printed Name and Title of Secondary Contact

TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001
512/424-2000
www.dps.texas.gov

STEVEN C. McCRAW
DIRECTOR
FREEMAN F. MARTIN
DWIGHT D. MATHIS
JEOFF WILLIAMS
DEPUTY DIRECTORS

COMMISSION
STEVEN P. MACH, CHAIRMAN
NELDA L. BLAIR
STEVE H. STODGHILL
DALE WAINWRIGHT

December 17, 2021

SUBJECT: Specimen Testing Kit Requirement (Driving Cases)

In April 2021, the DPS Crime Laboratory was informed by law enforcement agencies that they were unable to purchase toxicology blood alcohol collection kits due to a supply shortage from the DPS approved kit vendor (WorkQuest). WorkQuest confirmed the supply shortage and in May 2021, the DPS Crime Laboratory enacted a temporary measure to allow law enforcement agencies to submit toxicology blood alcohol collection kits purchased from third party vendors. This temporary measure was to allow WorkQuest to replenish their supply. WorkQuest has advised that all back orders have been filled and anticipate being fully operational by January 2022.

Effective March 1, 2022, DPS Crime Laboratory locations will no longer accept toxicology blood evidence collection kits purchased from third party vendors. All toxicology blood evidence must be submitted to DPS Crime Laboratory locations in DPS approved toxicology blood evidence collection kits.

DPS approved toxicology blood evidence collection kits can be purchased through one of the following options.

1) DPS General Store (DPS PERSONNEL ONLY)
2) Texas Smart Buy
    a. Questions regarding membership or purchasing can be sent via email to txsmartbuy@cpa.texas.gov or via telephone to 512-463-3034 option 1
    b. Toxicology and Blood Alcohol Kit: http://www.txsmartbuy.com/product/5641674

If you have specific questions, contact your local DPS Crime Laboratory location.

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	City Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey for City Administrator Olson
Estimated Cost:		Date Prepared:	November 9, 2023
Exhibits:	1. **Proposed Resolution** 2. **Model Staff Report**		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-768 OF THE CITY OF PARKER. TEXAS FINDING THAT COSERV GAS, LTD.'S STATEMENT OF INTENT TO INCREASE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND THE CITY'S LEGAL COUNSEL..

SUMMARY

On July 28, 2023, CoServ Gas, Ltd. ("CoServ" or "Company"), pursuant to Subchapter C of Chapter 104 of the Gas Utility Regulatory Act, filed its Statement of Intent to change gas rates at the Railroad Commission of Texas ("RRC") and in all municipalities exercising original jurisdiction within its service area.

The Steering Committee of Cities Served by CoServ Gas, Ltd. ("CoServ Gas Cities") engaged the services of consultants to review the Company's filing. The consultants identified numerous unreasonable expenses and proposed significant reductions to the Company's request. Settlement discussions are ongoing, but no agreement has been met. Accordingly, CoServ Gas Cities' attorneys recommend that all member cities adopt the Resolution denying the rate change. Once the Resolution is adopted, CoServ will have 30 days to appeal the decision to the Railroad Commission where the appeal will be consolidated with CoServ's filing.

All cities with original jurisdiction will need to adopt the denial resolution no later than December 7.

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:	11/09/2023
City Attorney:	Amy J. Stanphill	Date:	11/xx/2023 via Municode
City Administrator:	Luke B. Olson	Date:	11/ xx /2023

RESOLUTION NO. 2023-768
(COSERV GAS, LTD'S DENIAL)

A RESOLUTION OF THE CITY OF PARKER, TEXAS FINDING THAT COSERV GAS, LTD.'S STATEMENT OF INTENT TO INCREASE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND THE CITY'S LEGAL COUNSEL.

WHEREAS, the City of Parker, Texas ("City") is a gas utility customer of CoServ Gas, Ltd. ("CoServ" or "Company") and is a regulatory authority under the Gas Utility Regulatory Act ("GURA") with exclusive original jurisdiction over CoServ's rates, operations, and services within the City; and

WHEREAS, the City cooperated with a coalition of similarly situated cities served by the Company that have joined together to facilitate the review and response to natural gas issues affecting the rates charged in CoServ's service area ("CoServ Gas Cities" or "Steering Committee of Cities Served by CoServ Gas, Ltd."); and

WHEREAS, on or about July 28, 2023, CoServ filed with the City a Statement of Intent to Increase Rates seeking to increase natural gas rates by $10.3 million annually in incorporated areas; and

WHEREAS, the City passed Resolution No. 2023-750 to suspend the effective date of CoServ's requested rate increase for 90 days, the maximum period allowed by law; and

WHEREAS, CoServ Gas Cities hired and directed legal counsel and consultants to prepare a collective response to the Company's requested increase, which resulted in a conclusion that CoServ's proposed rates are not reasonable; and

WHEREAS, CoServ Gas Cities' attorneys recommend that members deny the requested increase; and

WHEREAS, GURA § 103.022 provides that costs incurred by CoServ Gas Cities in ratemaking activities are to be reimbursed by the regulated utility.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS:

Proposed

Section 1. That the rates proposed by CoServ to be recovered through its gas rates charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Section 2. That the Company shall continue to charge its existing rates to customers within the City.

Section 3. That the City's reasonable rate case expenses shall be reimbursed in full by CoServ.

Section 4. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 5. That a copy of this Resolution shall be sent to CoServ, care of Charles Harrell, CoServ Gas, Ltd., 7701 South Stemmons Freeway, Corinth, Texas 76210 (Charrell@coserv.com); and to Thomas Brocato, counsel for CoServ Gas Cities, Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701 (tbrocato@lglawfirm.com).

PASSED AND APPROVED this ___14th___ day of ____November_____, 2023.

CITY OF PARKER:

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

_____
Amy Stanphill, City Attorney

Proposed

MODEL STAFF REPORT REGARDING DENIAL OF COSERV GAS, LTD.'S REQUESTED RATE CHANGE

ACTION MUST BE TAKEN TO DENY THE RATE CHANGE ON OR BEFORE DECEMBER 7, 2023

***

On July 28, 2023, CoServ Gas, Ltd. ("CoServ" or "Company"), pursuant to Subchapter C of Chapter 104 of the Gas Utility Regulatory Act, filed its Statement of Intent to change gas rates at the Railroad Commission of Texas ("RRC") and in all municipalities exercising original jurisdiction within its service area.

The Steering Committee of Cities Served by CoServ Gas, Ltd. ("CoServ Gas Cities") engaged the services of consultants to review the Company's filing. The consultants identified numerous unreasonable expenses and proposed significant reductions to the Company's request. Settlement discussions are ongoing, but no agreement has been met. Accordingly, CoServ Gas Cities' attorneys recommend that all member cities adopt the Resolution denying the rate change. Once the Resolution is adopted, CoServ will have 30 days to appeal the decision to the Railroad Commission where the appeal will be consolidated with CoServ's filing.

All cities with original jurisdiction will need to adopt the denial resolution no later than December 7.

Purpose of the Resolution:

The purpose of the Resolution is to deny the rate increase proposed by CoServ.

Explanation of "Be It Resolved" Paragraphs:

1. This paragraph finds that the Company's application is unreasonable and should be denied.

2. This section states that the Company's current rates shall not be changed.

3. The Company will reimburse Cities for their reasonable rate case expenses. Legal counsel and consultants, approved by the Cities, will submit monthly invoices that will be forwarded to CoServ for reimbursement.

4. This section merely recites that the Resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.

5. This section provides CoServ and counsel for CoServ Gas Cities will be notified of the City's action by sending a copy of the approved and signed resolution to counsel.

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey for Public Works Director Gary Machado
Estimated Cost:		Date Prepared:	November 2, 2023
Exhibits:	1. **Proposed Ordinance (w-Exhibits)** 2. **Public Hearing Notice** 3. **Ord. No.'s 846, 844, 839, 833, 824, 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. 854 EXTENDING THE TEMPORARY MORATORIUM ENACTED BY ORDINANCE NO.'S 844, 839, 846, 833, 824, 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:	*Gary Machado*	Date:	11/09/2023
City Attorney:	*Amy J. Stanphill*	Date:	11/xx/2023 via Municode
City Administrator:	*Luke B. Olson*	Date:	11/xx/2023

ORDINANCE NO. 2023-854
(*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, 212, 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, including but not limited to investigating options within the current contract with North Texas Municipal Water District and alternative options, 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

Proposed

WHEREAS, the City desires to continue its study and evaluation of the impact of further development, the need and source of additional water supply and facilities, appropriate 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 resources for additional water supply must be readily available to the City before the City's water system can serve new development; 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 to have adequate and reasonable time to review, evaluate, and revise the City's development ordinances in light of the most recent legislative changes effective September 1, 2023, 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

Proposed

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 September 6, 2022 for an additional 90 days following that then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at the City Council and City Council approved an extension on December 6, 2022 for an additional 90 days following that then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at the City Council and City Council approved an extension on March 7, 2023 for an additional 90 days following that then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at the City Council and City Council approved an extension on May 23, 2023 for an additional 90 days following that then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing set for August 15, 2023 at the City Council for City Council's consideration of an extension of an additional 90 days following the then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing set for November 14, 2023 at the City Council for City Council's consideration of an extension of an additional 90 days following the then-current term; 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 if set out fully herein as legislative findings of fact.

Section 2. DEFINITIONS

Proposed

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 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 or Mayor.

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;

Proposed

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 from December 2, 2023, the expiration of the previously adopted extension, after enactment of this Ordinance to March 1, 2024, 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 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.

Proposed

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 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).

Proposed

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 this 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

Proposed

This Ordinance shall be effective upon its approved execution and shall extend the moratorium for 90 days from the final day of the previously extended term of the temporary mortarium, which is December 2, 2023, to March 1, 2024.

Proposed

READ, PASSED, AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 14TH DAY OF NOVEMBER 2023.

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

_____
Amy J. Stanphill, City Attorney

Proposed

ATTACHMENT A

PERMITS SUBJECT TO MORATORIUM

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

PERMITS NOT SUBJECT TO MORATORIUM

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

Proposed

ATTACHMENT B

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.

November 7, 2023

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

Re: Water Projections

Dear Mr. Olson:

The water system is now experiencing fall and winter demand that is well below the peak demand that occurred in the summer of 2023. We completed a demand study from records received for August 2023. The day of maximum pumpage was determined and selected records were received from the city. The water records from the City show Friday, August 18th as being the day of maximum usage. This day exceeded demands reported in our August 10, 2023, letter in connection with the moratorium. We reviewed the hourly records on the day of maximum usage and have tabulated those hourly results. Based on the number of September 2023 connections of 2,108 and a per unit density of 2.79 persons per unit calculates a population of 5,882. For August 18th, the maximum daily demand was 4,242,888 gallons which equates to a per capita demand of 721 gallons per capita. The maximum hourly demand occurred at 6 AM at a rate of 1,236 gallons per capita. Since the September analysis of water usage, 11 additional homes have been brought online.

To meet the demand placed on the system all pumps at the Eastside Pump Station were in use. The design of a pump station to conform to the TCEQ requirements has the largest pump out at any given time as it is the backup pump in the event any of the three remaining pumps fail. Although the system performed during the summer of 2023,we recommend during the fall the city have the pumps and electrical switch gear checked out and flow test be run to determine if any work is required to minimize the probability of a pump or switch gear failure next summer in the event the new supply to the Central Pump Station is not in place.

We recommend no additional lots be approved for development until a contract with NTMWD is executed to supply water to the Central Pump Station. In addition, we recommend the city consider more rigid water management requirements in an attempt eliminate the need to routinely run the backup pump to meet water demands.

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

Sincerely,

John W Birkhoff

John W. Birkhoff, P.E.

medium giant A MEDIA + MARKETING COMPANY

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

Order Confirmation / Invoice

Customer:	CITY OF PARKER	**Customer Account:**	100069579
Ad Order #:	0001859261	**PO Number:**	
Sales Rep:	Max (Mert) Tezkol	**Order Taker:**	Max (Mert) Tezkol

Net Amount:	$271.00	**Tax Amount:**	$0.00	**Total Amount:**	$271.00
Payment Method:	Check/Money Order	**Payment Amount:**	$0.00	**Amount Due:**	**$271.00**

Ad Order #: 0001859261

Ad Number: 0001859261-01

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, November 14, 2023 beginning at 6:00 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:	10/30/2023	Stop Date:	10/30/2023	Dallas Morning News	Legals Bids Notices - LN Legal Notices
Publish Date:	10/30/2023	Stop Date:	11/05/2023	DallasNews.com	Legals Bids Notices - LN Legal Notices

ORDINANCE NO. 2023-846
(*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, 212, 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

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, including but not limited to investigating options within the current contract with North Texas Municipal Water District and alternative options, 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 continue its study and evaluation of the impact of further development, the need and source of additional water supply and facilities, appropriate 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 resources for additional water supply must be readily available to the City before the City's water system can serve new development; 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 to have adequate and reasonable time to review, evaluate, and revise the City's development ordinances in light of the most recent legislative changes effective September 1, 2023, 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 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 September 6, 2022 for an additional 90 days following that then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at the City Council and City Council approved an extension on December 6, 2022 for an additional 90 days following that then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at the City Council and City Council approved an extension on March 7, 2023 for an additional 90 days following that then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at the City Council and City Council approved an extension on May 23, 2023 for an additional 90 days following that then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing set for August 15, 2023 at the City Council for City Council's consideration of an extension of an additional 90 days following the then-current term.

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 if 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 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 or Mayor.

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 from September 3, 2003, the expiration of the previously adopted extension, after enactment of this Ordinance to December 2, 2023, 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 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 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 this 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 its approved execution and shall extend the moratorium for 90 days from the final day of the previously extended term of the temporary mortarium, which is September 3, 2023, to December 2, 2023.

READ, PASSED, AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 15TH DAY OF AUGUST 2023.

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

Amy J. Stanphill, 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

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.
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.

August 10, 2022

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

Re: Water Projections - July 2023

Dear Mr. Olson:

We have completed a preliminary demand study from records received for the summer of 2023. The day of maximum pumpage was determined and selected records were received from the city. The water records from the City show Friday, June 30th as being the day of maximum usage. We reviewed the hourly records on the day of maximum usage and have tabulated those hourly results. Based on the number of current connections of 2,108 (41 additional meters from a year ago) and a per unit density of 2.79 persons per unit calculates a population of 5,882 (115 additional people from a year ago). For June 30th the maximum daily demand was 3,917,493 gallons which equates to a per capita demand of 666.0 gallons per capita. The maximum hourly demand occurred at 6 AM at a rate of 1,078.2 gallons per capita. The attached exhibits show how water was used on June 30, 2023, 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 3.5 million gallons per day (MGD). By the current NTMWD contract, the NTMWD can provide the city 2.5(peak factor) times the average day volume. From August 1, 2022, through June 30, 2023 (11 months), the NTMWD supplied the City of Parker 591,630,000 gallons or an average volume of 1,771,347 gallons per day. Based on the 11 month average a peak flow rate of 4.43 MGD can be supplied by the NTMWD. On June 30th the city received a supply of 3.92 MGD from the NTMWD.

Based on the per capita demands experienced during the summer of 2022 and 2023, the City has exceeded its contractual NTMWD supply of 3.5 MGD. NTMWD was able to supply the peak demand experienced by the City of Parker.

Based on the 2023 peak usage being consistent with the 2022 peak usage, we recommend no additional lots be approved for development until a contract with NTMWD is executed to supply water to the Central Pump Station.

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

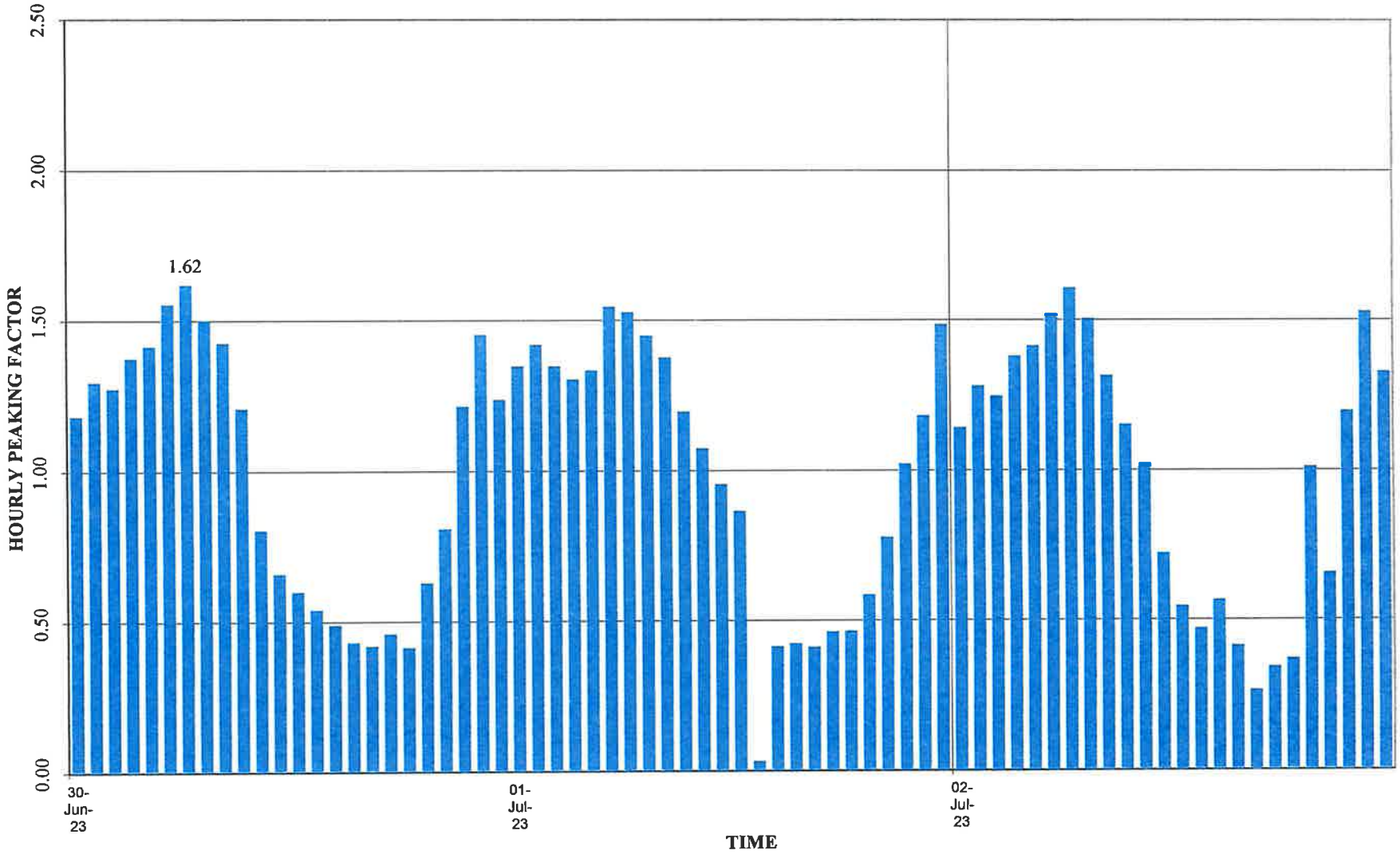
Sincerely,

John W. Birkhoff, P.E.

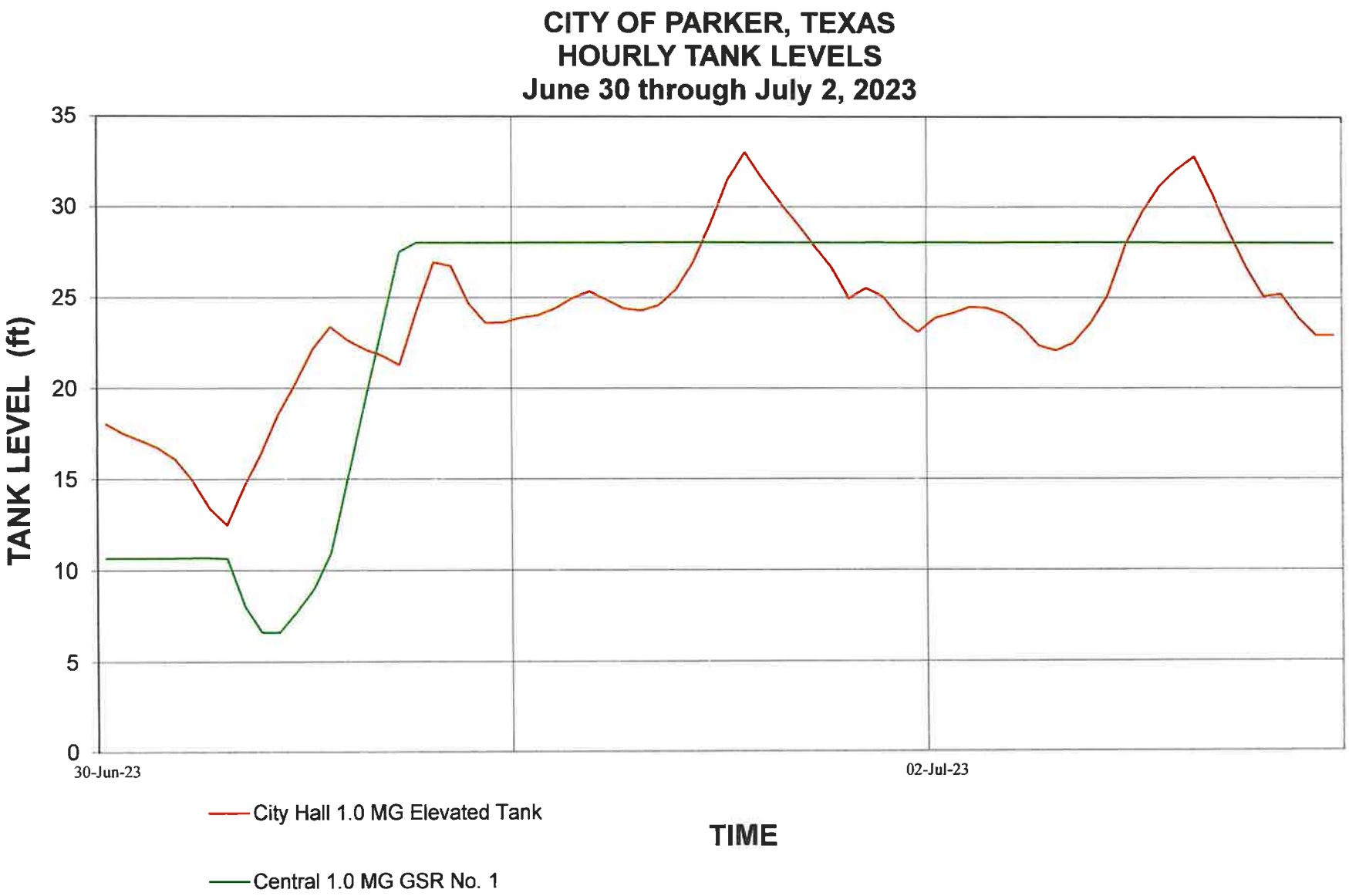
TABLE 1: CITY OF PARKER - DEMAND STUDY RESULTS
June 30 - July 2, 2023

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
June 30, 2023	0:00	193,038.0	0.0	0.0		193,038.0	4,632,912.0	1.18
	1:00	195,704.4	0.0	15,714.5		211,418.9	5,074,053.6	1.30
	2:00	195,349.8	0.0	12,571.6		207,921.4	4,990,113.6	1.27
	3:00	211,852.8	0.0	12,571.6		224,424.4	5,386,185.6	1.37
	4:00	211,967.4	0.0	18,857.4		230,824.8	5,539,795.2	1.41
	5:00	216,018.6	0.0	37,714.8		253,733.4	6,089,601.6	1.55
	6:00	217,094.4	0.0	47,143.5		264,237.9	6,341,709.6	1.62
	7:00	216,648.0	0.0	28,286.1		244,934.1	5,878,418.4	1.50
	8:00	211,406.4	(66,000.9)	87,298.8		232,704.3	5,584,903.9	1.43
	9:00	206,714.4	(56,572.2)	47,007.1		197,149.3	4,731,582.3	1.21
	10:00	200,248.2	(69,143.8)	0.0		131,104.4	3,146,505.6	0.80
	11:00	197,947.8	(90,363.4)	0.0		107,584.4	2,582,025.1	0.66
	12:00	194,709.0	(96,864.0)	0.0		97,845.0	2,348,280.8	0.60
	13:00	196,150.8	(108,010.6)	0.0		88,140.2	2,115,363.7	0.54
	14:00	195,498.6	(141,021.2)	25,143.2		79,620.6	1,910,894.8	0.49
	15:00	195,498.6	(141,021.2)	15,714.5		70,191.9	1,684,606.0	0.43
	16:00	196,551.6	(137,663.5)	9,428.7		68,316.8	1,639,602.4	0.42
	17:00	196,768.8	(137,663.5)	15,714.5		74,819.8	1,795,674.4	0.46
	18:00	178,434.6	(111,003.2)	0.0		67,431.4	1,618,352.7	0.41
	19:00	179,373.0	(76,745.9)	0.0		102,627.1	2,463,050.4	0.63
	20:00	126,154.8	0.0	5,606.8		131,761.6	3,162,278.4	0.81
	21:00	139,785.6	0.0	58,663.5		198,449.1	4,762,778.4	1.22
	22:00	202,777.2	0.0	34,403.9		237,181.1	5,692,346.4	1.45
	23:00	202,033.2	0.0	0.0		202,033.2	4,848,796.8	1.24
TOTAL		4,677,726.0	(1,232,073.5)	471,840.5	760,233.0	DAILY DEMAND 3,917,493.0		
July 1, 2023	0:00	200,397.0	(9,428.7)	0.0		190,968.3	4,583,239.2	1.35
	1:00	204,082.2	(3,142.9)	0.0		200,939.3	4,822,543.2	1.42
	2:00	203,440.8	(12,475.6)	0.0		190,965.2	4,583,164.8	1.35
	3:00	200,328.0	(15,594.5)	0.0		184,733.5	4,433,604.0	1.30
	4:00	201,060.6	(12,023.8)	0.0		189,036.8	4,536,883.2	1.33
	5:00	203,796.0	0.0	15,142.7		218,938.7	5,254,528.8	1.55
	6:00	203,784.6	0.0	12,475.6		216,260.2	5,190,244.8	1.53
	7:00	202,067.4	0.0	3,118.9		205,186.3	4,924,471.2	1.45
	8:00	201,243.6	(6,237.8)	0.0		195,005.8	4,680,139.2	1.38
	9:00	196,917.6	(27,467.7)	0.0		169,449.9	4,066,797.6	1.20
	10:00	195,063.6	(43,040.4)	0.0		152,023.2	3,648,556.8	1.07
	11:00	189,398.4	(54,110.4)	0.0		135,288.0	3,246,912.0	0.96
	12:00	175,596.0	(53,139.0)	0.0		122,457.0	2,938,968.0	0.86
	13:00	32,388.6	(27,958.0)	0.0		4,430.6	106,334.4	0.03
	14:00	32,617.2	0.0	25,991.5		58,608.7	1,406,608.8	0.41
	15:00	32,663.4	0.0	27,357.3		60,020.7	1,440,496.8	0.42
	16:00	32,914.8	0.0	25,411.5		58,326.3	1,399,831.2	0.41
	17:00	32,914.8	0.0	32,498.9		65,413.7	1,569,928.8	0.46
	18:00	33,441.6	0.0	32,358.4		65,800.0	1,579,200.0	0.46
	19:00	33,349.8	0.0	49,622.3		82,972.1	1,991,330.4	0.59
	20:00	127,929.0	(17,960.4)	0.0		109,968.6	2,639,246.4	0.78
	21:00	129,748.8	0.0	14,841.5		144,590.3	3,470,167.2	1.02
	22:00	130,011.6	0.0	37,474.8		167,486.4	4,019,673.6	1.18
	23:00	188,368.2	0.0	22,000.3		210,368.5	5,048,844.0	1.49
TOTAL		3,383,523.6	(282,579.2)	298,293.7	(15,714.5)	DAILY DEMAND 3,399,238.1		
July 2, 2023	0:00	188,013.6	(25,143.2)	0.0		162,870.4	3,908,889.6	1.14
	1:00	188,848.8	(6,261.8)	0.0		182,587.0	4,382,088.0	1.28
	2:00	190,245.0	(12,475.6)	0.0		177,769.4	4,266,465.6	1.25
	3:00	193,552.8	0.0	3,118.9		196,671.7	4,720,120.8	1.38
	4:00	192,236.4	0.0	9,356.7		201,593.1	4,838,234.4	1.41
	5:00	194,857.8	0.0	21,976.3		216,834.1	5,204,018.4	1.52
	6:00	194,560.2	0.0	34,571.9		229,132.1	5,499,170.4	1.61
	7:00	204,974.4	0.0	9,428.7		214,403.1	5,145,674.4	1.50
	8:00	203,143.2	(15,714.5)	0.0		187,428.7	4,498,288.8	1.31
	9:00	198,726.0	(34,571.9)	0.0		164,154.1	3,939,698.4	1.15
	10:00	192,694.2	(46,728.9)	0.0		145,965.3	3,503,167.2	1.02
	11:00	178,708.8	(75,893.5)	0.0		102,815.3	2,467,567.2	0.72
	12:00	124,300.8	(46,519.1)	0.0		77,781.7	1,866,760.8	0.55
	13:00	97,966.8	(30,882.6)	0.0		67,084.2	1,610,020.8	0.47
	14:00	98,436.0	(17,698.5)	0.0		80,737.5	1,937,700.0	0.57
	15:00	70,293.6	(11,311.3)	0.0		58,982.3	1,415,575.2	0.41
	16:00	91.8	0.0	37,548.1		37,639.9	903,357.6	0.26
	17:00	91.8	0.0	48,651.6		48,743.4	1,169,841.6	0.34
	18:00	91.8	0.0	52,570.2		52,662.0	1,263,888.0	0.37
	19:00	97,600.2	0.0	46,503.4		144,103.6	3,458,486.4	1.01
	20:00	99,454.2	(5,936.6)	0.0		93,517.6	2,244,422.4	0.66
	21:00	127,219.2	0.0	43,411.4		170,630.6	4,095,134.4	1.20
	22:00	189,432.6	0.0	28,286.1		217,718.7	5,225,248.8	1.53
	23:00	189,192.6	0.0	0.0		189,192.6	4,540,622.4	1.33
TOTAL		3,414,732.6	(329,137.5)	335,423.3	(6,285.8)	DAILY DEMAND 3,421,018.4		

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



H:\Projects\H2ONET\Parker\4096\272-Water Supply Projections\2023 Parker Demand Study\Parker Demand Study_East Side & Central GSR 2023.xlsxPEAK FACTOR GRAPH



H \Projects\H2ONET\Parker\4096\272-Water Supply Projections\2023 Parker Demand Study\Parker Demand Study_East Side & Central GSR 2023TANK LEVELS GRAPH

8/10/2023

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Net Amount:		**Tax Amount:**	$0.00	**Total Amount:**	$273.60
Payment Method:	Check/Money Order	**Payment Amount:**	$0.00	**Amount Due:**	

Ad Order #: 0001853615

Ad Number: 0001853615-01

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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, August 15, 2023 beginning at 6:00 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:	07/31/2023	Stop Date:	07/31/2023	Dallas Morning News	Legals Bids Notices - LN Legal Notices
Publish Date:	07/31/2023	Stop Date:	08/06/2023	DallasNews.com	Legals Bids Notices - LN Legal Notices

ORDINANCE NO. 844
(*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

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, including but not limited to investigating options within the current contract with North Texas Municipal Water District and alternative options, 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 continue its study and evaluation of the impact of further development, the need and source of additional water supply and facilities, appropriate 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 resources for additional water supply must be readily available to the City before the City's water system can serve new development; 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 to 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 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 September 6, 2022 for an additional 90 days following that then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at the City Council and City Council approved an extension on December 6, 2022 for an additional 90 days following that then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at the City Council and City Council approved an extension on March 7, 2023 for an additional 90 days following that then-current 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 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 if 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 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 or Mayor.

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 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 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 this 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 previously extended term of the temporary mortarium which is June 5, 2023 and shall extend the moratorium for 90 days.

READ, PASSED, AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 23RD DAY OF MAY 2023.

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

Amy J. Stanphill, 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

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Order Confirmation / Invoice

Customer:	CITY OF PARKER	**Customer Account:**	100069579
Ad Order #:	0001847776	**PO Number:**	
Sales Rep:	Max (Mert) Tezkol	**Order Taker:**	Max (Mert) Tezkol

Net Amount:	$273.60	**Tax Amount:**	$0.00	**Total Amount:**	$273.60
Payment Method:	Check/Money Order	**Payment Amount:**	$0.00	**Amount Due:**	**$273.60**

Ad Order #: 0001847776

Ad Number: 0001847776-01

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, May 23, 2023 beginning at 6:00 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:	05/08/2023	Stop Date:	05/08/2023	Dallas Morning News	Legals Bids Notices - LN Legal Notices
Publish Date:	05/08/2023	Stop Date:	05/14/2023	DallasNews.com	Legals Bids Notices - LN Legal Notices

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.
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.

May 16, 2023

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

Re: Water Projections

Dear Mr. Olson:

As summer approaches, we anticipate an increase in the peak water demand as the City experienced in 2022 due to the additional residential homes constructed. During the summer of 2022 the NTMWD supplied the city with a maximum daily rate 3.84 MGD on the day of peak usage. This is in excess of the contract rate of 3.5 MGD. Below is a summary of the summer data presented at the first council meeting in September:

> The current North Texas Municipal Water District (NTMWD) contract allocates a maximum supply of 3.5 million gallons per day (MGD). For the month ending July 31st the NTMWD supplied 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.

From December 1, 2022, through May 12, 2023, 38 additional homes have been brought online. The city projects over the next 60 to 90 days an additional 7 homes will be brought online. Those 45 homes equate to approximately 137 people.

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 the city develop water management controls that would be incorporated in a water management plan along with an educational component to the citizens. Until a new contract is executed with the NTMWD hot dry summers will stress the distribution system beyond its capacity. Water management controls will need to be implemented to minimize the impacts of demand being greater than supply.

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

Sincerely,

Craig M. Kerkhoff, P.E., C.F.M.

ORDINANCE NO. 839
(*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

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, including but not limited to investigating options within the current contract with North Texas Municipal Water District and alternative options, 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 continue its study and evaluation the impact of further development, the need and source of additional water supply and facilities, appropriate 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 resources for additional water supply must be readily available to the City before the City's water system can serve new development; 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

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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 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:

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

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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.

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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.

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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.

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

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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.

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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 this 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 previously extended term of the temporary mortarium which is March 7, 2023 and shall extend the moratorium for 90 days.

READ, PASSED, AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 21ST DAY OF FEBRUARY 2023.

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

Catherine Clifton, Interim 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

ORDINANCE NO. 833
(*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

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, including but not limited to investigating options within the current contract with North Texas Municipal Water District and alternative options, 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 continue its study and evaluation the impact of further development, the need and source of additional water supply and facilities, appropriate 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 resources for additional water supply must be readily available to the City before the City's water system can serve new development; 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 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 September 6, 2022 for an additional 90 days following that then-current 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 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 if 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 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 or Mayor.

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 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 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 this 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 previously extended term of the temporary mortarium which is December 6, 2022 and shall extend the moratorium for 90 days.

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

Meeting Date: 11/14/2023 Item 7.

Page 1 of 4 (79 total results)

Search Results Show 25 complete notices Go

PUBLIC HEARING NOTICE FOR CONSIDERATION OF AN EXTENSION

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, December 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.

Appeared in: *The Dallas Morning News* on Friday, 11/18/2022

Select notice to print

NOTICE IS HEREBY GIVEN THAT THE GARLAND CITY COUNCIL OF

Notice is hereby given that the Garland City Council of the City of Garland, Texas, will hold a public hearing at 7:00 P.M. Tuesday, December 6, 2022 in the Council Chambers of William E. Dollar Municipal Building (City Hall), 200 North Fifth Street, to consider the following applications:

Consideration of the application of Atlantic Urbana Acquisition Company II, LLC, requesting approval of 1) a Change in Zoning from Planned Development (PD) District 19-40 for Single-Family Use to a Planned Development (PD) District for Multi-Family-1 (MF-1) Use and 2) a Detail Plan for Multi-Family development. This property is located at 2201 East Miller Road and 2370 East Centerville Road. (District 2) (File Z 21-45)

Consideration of the application of JC Collision, requesting approval of 1) a Specific Use Provision for Automobile Sales, New or Used and 2) a Plan for Automobile Sales, New or Used on a property zoned Industrial (IN) District. This property is located at 2905 Forest Lane. (District 6) (File Z 22-39)

Consideration of the application of Digital Garland Ferris, LP, requesting approval of a Detail Plan for a Data Center. This item may include amendments to Planned Development (PD) District 20-17. This property is located at 805 Holford Road. (District 1) (File Z 22-47)

Appeared in: *The Dallas Morning News* on Sunday, 11/20/2022

Select notice to print

NOTICE OF PUBLIC HEARING ON OCTOBER1, 2021, THE CITY OF

NOTICE OF PUBLIC HEARING

On October1, 2021, the City of Carrollton received $834,928 of Community Development Block Grant (CDBG) funds from the United States Department of Housing and Urban Development (HUD). In accordance with federal regulation, these funds were used for the principal benefit of persons of low to moderate income in Carrollton.

The City of Carrollton is currently in the process of preparing a final Consolidated Annual Performance and Evaluation Report (CAPER) for the 2021 program year. This document reviews and reports on the on the accomplishments of the Carrollton CDBG program for the period spanning October 1, 2021, through September 30, 2022. A draft copy of the report is available for public review at City Hall, 1945 E. Jackson Road, Carrollton, Texas in the Environmental Services Department within the Community Development Program. A digital copy is also available online at https://www.cityofcarrollton.com.

The city will hold two public hearings to receive comments on the Consolidated Annual Performance and Evaluation Report (CAPER) for the 2021 Program year. The first public hearing will be held before the Neighborhood Advisory Commission at 6:30pm on Thursday, November 10, 2022, in the City Hall Council Chambers. The second public hearing will be held before the Carrollton City Council at 7pm on Tuesday, December 6, 2022.

If you are unable to attend, you may submit written comments and/or ideas to the following address:

City of Carrollton
c/o Brian Passwaters
Environmental Services
1945 E. Jackson Road
Carrollton, TX 75006

You may submit your comments by email at: community.development@cityofcarrollton.com

PHONE: (972) 466-5727
FAX: (972) 466-3175

Appeared in: *The Dallas Morning News* on 10/23/2022 and 11/06/2022

Select notice to print

22-0007 CITY OF DALLAS ORDINANCES THE DALLAS CITY COUNCIL

22-0007
CITY OF DALLAS ORDINANCES

The Dallas city council passed the following ordinances at a meeting of the city council on November 9, 2022. This ordinance becomes effective with this publication in accordance with the city charter.

Ordinance No. 32342

An ordinance amending Chapter 34, "Personnel Rules," of the Dallas City Code by amending Sections 34-9 and 34-25; allowing holiday pay for temporary employees; providing a saving clause; providing a severability clause; and providing an effective date.

Ordinance No. 32343

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legal

LEGAL BIDS & NOTICES

- Bankruptcy, Court Sales
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Legal Notices

CNS 3642422
NOTIFICATION OF DISPOSITION AND CASE PLAN HEARING AS TO THE FATHER IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT IN THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA In the Interest of MOHAMAD OMAR: A Child Under Eighteen Years of Age. TO: ABDULLAHI MOHAMAD, the natural father of said Mohamad Omar: YOU AND EACH OF YOU, will hereby take notice: That a Second Amended Petition under the Child Protective Act was filed in the above-entitled matter on the 30th day of September, 2022. That a Disposition and Case Plan Hearing as to the father on the Second Amended Petition has been set for 9:30 a.m. on the 9th day of December, 2022, in the Magistrate Court, Ada County Courthouse, 200 West Front Street, Boise, Idaho 83702. Unless you file a responsive pleading within twenty (20) days, a default judgment may be entered against you. That you have the right to be represented by Counsel of your choosing or upon good cause shown, providing you are financially needy, the Court may appoint Counsel to act in your behalf. That you are required to register your claim of paternity with the Vital Statistics Unit of the Department of Health and Welfare prior to the date of any termination proceeding, or proceeding wherein the child is placed with an agency licensed to provide adoption services, pursuant to Idaho Code 16-1513(5). DATED this 7th day of November, 2022. PHIL MCGRANE Clerk of the District Court Ada County, Idaho BY: Tiffany Morton, Deputy Clerk 11/11, 11/18/22 CNS-3642422# DALLAS MORNING NEWS

MERCHANDISE

- Estate Sales
- Garage Sales
- Antiques, Art, Collectibles
- Appliances-Home
- Auction Sales
- Books, Magazines
- Building Materials
- China, Silver, Tableware
- Cooling, Heating Equip
- Crafts, Hobbies, Seasonal
- Electronics
- Farm Equipment
- Flooring, Carpet
- Furniture-Home
- Gameroom Equip
- Infant/Children Items
- Jewelry, Watches
- Lawn & Garden
- Machinery & Tools
- Medical, Handicapped
- Equipment Merchandise
- Office Equip/Furn
- Pianos, Musical
- Instruments Pools, Spas, Supplies
- Portable Buildings
- Restaurant, Bar,
- Business Fixtures Sewing Machines
- Sporting Goods
- Tickets-Sports/
- Entertainment Tickets-Travel
- Warehouse Equip
- Wearing Apparel

Estate Sales

House full of furiture for sale, dining room, living room set, wall unit, freezer, washer/dryer No Junk. Dallas, TX Appointment Only 972-247-3344

Bids & Proposals

NTTA. NORTH TEXAS TOLLWAY AUTHORITY

North Texas Tollway Authority
RFB 05732-NTT-00-GS-MA
Supplemental Snow and Ice Removal Service

Project Description: The purpose of this contract is to secure additional resources for the mechanical removal of snow and ice throughout the NTTA system.

NTTA is accepting bids until 12/21/2022 at 11:00 a.m. CT.

Vendors can register, download full project details and documents, submit questions and upload bids to NTTA's Marketplace (https://www.nttamarketplace.org).

Email bidpurchasing@nta.org for questions on registration or use of website

NTTA. NORTH TEXAS TOLLWAY AUTHORITY

RFB 05667-DNT-04-GS-MA
Main Lane Plaza-4 Re-Roofing

Project Description: Removal and replacement of roofing at Main Lane Plaza 4.

The North Texas Tollway Authority (NTTA) is accepting bids for the above mentioned solicitation until 12/15/2022 at 11:00 a.m. CT. Bidders are encouraged to upload their bids to NTTA's Marketplace (https://www.nttamarketplace.org). Bids will be read at a virtual bid opening meeting on 12/15/2022 at 3:00 p.m. CT. See RFB documents for meeting details.

A virtual pre-bid conference will be held on 12/5/2022 at 2:MM p.m. CT. See RFB documents for meeting details.

Email bidpurchasing@nta.org for questions on registration or use of website.

Health Services of North Texas, Inc. is now accepting proposals for General Contractor Construction Services relating to the partial renovation of an outpatient medical center building in Denton, TX, along with the expansion of parking at an adjacent outpatient medical center building. Proposals will be accepted until 2:00 pm on December 15, 2022 at High Architecture, LLC. (401 West Green Oaks Blvd., #305-112, Arlington TX 76016). Copies of the detailed RFP and all construction documents are available from Nicholas Simmerman, High Architecture, LLC. at nic@high-arch.com. For more information please contact Nicholas Simmerman at 817-361-6741. Note: This project is funded through Health Resources & Services Administration (HRSA). This procurement is issued in furtherance of HSNT's federally funded health center project. This year, HSNT's health center project received $2,623,705 of federal assistance, which is estimated as constituting 12.8 percent of project costs. Of total project costs for this year, HSNT estimates $ 17,893,680, representing 87.2 percent of project costs will be financed with nongovernmental sources.

NTTA. NORTH TEXAS TOLLWAY AUTHORITY

RFB 05755-SRT-00-CN-PD
Sam Rayburn Tollway Bridge Deck Joint Seal Replacement

Project Description: Sam Rayburn Tollway (SRT) bridge deck joint seal replacement for main lane bridges. Remove and replace existing bridge deck joint seals and reseal approach slab expansion joints.

The North Texas Tollway Authority (NTTA) is accepting bids for the above mentioned solicitation until 12/15/2022 at 11:00 a.m. CT. Bidders are encouraged to upload their bids to NTTA's Marketplace (https://www.nttamarketplace.org). Bids will be read at a virtual bid opening meeting on 12/15/2022 at 3:00 p.m. CT. See RFB documents for meeting details.

A virtual pre-bid conference will be held on 12/5/2022 at 1:00 p.m. CT. See RFB documents for meeting details.

Email bidpurchasing@nta.org for questions on registration or use of website.

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Gordonville Country Antiques Estate Sale a home and 4 buildings full of antiques! NOV 16-19 10AM-5PM 17513 FM 901 Gordonville, TX 76245. See www.dealsestatesales.net for over 1100 photos

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JUMBLE

THAT SCRAMBLED WORD GAME
By David L. Hoyt and Jeff Knurek

Unscramble these Jumbles, one letter to each square, to form four ordinary words.

SUEOD

TODIT

MFLBUE

GNYURH

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Today's Guest JUMBLER is TAUHID BONDIA creator of CRABGRASS

Now arrange the circled letters to form the surprise answer, as suggested by the above cartoon.

FOR

(Answers tomorrow)

Yesterday's Jumbles: SNIFF HATCH GAMBLE WISDOM
Answer: What soap did Gary, AKA Batpig, use during his mudbaths? — HOGWASH

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Bids & Proposals

NTTA. NORTH TEXAS TOLLWAY AUTHORITY

RFB 05547-GEC-00-GS-MA
5910 West Plano Parkway Re-Roofing

Project Description: Removal and replacement of the existing roof.

The North Texas Tollway Authority (NTTA) is accepting bids for the above mentioned solicitation until 12/15/2022 at 11:00 a.m. CT. Bidders are encouraged to upload their bids to NTTA's Marketplace (https://www.nttamarketplace.org). Bids will be read at a virtual bid opening meeting on 12/15/2022 at 3:00 p.m. CT. See RFB documents for meeting details.

A virtual pre-bid conference will be held on 12/5/2022 at 3:00 p.m. CT. See RFB documents for meeting details.

Email bidpurchasing@nta.org for questions on registration or use of website.

NTTA. NORTH TEXAS TOLLWAY AUTHORITY

RFB 05759-NTT-00-CN-PD
2023 Systemwide Seasonal Pavement Marking Re-capping

Project Description: This project consists of a partial re-capping the existing maintane edge line and zore line striping that was damaged due to snow and ice removal measures. NTTA will define the work limits for re-capping after a snow and ice event on the President George Bush Turnpike (PGBT), Sam Rayburn Tollway (SRT), and Chisholm Trail Parkway (CTP). NTTA reserves the right to cancel this Contract should NTTA not experience a snow and ice event within the snow and ice season (typically from December thru April).

The North Texas Tollway Authority (NTTA) is accepting bids for the above mentioned solicitation until 12/15/2022 at 11:00 a.m. CT. Bidders are encouraged to upload their bids to NTTA's Marketplace (https://www.nttamarketplace.org). Bids will be read at a virtual bid opening meeting on 12/15/2022 at 3:00 p.m. CT. See RFB documents for meeting details.

A virtual pre-bid conference will be held on 12/6/2022 at 1:00 p.m CT. See RFB documents for meeting details.

Email bidpurchasing@nta.org for questions on registration or use of website.

NTTA. NORTH TEXAS TOLLWAY AUTHORITY

RFB 05755-SRT-00-CN-PD
Sam Rayburn Tollway Bridge Deck Joint Seal Replacement

Project Description: Sam Rayburn Tollway (SRT) bridge deck joint seal replacement for main lane bridges. Remove and replace existing bridge deck joint seals and reseal approach slab expansion joints.

The North Texas Tollway Authority (NTTA) is accepting bids for the above mentioned solicitation until 12/15/2022 at 11:00 a.m. CT. Bidders are encouraged to upload their bids to NTTA's Marketplace (https://www.nttamarketplace.org). Bids will be read at a virtual bid opening meeting on 12/15/2022 at 3:00 p.m. CT. See RFB documents for meeting details.

A virtual pre-bid conference will be held on 12/5/2022 at 1:00 p.m. CT. See RFB documents for meeting details.

Email bidpurchasing@nta.org for questions on registration or use of website.

NTTA. NORTH TEXAS TOLLWAY AUTHORITY

RFQ 05763-CTP-03-PS-PD
CTP Southbound Mainlanes from North of FM 917 to US 67 Design
and
RFQ 05767-CTP-03-PS-PD
CTP Southbound Mainlanes from FM 1187 to North of FM 917 Design

Project Description: Preparation of Plans, Specifications and Estimates (PS&E) for the construction of Chisholm Trail Parkway Southbound Mainlanes from FM 1187 to US 67. Contract 05763 from north of FM 917 to US 67 and Contract 05767 from FM 1187 to north of FM 917.

The North Texas Tollway Authority (NTTA) is accepting responses for the above mentioned solicitation until 12/21/2022 at 11:00 a.m. CT. Respondents must upload their response to NTTA's Marketplace (https://www.nttamarketplace.org). In addition, responses must be submitted to NTTA 5900 West Plano Parkway, Suite 100, Customer Service Center, Plano, Texas, 75093 per the specifications on the solicitation. See RFQ documents for further details.

An in-person pre-response conference will be held on 12/7/2022 at 2:00 p.m. CT. See RFQ documents for meeting details. Questions are to be submitted online via NTTAMarketPlace Q&A tab no later than the stated deadline.

Email bidpurchasing@nta.org for questions on registration or use of website.

Legal Notices

Effective 2/10/2023, Dr. Joel Wells will no longer be with UT Southwestern Medical Center. All medical records will remain at the practice. Please contact us at 972.669.7179 with any questions.

Trinity Basin Preparatory Notice of Public Hearing

Trinity Basin Preparatory
Notice of Public Hearing
21-22 Charter FIRST Rating Review
December 8, 2022, at 4:30 p.m. at Jefferson Campus, 855 E. 8th Street, Dallas, TX 75203
For more info visit www.trinitybasin.com

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, December 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 .

Application has been made with the Texas Alcoholic Beverage Commission for a WINE AND MALT BEVERAGE RETAILER'S OFF-PREMISE PERMIT (BQ) by R A & SONS LLC dba SUNNY'S MARKET, to be located at 6001 N MAIN ST, STE 200, FORT WORTH, TX 76179. The Officer of said corporation is SALEEM LALANI (MANAGING MEMBER/OWNER).

Legal Notices

NOTICE OF PUBLIC HEARING

TO DISCUSS HARMONY PUBLIC SCHOOLS STAAR FINANCIAL ACCOUNTABILITY RATING As part of the December 10, 2022, Board of Directors Regular Meeting, Harmony Public Schools (HPS) will hold a public hearing to discuss the HPS Schools' 2021-2022 Financial Integrity Rating Systems of Texas (FIRST) accountability ratings. The meeting will be held at 8:30 a.m. at 9321 W Sam Houston Pkwy S, Houston, TX 77099.

Coppell ISD is accepting requests for proposals as listed below.

RFP #903-23 for Professional Contracted Evaluation and Direct Service Providers for Intervention Services CLOSES December 7th, 2022, at 2 p.m. CST.

RFP #905-23 for Datacenter Infrastructure CLOSES December 14th, 2022, at 2 p.m. CST.

Interested respondents must register and submit responses at http://coppellisd.ionwave.net. Please note the District is closed November 21st, 2022, at 4:30 p.m. through November 28th, 2022, at 8 a.m. All questions concerning bid opportunities must be submitted through the bid portal at http://coppellisd.ionwave.net.

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Bids & Proposals

NTTA. NORTH TEXAS TOLLWAY AUTHORITY

RFB 05761-NTT-00-CN-PD
2023 Raised Pavement Marker (RPM) Replacement
(Due to Snow and Ice Event)

Project Description: This project consists the removal and replacement of damaged and/or missing Raised Pavement Markers (RPM) due to snow and ice removal measures. NTTA will define the work limits for RPM removal and replacement after a snow and ice event on the Dallas North Tollway (DNT), Sam Rayburn Tollway (SRT), and Lewisville Lake Toll Bridge (LLTB). NTTA reserves the right to cancel this Contract should NTTA not experience a snow and ice event within the snow and ice season (typically from December thru April).

The North Texas Tollway Authority (NTTA) is accepting bids for the above mentioned solicitation until 12/15/2022 at 11:00 a.m. CT. Bidders are encouraged to upload their bids to NTTA's Marketplace (https://www.nttamarketplace.org). Bids will be read at a virtual bid opening meeting on 12/15/2022 at 3:00 p.m. CT. See RFB documents for meeting details.

A virtual pre-bid conference will be held on 12/6/2022 at 1:30 p.m CT. See RFB documents for meeting details.

Email bidpurchasing@nta.org for questions on registration or use of website.

Legal Notices

JOINT NOTICE OF BRANCH RELOCATION

Notice is hereby given that Truist Bank, a North Carolina chartered bank headquartered at 214 N. Tryon St., Charlotte, Mecklenburg County, NC 28202, has made application to the North Carolina Commissioner of Banks ("NCCOB") for authority and to the Federal Deposit Insurance Corporation ("FDIC") for its written consent to relocate its branch at 2404 Cedar Springs Rd, Dallas, Dallas County, TX 75201 to 100 Crescent Ct Ste 30, Dallas, Dallas County, TX 75201. Upon relocation, the branch will be known as The Crescent Branch.

Concerning the NCCOB relocation application, any interested person may submit written comment to the NCCOB. Comments received within 14 days of the date of publication of the public notice shall be considered by the NCCOB. Mail comments to NCCOB, 4309 Mail Service Center, Raleigh, NC 27699-4309. The application will be processed in accordance with NCGS § 53C-6-16.

Concerning the FDIC relocation application, any interested person may submit written comment to the FDIC Regional Director. Comments must be received within 15 days after the date of newspaper publication. Mail comments to FDIC Regional Director, 10 Tenth St. NE, Ste. 800, Atlanta, GA 30309-3449. The nonconfidential portions of the application are on file in the regional office and are available for public inspection during regular business hours. Photocopies of the nonconfidential portion of the application file will be made available upon request.

ADDISON

Ordinance No. 022-44
An Ordinance of the Town of Addison, Texas, Amending the Comprehensive Zoning Ordinance by Granting a Special Use Permit (SUP) for a Restaurant and for the sale of alcoholic beverages for on-premises consumption for the property located at 5100 Belt Line Road, Suite 430; Providing a Penalty not to exceed Two Thousand Dollars ($2,000.00) for each Offense; Providing a Savings Clause, Severability Clause, and an Effective Date.

ORDINANCE NO. 022-45
An Ordinance of the Town of Addison, Texas, Amending the Comprehensive Zoning Ordinance by amending Planned Development (PD) District Ordinance 016-003 to modify the existing land use regulations to allow an offsite parking lot, to serve 14951 Midway Road, as a permitted use on a 0.55 acre segment of land located at 18 Runyon Road; Providing a Penalty not to exceed Two Thousand Dollars ($2,000) for each Offense; Providing a Savings Clause, Severability Clause, and an Effective Date.

ORDINANCE NO. 022-46
An Ordinance of the Town of Addison, Texas, Amending the Comprehensive Zoning Ordinance by amending the development plans for Planned Development (PD) District Ordinance 446 for a 0.945 acre property located at 14951 Midway Road, to account for site modifications resulting from the acquisition of right-of-way for the Midway Road Reconstruction Project; Providing a Penalty not to exceed Two Thousand Dollars ($2,000) for each Offense; Providing a Savings Clause, Severability Clause, and an Effective Date.

The Ordinances Noted Above Were Approved By The Town Of Addison City Council At The November 8, 2022 Council Meeting. Copies of these and other ordinances are available online at https://library.municode.com/tx/addison/munidocs/munidocs or by contacting the City Secretary.

/s/ Irma G. Parker, City Secretary

Legal Notices

INVITATION FOR BIDS

BID NUMBER 59-23-03 West Shore Park DATE: November 18, 2022

Formal bids received through the Bonfire web site located at https://gobonfire.com until 2:00 p.m., local time, Thursday, December 15, 2022 for the products/services listed below. There is no fee for registering or bidding on this project through Bonfire. If hand-delivered, bids turned in to the receptionist in the foyer at the City Hall at 6800 Main Street, The Colony, Texas 75056-1133.

WEST SHORE PARK
BID 59-23-03 West Shore Park

PRE-BID AT 1:00 P.M., THURSDAY, DECEMBER 1, 2022 AT 5151 N. COLONY BLVD, THE COLONY, TEXAS. A VIRTUAL OPTION WILL BE AT THE FOLLOWING LINK (https://meet.goto.com/848729845) AND WILL BE POSTED ON THE BONFIRE WEBSITE. ALTHOUGH NOT MANDATORY, BIDDERS STRONGLY URGED TO ATTEND THIS CONFERENCE. ANY MISUNDERSTANDINGS DUE TO NON-ATTENDANCE WILL NOT BE REASON FOR LETTING A BIDDER OUT OF THE BID.

Results read at 2:10 p.m., Tuesday, December 15, 2022.

The scope of work consists of a new park with trail, pavilion, landscape and playground at 7605 West Shore Drive, The Colony TX 75056. Other services within the scope include but are not limited to flatwork, earthwork, erosion control, tree protection, associated elements and any other work deemed necessary by the City of The Colony.

All of the above shall be done in accordance with TxDOT and NCTCOG specifications with the City of the Colony's Addenda and as per instructions of the City of The Colony Park Development Manager. All construction sequencing and barricading done according to the City of The Colony Standards. The opinion of probable construction cost for the overall project is $670,000.00.

The successful bidder will be required to furnish Payment and Performance Bonds for 100% of the greatest amount bid and a two (2) year Maintenance Bonds for 10% of amount bid from a Surety licensed to do business in the State of Texas, within fifteen (15) days of the bid award. If bidding online, the bidder must submit, prior to the bid opening time, a Cashier's Check, Certified Check or Bid Bond in the amount of five (5%) percent of the amount bid. Bonds or check may be scanned and sent to Bonfire at the site listed above. Originals will be required within 3 days of the bid opening.

Specifications, bid proposal forms and instructions to bidders may be downloaded from the Bonfire website at the address listed above or also available from the offices of MHS, 212 W 9th St. Tyler, TX 75701 for non-refundable fee of $100.00 per set. Any addenda will be posted on the Bonfire website and bidders may download them. Registered bidders sent notifications of the posted addenda same day. Therefore, it is very important that bidders register with Bonfire whether or not they are planning to place their bids online or hand-deliver them. There is no fee for registering for this project through Bonfire.

All prices quoted shall be F.O.B. destination, The Colony, Texas.

Any bids received after the time listed above, regardless of the mode of delivery, deemed non-responsive. All bidders invited to bid opening, not required to attend.

Any questions regarding the bid process, procedures, plans, or specifications shall be submitted through Bonfire at the address listed above. All responses posted to Bonfire.

The City of The Colony reserves the right to reject any or all bids, in whole or in part, to waive any informality in any bid, and to accept the bid which, in its discretion, is in the best interest of the City of The Colony.

Cherise De Los Santos
Purchasing Manager, City of The Colony

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Legal Notices

Notice of FIRST Rating Public Meeting

KIPP Texas Public Schools will host a public meeting to present the annual FIRST Rating (Charter Financial Integrity Rating System of Texas). The meeting will be held on November 30,2022 at 8 am at 8509 FM 969, Bldg 619, Austin, TX 78724 and a virtual link- https://us06web.zoom.us/j/87647181850?pwd=RGZuMUsyeGN6V1Npa2JPL2VIUXIUdz09. A government ID is required to enter the building.

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AFFIDAVIT OF PUBLICATION

STATE OF TEXAS

COUNTY OF DALLAS

Before me, a Notary Public in and for Dallas County, this day personally appeared Mert Tezkol, advertising Representative for The Dallas Morning News, being duly sworn by oath, states the attached advertisement of

CITY OF PARKER AD# ***1837491***
was published in The Dallas Morning News

DATE PUBLISHED
November 18, 2022

NOTARY PUBLIC STATE OF TEXAS
REBECCA ELIZABETH NEAL TEZKOL
Notary ID #133110603
My Commission Expires
May 19, 2025

Mert Tezkol

November 18, 2022

(Notary Public)

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

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

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

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 area 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 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

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

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

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.

READ, PASSED, AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 6TH DAY OF SEPTEMBER 2022.

CITY OF PARKER COLLIN COUNTY, TEXAS

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

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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.

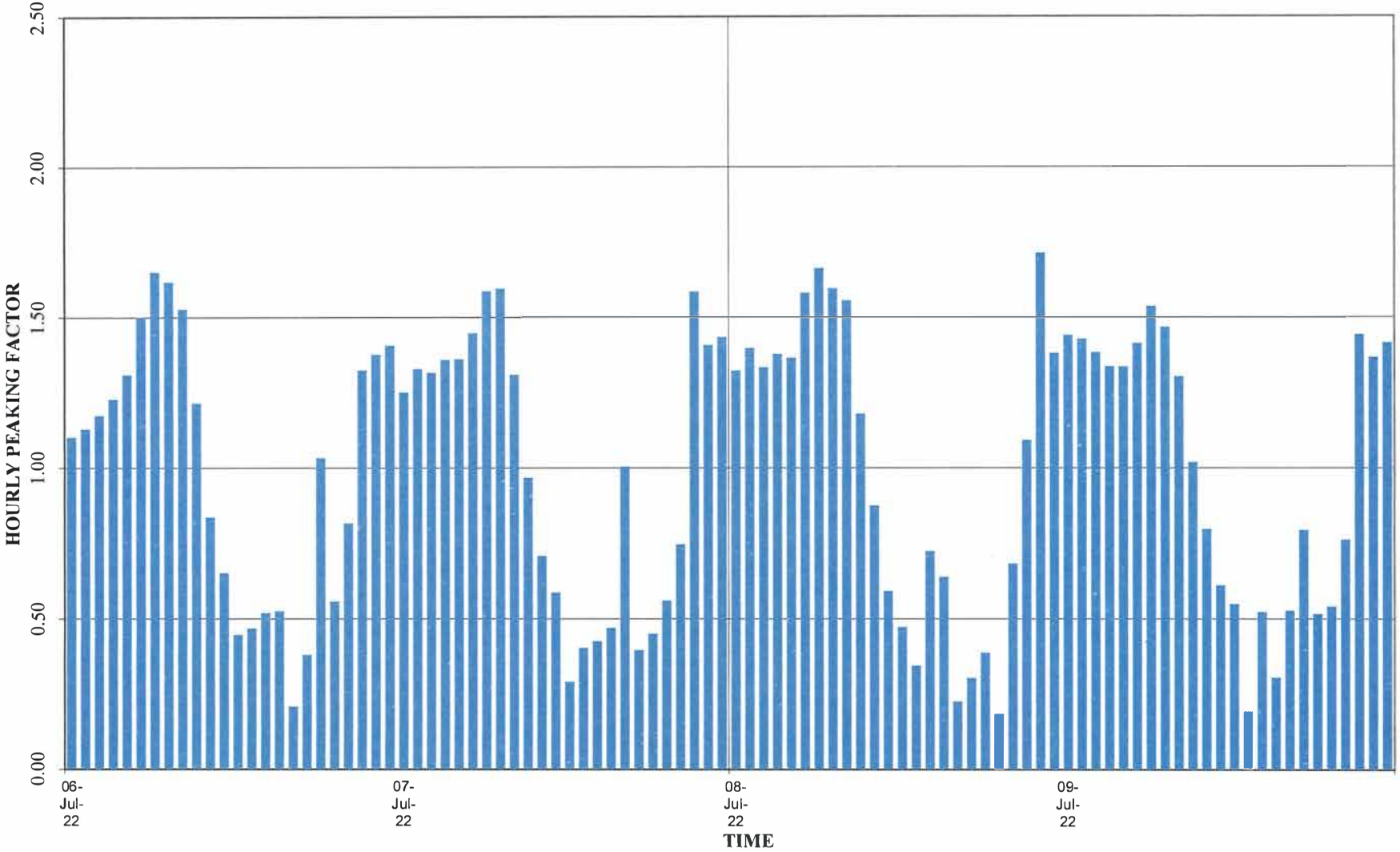
TABLE 1: CITY OF PARKER - DEMAND STUDY RESULTS
July 6 - July 9, 2022

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**		

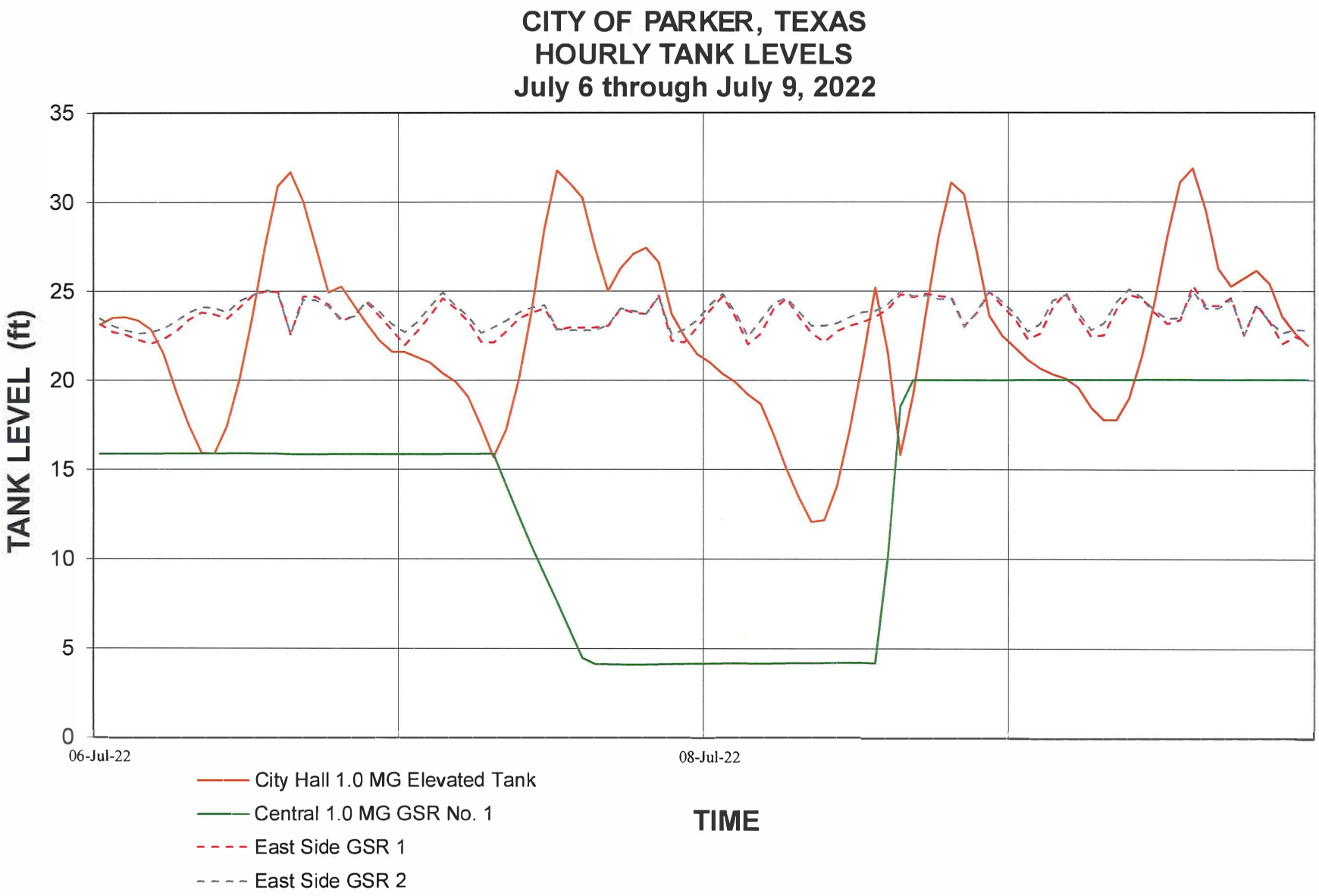
TABLE 1: CITY OF PARKER - DEMAND STUDY RESULTS
July 6 - July 9, 2022

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

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

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.

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

March 1, 2022

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

Re: Water Projections

Dear Mr. Olson:

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

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

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

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

Sincerely,

John W. Birkhoff, P.E.

Council Agenda Item

Budget Account Code:	Meeting Date:	See above.
Budgeted Amount:	Department/ Requestor:	Council
Fund Balance-before expenditure:	Prepared by:	ACA/CS Scott Grey for City Administrator Lule Olson
Estimated Cost:	Date Prepared:	November 2, 2023
Exhibits:	**None**	

AGENDA SUBJECT

TEXAS COALITION FOR AFFORDABLE POWER [TCAP]

SUMMARY

Information will be provided at the 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:	11/09/2023
City Attorney:	Amy J. Stanphill	Date:	11/ xx /2023 via Municode
City Administrator:	Luke B. Olson	Date:	11/xx/2023

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	City Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey for City Administrator Olson
Estimated Cost:		Date Prepared:	October 20, 2023
Exhibits:	1. Proposed Resolution 2. Collin Central Appraisal District letter, dated October 18, 2023 3. Collin Central Appraisal District letter, dated September 28, 2023 4. Resolution No. 2023-753, passed and approved August 15, 2023 5. Texas Property Tax Code § 6.03		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-769 REGARDING __7__ VOTES FOR COLLIN COUNTY CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS.

SUMMARY

Please review the Collin Central Appraisal District letter, dated October 18, 2023, containing "NUMBER OF VOTES: 7" and an official ballot listing of nominees for the Board of Directors, Collin Central Appraisal District, for a one-year term beginning January 1, 2024. The City Council approved Resolution No. 2023-753, nominating Richard Williams and Charles Weis. Texas Property Tax Code § 6.03 (g) requires the action be taken by resolution.

As stated, the City of Parker has __7__ votes, and "each unit may cast all its votes for one candidate or distribute the votes among any number of the candidates listed. Since there is no provision for write-in candidates, the chief appraiser will not count votes for someone not listed on the official ballot." Reminder, "each voting must vote in an open meeting, report and report its vote by written resolution, and submit the resolution to the Chief appraiser before December 15, 2023, except taxing units with 240 or more votes."

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:	11/09/2023
City Attorney:	Amy J. Stanphill	Date:	11/xx/2023 via email
City Administrator:	Luke B. Olson	Date:	11/xx/2023

RESOLUTION NO. 2023-769
(Votes for 2024-2025 CCAD Board of Directors)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS CASTING THE ALLOCATED __7___ VOTES FOR CANDIDATE(S) TO SERVE ON THE COLLIN COUNTY CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS FOR A ONE YEAR TERM BEGINNING JANUARY 1, 2024.

WHEREAS, the City of Parker is located within Collin County, Texas; and

WHEREAS, the City of Parker has elected to utilize the services of Collin Central Appraisal District (CCAD); and

WHEREAS, the City of Parker would like to cast its allocated seven votes for a candidate or candidates listed on the official ballot for CCCAD directors for a term of one year commencing in January 2024;

NOW, THEREFORE, be it resolved by the City Council of the City of Parker, that the City casts its __7___ votes for the following qualified candidate(s) as follows:

Section 1. Candidate

_____ _____VOTE(S)

_____ _____VOTE(S)

PASSED AND APPROVED this __14th___ day of ___November_____, 2023.

CITY OF PARKER:

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

_____
Amy J. Stanphill, City Attorney

Proposed

Collin Central Appraisal District

October 18, 2023

Patti Scott Grey, Assistant City Administrator/City Secretary
Parker City
5700 E. Parker Road
Parker, TX 75002

RE: Board of Directors election, one-year term, beginning January 1, 2024

Dear Ms. Grey:

Enclosed you will find the ballot listing the nominees for the Board of Director positions for the Collin Central Appraisal District. The candidates are listed alphabetically by their surname.

Each voting unit must vote in an open meeting, report its vote by written resolution, and submit the resolution to the chief appraiser before December 15, 2023, **except taxing units with 250 or more votes.**

Taxing Units with 250 or more votes MUST determine its votes by Resolution adopted at the FIRST or SECOND open meeting of the governing body held after the chief appraiser delivers the ballot and their voting Resolution must be submitted to the chief appraiser not later than the THIRD day following the date the Resolution was adopted.

Each unit may cast all its votes for one candidate or distribute the votes among any number of the candidates listed. Since there is no provision for write-in candidates, the chief appraiser will not count votes for someone not listed on the official ballot.

Regards,

Marty Wright

Marty Wright
Chief Appraiser

Enclosure

Collin Central Appraisal District

OFFICIAL BALLOT

ISSUED TO: **Parker City** NUMBER OF VOTES: **7**

FOR: **BOARD OF DIRECTORS, COLLIN CENTRAL APPRAISAL DISTRICT, ONE-YEAR TERM BEGINNING JANUARY 1, 2024.**

NOMINEES	VOTES
DAN BOLLNER	
DAVID GENSLER	
RICHARD "RICK" GRADY	
MICHELLE HOWARTH	
RONALD L. KELLEY	
BRIAN MANTZEY	
CLINT PRUETT	
SCOTT SPERLING	
CHARLES WEIS	
RICHARD WILLIAMS	
VERONICA YOST	

October 18, 2023

Marty Wright

Marty Wright, Chief Appraiser

Section 6.03 (g) of the State Property Tax Code requires the above action be taken by resolution, therefore, please attach a copy of the resolution to this ballot and return to the chief appraiser, at 250 Eldorado Pkwy., McKinney, Texas 75069, before December 15, 2023, **except taxing units with 250 or more votes.**

Collin Central Appraisal District

2024 - 2025
COLLIN CENTRAL APPRAISAL DISTRICT
BOARD OF DIRECTOR'S NOMINATIONS

DAN BOLLNER	Nominated by the City of Frisco. Resides in Frisco, TX.
DAVID GENSLER	Nominated by the Town of Saint Paul. Resides in Saint Paul, TX
RICHARD "RICK" GRADY	Nominated by the City of Plano and Plano ISD. Resides in Plano, TX.
MICHELLE HOWARTH	Nominated by the City of Sachse. Resides in Sachse, TX.
RONALD L. KELLEY	Nominated by Plano ISD. Resides in Plano, TX. Current Board member.
BRIAN MANTZEY	Nominated by the City of McKinney. Resides in McKinney, TX. Current Board member.
CLINT PRUETT	Nominated by Collin County. Resides in McKinney, TX.
SCOTT SPERLING	Nominated by the City of Lucas. Resides in Fairview, TX.
CHARLES WEIS	Nominated by the City of Parker. Resides in Parker, TX.
RICHARD WILLIAMS	Nominated by the City of Parker. Resides in Parker, TX.
VERONICA YOST	Nominated by the City of Allen and Allen ISD. Resides in Allen, TX.

COLLIN CENTRAL APPRAISAL DISTRICT
250 Eldorado Pkwy
McKinney, TX 75069-8023

ADDRESS SERVICE REQUESTED

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OCT 20 2023

75002-679999

Meeting Date: 11/14/2023 Item 2.

Collin Central Appraisal District

September 28, 2023

«FNAME» «LNAME», «TITLE»
«COMPANY»
«ADRS2»
«ADRS3»
«CITY», «ST» «ZIP»

RE: Election of Collin Central Appraisal District Board of Directors
Number of votes allocated to: <<COMPANY>>

Dear «SALUTE»:

In accordance with the Texas Property Tax Code, the Appraisal District's five directors are to be elected by the taxing units that participate in the Appraisal District. Each taxing unit may nominate one to five board candidates. The District's Board of Directors serve a one-year term, with the next term beginning January 1, 2024.

Nominations

Nominations will cease the end of calendar day, October 15, 2023. Nominations must be made in an open meeting and a written resolution from the presiding officer of your governing body must be received by my office no later than October 15, 2023.

Allocation of Votes

Each taxing unit's vote allocation is based on their tax levy compared to the grand total levy for all taxing units. <<COMPANY>> will have **<<votes>>** vote(s) to cast for the appointment of the 2024 - 2025 board of directors of the Appraisal District.

Ballots

My office will prepare and mail a ballot to the presiding officer of each taxing unit that has at least one vote. The mailing of ballots is scheduled for October 30, 2023.

Sincerely,

Marty Wright
Chief Appraiser

www.collincad.org

250 Eldorado Pkwy
McKinney, Texas 75069

Metro 469-742-9200
Toll-Free 866-467-1110

Admin Fax 469-742-9209
Appraisal Fax 469-742-9205

Collin Central Appraisal District

September 28, 2023

To: Collin Central Appraisal District taxing entities

From: Marty Wright, Chief Appraiser

RE: Election of Collin Central Appraisal District Board of Directors

Ladies and Gentlemen,

The purpose of this letter is to provide an overview of the election process, and provide a detailed timeline for each phase for taxing entity appointed Board of Director's members. The process for electing the District's Board of Directors is outlined in the Texas Property Tax Code (TPTC) § 6.03. The deadline dates for the election are statutory and controlled by TPTC § 6.03.

On July 24, 2023, Governor Greg Abbott signed Senate Bill 2 into law which has added TPTC § 6.0301. In accordance with the new section, the District's Board of Directors makeup has changed significantly. The Legislature has seen fit to increase the total number of directors from five (5) appointed and one voting tax assessor-collector director, to nine (9) total directors.

Starting January 1, 2024 the Board of Directors will include three (3) publicly elected directors in addition to the five (5) appointed directors which are still elected by the taxing units that participate in the Appraisal District. Each taxing unit may nominate one to five board candidates. Appointed directors will begin staggered four-year terms on January 1st of even-numbered years, and elected directors will begin staggered four-year terms on January 1st of odd-numbered years. Another significant change in this new section is that the tax assessor-collector is now a voting ex officio member to ensure there are no tie votes.

<u>This election is for a single one-year term to expire on December 31, 2024.</u>

CALENDAR OF EVENTS FOR APPOINTED MEMBERS ON JANUARY 1, 2024

Title of Event: Allocation of Votes

Deadline: Before October 1st, (September 28, 2023)

Action: Calculate the number of votes for each entity and notify the county judge, commissioners of the county, and presiding officers for cities, towns, school districts and college district.

Responsible for Action: Chief Appraiser

Tax Code: 6.03 (e)

Summary of Action: There are 5,000 total votes to be distributed based on tax levy. Each taxing unit's vote allocation is based on their tax levy compared to the grand total levy for all taxing units. Each taxing unit's vote allocation will be delivered to the taxing unit in late-September.
Example: If a taxing unit's tax levy calculates to be 10% of the grand total levy for all taxing units, the taxing unit would be allocated 500 votes.

Title of Event: Nomination of Candidates

Deadline: Before October 15th, (since October 14th is a Saturday the deadline will shift to next business day). **Deadline for delivery of nominating Resolution, received by the Chief Appraiser, is end-of-day October 16, 2023.**

Action: Nominate up to one (1) candidate for each positon to be filled on the Board of Directors. All five (5) of the board positions are included in this election, therefore each taxing unit can nominate a maximum of five (5) candidates.

Responsible for Action: Governing body of each entity and entity's presiding officer.

Tax Code: 6.03 (g)

Summary of Action: A taxing unit's nomination(s) by written Resolution can be submitted at any time, as long as it is received by the Chief Appraiser by end-of-day October 16, 2023. The Resolution must include the name and address of each candidate nominated. To be eligible to serve on the board, an individual must be a resident of the district and must have resided in the district for at least two years immediately preceding the date they take office.

Note: This is the nominations part of the process and the written Resolution associated with this phase of the election should only include nominations of candidates.

Title of Event: Delivery of Ballots

Deadline: Before October 30th, (Since October 29th is a Sunday, the deadline will shift to the next business day.) **Deadline for delivery of ballots is end-of-day October 30, 2023.**

Action: Prepare and deliver a ballot listing the candidates whose names were timely submitted by a taxing unit.

Responsible for Action: Chief Appraiser

Tax Code: 6.03 (j)

Summary of Action: The Chief Appraiser will deliver a ballot listing the candidates, with their names sorted alphabetically by surname, to the presiding officer for each taxing unit. Additionally, each ballot will list the taxing unit name and their vote allocation. The ballots will be mailed the third week of October.

Title of Event: Taxing Units Cast Their Votes

Deadline: Before December 15th, (December 14, 2023). **Deadline for delivery of voting Resolution, received by the chief appraiser, is end-of-day December 14, 2023.**

Action: Taxing unit determines its votes in public session by Resolution.

Special Action (Tax Code Amendment): Taxing Units with 5% or more of the total votes MUST determine its votes by Resolution adopted at the FIRST or SECOND OPEN meeting of the governing body held after the Chief Appraiser delivers the ballot and the Resolution must be submitted to the chief appraiser not later than the THIRD day following the date the Resolution was adopted. Taxing units with 250 or more votes are affected by this Tax Code change.

Responsible for Action: Governing of each entity and entity's presiding officer.

Tax Code: 6.03 (g), 6.03 (k and k-1 effective 1-1-2022)

Summary of Action: The governing body of each taxing unit entitled to vote shall determine its vote by Resolution. If an entity marks their votes next to the nominees name on the Ballot received from the Chief Appraiser, the marked Ballot must have an accompanying Resolution adopted in a public meeting determining the tax unit's votes. The Resolution adopted in an open meeting of the taxing unit, or a copy of marked Ballot accompanied by the taxing unit's voting Resolution must be received by the Chief Appraiser by end-of-day December 14, 2023. **Taxing units with 250 or more votes, please refer to the "Special Action (Tax Code Amendment)" section above concerning the deadlines for adopting your vote Resolution and submitting the Resolution to the Chief Appraiser.**

Title of Event: Election Results

Deadline: Before December 31st, (December 30, 2023)

Action: Count the votes and declare the five (5) candidates who receive the largest cumulative vote totals elected to a four-year term, beginning January 1, 2024.

Responsible for Action: Chief Appraiser

Tax Code: 6.03 (k)

Summary of Action: The Chief Appraiser will submit the election results before December 31, 2023 to each taxing unit and to the candidates.

Regards,

Marty Wright, CCA, RPA
Chief Appraiser

RESOLUTION NO. 2023-753

(Collin County Appraisal District Board Nomination(s))

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS; NOMINATING RICHARD WILLIAMS AND CHARLES WEIS AS A CANDIDATE OR CANDIDATES FOR THE COLLIN COUNTY CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS.

WHEREAS, in accordance with the Texas Property Tax Code at Section 6.03, the Collin County Appraisal District's five (5) directors are to be appointed by the taxing units that participate in the District; and

WHEREAS, each taxing unit may nominate one (1) to five (5) board candidates; and,

WHEREAS, the nomination(s) must be made in an open meeting and a written resolution from the presiding officer of your governing body must be delivered to the Chief Appraiser by October 1, 2023; and,

WHEREAS,

1. Richard Williams;
2. Richard Williams;
3. Richard Williams;
4. Charles Weis;
5. Charles Weis;

meet(s) the qualifications and has/have expressed an interest in serving on the District's Board of Directors;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Parker, Texas that:

The City Council of the City of Parker, Texas authorizes the Mayor to execute and deliver this Resolution to the Chief Appraiser of the Collin County Appraisal District making the following nomination(s) as a candidate or candidates for the District Board of Directors:

1. Name: Richard Williams
Address: 5105 Englenook Dr.
Parker, Texas Zip 75002

2. Name: Richard Williams
Address: 5105 Englenook Dr.
Parker, Texas Zip 75002

3. Name: Richard Williams
Address: 5105 Englenook Dr.
Parker, Texas Zip 75002

4. Name: Charles Weis
Address: 4301 Springhill Estates Dr..
Parker, Texas Zip 75002

5. Name: Charles Weis
Address: 4301 Springhill Estates Dr..
Parker, Texas Zip 75002

CITY OF PARKER:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED TO FORM:

Amy J. Stanphill, City Attorney

CITY OF PARKER

5700 EAST PARKER ROAD • PARKER, TEXAS 75002

FIRST-CLASS

US POSTAGE IMI PITNEY BOWES

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AUG 17 2023

Collin Central Appraisal District
Marty Wright, Chief Appraiser
250 Eldorado Pkwy
McKinney, Texas 75069

Texas Tax Code - TAX § 6.03. Board of Directors

Current as of April 14, 2021, | Updated by FindLaw Staff

(a) The appraisal district is governed by a board of directors. Five directors are appointed by the taxing units that participate in the district as provided by this section. If the county assessor-collector is not appointed to the board, the county assessor-collector serves as a nonvoting director. The county assessor-collector is ineligible to serve if the board enters into a contract under Section 6.05(b) or if the commissioners court of the county enters into a contract under Section 6.24(b) . To be eligible to serve on the board of directors, an individual other than a county assessor-collector serving as a nonvoting director must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office. An individual who is otherwise eligible to serve on the board is not ineligible because of membership on the governing body of a taxing unit. An employee of a taxing unit that participates in the district is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district.

(b) Members of the board of directors other than a county assessor-collector serving as a nonvoting director serve two-year terms beginning on January 1 of even-numbered years.

(c) Members of the board of directors other than a county assessor-collector serving as a nonvoting director are appointed by vote of the governing bodies of the incorporated cities and towns, the school districts, the junior college districts, and, if entitled to vote, the conservation and reclamation districts that participate in the district and of the county. A governing body may cast all its votes for one candidate or distribute them among candidates for any number of directorships. Conservation and reclamation districts are not entitled to vote unless at least one conservation and reclamation district in the district delivers to the chief appraiser a written request to nominate and vote on the board of directors by June 1 of each odd-numbered year. On receipt of a request, the chief appraiser shall certify a list by June 15 of all eligible conservation and reclamation districts that are imposing taxes and that participate in the district.

(d) The voting entitlement of a taxing unit that is entitled to vote for directors is determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taxing unit that is entitled to vote, by multiplying the quotient by 1,000, and by rounding the product to the nearest whole number. That number is multiplied by the number of directorships to be filled. A taxing unit participating in two or more districts is entitled to vote in each district in which it participates, but only the taxes imposed in a district are used to calculate voting entitlement in that district.

(e) The chief appraiser shall calculate the number of votes to which each taxing unit other than a conservation and reclamation district is entitled and shall deliver written notice to each of those units of its voting entitlement before October 1 of each odd-numbered year. The chief appraiser shall deliver the notice:

(1) to the county judge and each commissioner of the county served by the appraisal district;

(2) to the presiding officer of the governing body of each city or town participating in the appraisal district, to the city manager of each city or town having a city manager, and to the city secretary or clerk, if there is one, of each city or town that does not have a city manager;

(3) to the presiding officer of the governing body of each school district participating in the district and to the superintendent of those school districts; and

(4) to the presiding officer of the governing body of each junior college district participating in the district and to the president, chancellor, or other chief executive officer of those junior college districts.

(f) The chief appraiser shall calculate the number of votes to which each conservation and reclamation district entitled to vote for district directors is entitled and shall deliver written notice to the presiding officer of each conservation and reclamation district of its voting entitlement and right to nominate a person to serve as a director of the district before July 1 of each odd-numbered year.

(g) Each taxing unit other than a conservation and reclamation district that is entitled to vote may nominate by resolution adopted by its governing body one candidate for each position to be filled on the board of directors. The presiding officer of the governing body of the unit shall submit the names of the unit's nominees to the chief appraiser before October 15.

(h) Each conservation and reclamation district entitled to vote may nominate by resolution adopted by its governing body one candidate for the district's board of directors. The presiding officer of the conservation and reclamation district's governing body shall submit the name of the district's nominee to the chief appraiser before July 15 of each odd-numbered year. Before August 1, the chief appraiser shall prepare a nominating ballot, listing all the nominees of conservation and reclamation districts alphabetically by surname, and shall deliver a copy of the nominating ballot to the presiding officer of the board of directors of each district. The board of directors of each district shall determine its vote by resolution and submit it to the chief appraiser before August 15. The nominee on the ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district if the nominee received more than 10 percent of the votes entitled to be cast by all of the conservation and reclamation districts in the appraisal district, and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

(i) If no nominee of the conservation and reclamation districts receives more than 10 percent of the votes entitled to be cast under Subsection (h), the chief appraiser, before September 1, shall notify the presiding officer of the board of directors of each conservation and reclamation district of the failure to select a nominee. Each conservation and reclamation district may submit a nominee by September 15 to the chief appraiser as provided by Subsection (h). The chief appraiser shall submit a second nominating ballot by October 1 to the conservation and reclamation districts as provided by Subsection (h). The conservation and reclamation districts shall submit their votes for nomination before October 15 as provided by Subsection (h). The nominee on the second nominating ballot with the most votes is the nominee of the conservation and reclamation

districts in the appraisal district and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

(j) Before October 30, the chief appraiser shall prepare a ballot, listing the candidates whose names were timely submitted under Subsections (g) and, if applicable, (h) or (i) alphabetically according to the first letter in each candidate's surname, and shall deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote.

(k) The governing body of each taxing unit entitled to vote shall determine its vote by resolution and submit it to the chief appraiser before December 15. The chief appraiser shall count the votes, declare the five candidates who receive the largest cumulative vote totals elected, and submit the results before December 31 to the governing body of each taxing unit in the district and to the candidates. For purposes of determining the number of votes received by the candidates, the candidate receiving the most votes of the conservation and reclamation districts is considered to have received all of the votes cast by conservation and reclamation districts and the other candidates are considered not to have received any votes of the conservation and reclamation districts. The chief appraiser shall resolve a tie vote by any method of chance.

(l) If a vacancy occurs on the board of directors other than a vacancy in the position held by a county assessor-collector serving as a nonvoting director, each taxing unit that is entitled to vote by this section may nominate by resolution adopted by its governing body a candidate to fill the vacancy. The unit shall submit the name of its nominee to the chief appraiser within 45 days after notification from the board of directors of the existence of the vacancy, and the chief appraiser shall prepare and deliver to the board of directors within the next five days a list of the nominees. The board of directors shall elect by majority vote of its members one of the nominees to fill the vacancy.

(m) Repealed by Acts 2007, 80th Leg., ch. 648, § 5(4).

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Council/Administration
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey for City Administrator Olson
Estimated Cost:		Date Prepared:	November 3, 2023
Exhibits:	**Proposed Ordinance**		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 855 APPOINTING A DEPUTY CITY SECRETARY WITH THE POWERS AND DUTIES TO ASSIST WITH SAID OFFICE AND TO SERVE IN THE ABSENCE OF THE CITY SECRETARY.

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:	11/09/2023
City Attorney:	*Amy J. Stanphill*	Date:	11/xx/2023 via email
City Administrator:	*Luke B. Olson*	Date:	11/xx/2023

ORDINANCE NO. 855
(Deputy City Secretary Appointment)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING A DEPUTY CITY SECRETARY WITH THE POWERS AND DUTIES TO ASSIST WITH SAID OFFICE AND TO SERVE IN THE ABSENCE OF THE CITY SECRETARY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Local Government Code, Chapter 22. Subchapter C, Sec. 22.071; entitled "Other Municipal Officers," permits the governing body of the municipality to appoint by ordinance "other officers or agents" as may be authorized by the governing body in addition to the positions specifically enumerated in that section, as necessary to carry out the municipality's functions, and;

WHEREAS, Section 22.071(c) further specifies that the governing body may confer on "other municipal officers the powers and duties of an officer provided for by this section;" and

WHEREAS, Section 22.073 sets forth the duties and responsibilities of the Office of the City Secretary; and

WHEREAS, those duties include, but are not limited to preparation of notices, recording of minutes associated with all posted agendas, and authentication of official documents of the City with the City seal, and;

WHEREAS, in the absence of the City Secretary, the Deputy City Secretary would assume the powers and duties of the office;

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

Section 1. The findings set forth in the preamble of this Ordinance are incorporated by reference into the body of this Ordinance as if fully set forth herein.

Section 2. The City Council hereby appoints _____ as the Deputy City Secretary of the City of Parker and authorizes the Deputy City Secretary to act in the absence of the City Secretary with all the authority of the City Secretary as provided in the statutory and common laws of the State of Texas and the Code of Ordinances of the City of Parker, Texas.

Section 3. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

Section 4. This Ordinance shall take effect immediately upon passage and approval.

Proposed

PASSED AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 14TH DAY OF NOVEMBER 2023.

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

_____
Amy J. Stanphill, City Attorney

Proposed

Council Agenda Item

Budget Account Code:	Meeting Date:	See above.
Budgeted Amount:	Department/ Requestor:	City Council
Fund Balance-before expenditure:	Prepared by:	ACA/CS Scott Grey for City Administrator Olson
Estimated Cost:	Date Prepared:	November 6, 2023
Exhibits:	**Proposed Resolution** **Resolution No. 2021-682; 2022-719;2023-723; 2023-741** **Application(s) – (Email to Mayor/City Council only)** **Rajiv Gaind, Allison Sumrow, & Lynnette Ammar** **Attendance Record**	

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-770 MAKING APPOINTMENTS TO THE PLANNING AND ZONING (P&Z) COMMISSION.

SUMMARY

The following Planning and Zoning (P&Z) Commissioners, whose term(s) expire November 30th, expressed a desire to continue to serve on the P&Z in their current positions:

Member	Position	Term Expiration
Russell Wright	Place One; Chairperson	Nov. 30
Wei Wei Jeang	Place Three, Secretary	Nov. 30
Jasmat Sutaria	Place Five	Nov. 30
Larkin Crutcher	Alternate 1	Nov. 30
JR Douglas	Alternate 2	Nov. 30
Lucy Estabrook	Alternate 3	Nov. 30

P&Z Chair Wright emailed he has no concerns with current members; therefore, recommends no changes at this time. Mr. Wright understands, as does all commissioners serving, any and all appointments are at the pleasure of the Council.

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:	11/09/2023
City Attorney:	Amy J. Stanphill	Date:	11/xx/2023 via Municode
City Administrator:	Luke B. Olson	Date:	11 xx /2023

RESOLUTION NO. 2023-770
(2023-2025 P&Z Appointments)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING MEMBERS AND ALTERNATE MEMBERS TO SERVE ON THE PLANNING AND ZONING COMMISSION

WHEREAS; Members and Alternates of the Planning and Zoning serve in staggered two-year terms, commencing on December 1st and ending on November 30th, as set forth below:

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

SECTION 1. Appointment of Voting Members with terms expiring November 30, 2025:

The following are hereby appointed to serve on the Planning and Zoning Commission as voting member for a term of two years, expiring November 30 of 2025.

Current		
Russell Wright	Place 1	_____
Wei Wei Jeang	Place 3	_____
Jasmat Sutaria	Place 5	_____

SECTION 2. Alternate Members with terms expiring November 30, 2025

The following are hereby appointed to serve on the Planning and Zoning Commission as Alternate Members for a two-year term, expiring November 30, 2025.

Current		
Larkin Crutcher	Alternate 1	_____
JR Douglas	Alternate 2	_____
Lucy Estabrook	Alternate 3	_____

SECTION 4. Appointment of Officers

The officers of the Planning and Zoning Commission shall include a Chairperson, Vice-chairperson, and Secretary for a term of two-years, expiring on the same date as the member's term, unless otherwise designated by council.

Current		
Russell Wright	Chairperson	_____
Wei Wei Jeang	Secretary	_____

Proposed

SECTION 5. Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the __14th__ day of __November__, 2023.

CITY OF PARKER:

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

_____
Amy J. Stanphill, City Attorney

Proposed

RESOLUTION NO. 2021-682
(2021-2023 P&Z Appointments)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING MEMBERS AND ALTERNATE MEMBERS TO SERVE ON THE PLANNING AND ZONING COMMISSION

WHEREAS; Members and Alternates of the Planning and Zoning serve in staggered two-year terms, commencing on December 1st and ending on November 30th, as set forth below:

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

SECTION 1. Appointment of Voting Members with terms expiring November 30, 2023:

The following will continue to serve their unexpired term(s) through November 30, 2021, and are hereby appointed to serve on the Planning and Zoning Commission as voting members for additional two year terms, beginning December 1, 2021 and expiring November 30 of 2023.

Place 1	Russell Wright_____
Place 3	Wei Wei Jeang_____
Place 5	Jasmat Sutaria_____

SECTION 2. Alternate Members with terms expiring November 30, 2023

The following will continue to serve their unexpired term(s) through November 30, 2021, and are hereby appointed to serve on the Planning and Zoning Commission as Alternate Members for additional two-year terms, beginning December 1, 2021 and expiring November 30, 2023.

Alternate 1	Larkin Crutcher____
Alternate 2	JR Douglas_____
Alternate 3	Todd Fecht_____

SECTION 4. Appointment of Officers

The officers of the Planning and Zoning Commission shall include a Chairperson, Vice-chairperson, and Secretary will continue serve their unexpired term(s) and will continue for the term of two-years, expiring on the same date as the member's term, unless otherwise designated by council.

Chairperson	Russell Wright_
Vice Chairperson	Joe Lozano____
Secretary	Wei Wei Jeang____

SECTION 5. Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the __16th__ day of __November__, 2021.

CITY OF PARKER:

Lee Pettle, Mayor

ATTESTED:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Scott D. Levine, Interim City Attorney

RESOLUTION NO. 2022-719
(2022 P&Z Appointments)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING MEMBERS TO SERVE ON THE PLANNING AND ZONING COMMISSION.

WHEREAS, Members of the Planning and Zoning Commission serve in staggered two-year terms, commencing on December 1st and ending on November 30th, as set forth in Section 150.02(A) of the City of Parker Code of Ordinances, and

WHEREAS, Alternative Members of the Planning and Zoning Commission serve one-year terms unless specifically appointed for a two-year term at the time of appointment, commencing on December 1st and ending on November 30th, as set forth in Section 150.02(B) of the City of Parker Code of Ordinances; and

WHEREAS, Section 150.02(B) specifies that there may be up to three Alternate members and Council appointed all three Alternate Members on November 16, 2021, via Resolution 2021-682, for two-year terms ending November 30, 2023, so there is no current vacancy of Alternate Members;

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

Section 1. **Appointment of Voting Members with terms expiring November 30, 2024**

The following people are hereby appointed to serve on the Planning and Zoning Commission as voting Members for the two-year term, beginning December 1, 2022 and expiring November 30, 2024:

Place 2 __Joe Lozano_____
Place 4 __Dave Leamy_____.

Section 2. **Appointment of Officers**

Following installation of the newly appointed Members, Council will appoint Officers of the Planning and Zoning Commission at a future council meeting, pursuant to Section 150.02(C) of the City of Parker Code of Ordinances.

Section 3. **Effective Date**

This Resolution shall take effect immediately upon passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 15TH DAY OF NOVEMBER, 2022.

CITY OF PARKER
COLLIN COUNTY, TEXAS

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

Larence M. Lansford, III, City Attorney

RESOLUTION NO. 2023-723
(2022-2023 P&Z Officer Appointments)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING PLANNING AND ZONING COMMISSION OFFICERS FROM AMONG THE MEMBERS.

WHEREAS, Members of the Planning and Zoning Commission serve in staggered two-year terms, commencing on December 1st and ending on November 30th, as set forth in Section 150.02(A) of the City of Parker Code of Ordinances, and

WHEREAS, The City Council for the City of Parker appointed new voting Members to Places 2 and 4 on November, 15, 2022 for a two-year term expiring November 30, 2024; and

WHEREAS, Section 150.02(C) specifies that Council is to appoint officers for the Planning and Zoning Commission;

WHEREAS, on November 16, 2021, via Resolution 2021-2023, Council appointed Russell Wright as Chairperson, Joe Lozano as Vice-Chairperson, and Wei Wei Jeang as Secretary, to serve terms expiring on the same date as the respective member's term, unless otherwise designated by council; and

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

Section 1. **Appointment of Officers with terms expiring November 30, 2023**

The officers of the Planning and Zoning Commission shall include a Chairperson, Vice-chairperson, and Secretary. The following people are hereby appointed to serve as the respective officer indicated below for a one-year term, expiring November 30, 2023, unless otherwise designated by Council:

Chairperson	Russell Wright
Vice-Chairperson	Joe Lozano
Secretary	Wei Wei Jeang.

Section 2. **Effective Date**

This Resolution shall take effect immediately upon passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 17TH DAY OF JANUARY, 2023.

CITY OF PARKER
COLLIN COUNTY, TEXAS

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

Interim City Attorney

RESOLUTION NO. 2023-741
(2023 P&Z Alternate 3 Appointment)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING AN ALTERNATE MEMBER 3 TO SERVE ON THE PLANNING AND ZONING COMMISSION.

WHEREAS, Members of the Planning and Zoning Commission serve in staggered two-year terms, commencing on December 1st and ending on November 30th, as set forth in Section 150.02(A) of the City of Parker Code of Ordinances, and

WHEREAS, Alternative Members of the Planning and Zoning Commission serve one-year terms unless specifically appointed for a two-year term at the time of appointment, commencing on December 1st and ending on November 30th, as set forth in Section 150.02(B) of the City of Parker Code of Ordinances; and

WHEREAS, Section 150.02(B) specifies that there may be up to three Alternate Members and Council appointed all three Alternate Members on November 16, 2021, via Resolution 2021-682, for two-year terms ending November 30, 2023; and

WHEREAS, Councilmember Todd Fecht was appointed as Alternate 3 via Resolution 2021-682, but has resigned his position as an Alternate Member of the Planning and Zoning Commission due to his election to Council which creates a vacancy for Alternate 3 with its term ending November 30, 2023.

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

Section 1. **Alternate 3 with term expiring November 30, 2023**

The following is hereby appointed to serve on the Planning and Zoning Commission as Alternate Member 3, expiring November 30, 2023.

Alternate 3 Lucy Estabrook

Section 3. **Effective Date**

This Resolution shall take effect immediately upon passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 20TH DAY OF JUNE, 2023.

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

Amy J. Stanphill, City Attorney

Planning and Zoning 2023 Attendance

2023 Res. No. 2022-719			1 Chairman Russell Wright	2 Vice Chair Joe Lozano	3 Secretary Wei Wei Jeang	4 David Leamy	5 Jasmat Sutaria	Alternate 1 Larkin Crutcher	Alternate 2 JR Douglas	Alternate 3 Lucy Estabrook
2023	✓	Absent								
P&Z										
Jan	12	Canceled								
	26	Canceled								
Feb	9	Regular	✓	✓	✓	✓	✓	✓	Absent	NA
	23	Canceled								
Mar	9	Canceled								
	23	Canceled								
Apr	13	Canceled								
	27	Canceled								
May	11	Canceled								
	25	Regular	✓	✓	Absent	✓	Absent	Absent	Absent	NA
Jun	9	Canceled								
	23	Canceled								
Jul	13	Canceled								
	20	Special	Absent	✓	✓	✓	Absent	✓	Absent	Absent
	27	Canceled								
Aug	10	Canceled								
	24	Canceled								
Sept	14	Canceled								
	28	Canceled								
Oct	12	Canceled								
	26	Canceled t								
Nov	9	Regular t								
	23	Canceled r								
Dec	14	T/Regular								
	28	Canceled								
CIAC										
Aug	24		✓	✓	✓	Absent	✓			
Oct	19		✓	Absent	✓	✓	✓			
Joint (COMP)										
Oct	24		Absent	Absent	Absent	Absent	Absent	Absent	Absent	✓
2023 Absences (P&Z/Joint COMP)			1/0/1	0/1/1	1/0/1	0/1/1	2/0/1	1/0/1	3/0/1	1/0/01

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	City Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey for City Administrator Olson
Estimated Cost:		Date Prepared:	November 7, 2023
Exhibits:	Proposed Resolution Resolution No. 2021-683; 2022-720; 2023-725; 2023-729; 2023-747; 2023-752 Application(s) – (Email to Mayor/City Council only) Rajiv Gaind, Allison Sumrow, & Lynnette Ammar Attendance Record		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-771 MAKING APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENT (ZBA).

SUMMARY

The following Zoning Board of Adjustment (ZBA), whose term(s) expire November 30th, expressed a desire to continue to serve on ZBA in their current positions:

Member	Position	Term Expiration
Steve Schoenekase	Place One (1), Vice Chair	Nov. 30
Andrew Ellison	Place Three (3), Chair	Nov. 30
Brian Deaver	Place Five (5)	Nov. 30

ZBA Chair Ellison said he has no concerns with current members; therefore, recommends no changes at this time. Mr. Ellison understands, as does all ZBA members serving, any and all appointments are at the pleasure of the Council.

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:	11/09/2023
Interim City Attorney:	Amy J. Stanphill	Date:	11/xx/2023 via Municode
City Administrator:	Luke B. Olson	Date:	11 xx /2023

RESOLUTION NO. 2023-771
(2023 Zoning Board of Adjustment Appointments)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING MEMBERS TO SERVE ON THE ZONING BOARD OF ADJUSTMENT

WHEREAS, Members of the Zoning Board of Adjustment serve in staggered two-year terms, commencing December 1st and ending on November 30th as set forth below:

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

SECTION 1. Appointment of Voting Members with terms expiring November30, 2023:

The following are hereby appointed to serve on the Zoning Board of Adjustment as voting members for a two-year term, expiring November 30, 2023, or until their successors are appointed and qualified.

Current		
Steve Schoenekase	Place 1	_____
Andrew Ellison	Place 3	_____
Brian Deaver	Place 5	_____

SECTION 2. Appointment of Officers

The officers of the Zoning Board of Adjustment shall include a Chairperson and Vice-chairperson, for a term of two-years, expiring on the same date as the member's term, unless otherwise designated by council.

Current		
Andrew Ellison	Chairperson	_____
Steve Schoenekase	Vice Chairperson	_____

SECTION 5 Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 14th day of November, 2023.

Proposed

CITY OF PARKER:

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

_____
Amy J. Stanphill, City Attorney

Proposed

RESOLUTION NO. 2021-683
(2021 Zoning Board of Adjustment Appointments)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING MEMBERS AND ALTERNATE MEMBERS TO SERVE ON THE ZONING BOARD OF ADJUSTMENT

WHEREAS, Members and Alternate Members of the Zoning Board of Adjustment serve in staggered two-year terms, commencing December 1st and ending on November 30th as set forth below:

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

SECTION 1. Appointment of Voting Members with terms expiring November30, 2023:

The following are hereby appointed to serve on the Zoning Board of Adjustment as voting members for a two-year term, expiring November 30, 2023, or until their successors are appointed and qualified.

Place 1	Steve Schoenekase
Place 3	Andrew Ellison
Place 5	Brian Deaver

SECTION 2. Appointment of Officers

The officers of the Zoning Board of Adjustment shall include a Chairperson and Vice-chairperson, for a term of two-years, expiring on the same date as the member's term, unless otherwise designated by council.

Chairperson	Andrew Ellison
Vice Chairperson	Brian Deaver

SECTION 5 Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 16th day of November, 2021.

CITY OF PARKER:

Lee Pettle, Mayor

ATTESTED:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Scott D. Levine, Interim City Attorney

CITY OF PARKER

5700 EAST PARKER ROAD • PARKER, TEXAS 75002

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CITY OF PARKER

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Brian Deaver
6004 Tamsworth Ct
Parker, TX 75002

RESOLUTION NO. 2022-720
(2022 Zoning Board of Adjustment Appointments)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING MEMBERS AND ALTERNATE MEMBERS TO SERVE ON THE ZONING BOARD OF ADJUSTMENT

WHEREAS, Members and Alternate Members of the Zoning Board of Adjustment serve in staggered two-year terms, commencing December 1st and ending on November 30th as set forth in Section 156.67(B)(1) of the City of Parker Code of Ordinances;

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

SECTION 1. Appointment of Voting Members with terms expiring November 30, 2024

The following are hereby appointed to serve on the Zoning Board of Adjustment as voting Members for a two-year term, beginning December 1, 2022 and expiring November 30, 2024, or until their successors are appointed and qualified:

Place 2 __Randy Kercho_____
Place 4 __Don Dickson_____

SECTION 2. Appointment of Alternate Members with terms expiring November 30, 2024

The following are hereby appointed to serve on the Zoning Board of Adjustment as Alternate Members for a two-year term, beginning December 1, 2022 and expiring November 30, 2024, or until their successors are appointed and qualified:

Alternate 1 __Lucy Estabrook_____
Alternate 2 __Vacant_____

SECTION 3. Appointment of Officers

Officers shall be appointed by the Zoning Board of Adjustment following the installation of the newly appointed Members and Alternate Members in accordance with Resolution No. 2021-658. Resolution No. 2021-683 is repealed only to the extent that it is inconsistent with this section. The remainder of Resolution No. 2021-683 shall remain in full force and effect.

SECTION 4 Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 15th day of November, 2022.

CITY OF PARKER:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Larence M. Lansford, III, City Attorney

RESOLUTION NO. 2023-725

(2023 Zoning Board of Adjustment Appointment to Vacant Alternate Position)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING AN ALTERNATE MEMBER TO SERVE ON THE ZONING BOARD OF ADJUSTMENT

WHEREAS, Members and Alternate Members of the Zoning Board of Adjustment serve in staggered two-year terms, commencing December 1st and ending on November 30th as set forth in Section 156.67(B)(1) of the City of Parker Code of Ordinances;

WHEREAS, Resolution No. 2022-720, approved November 15, 2022, had one remaining Alternate Position, Alternate 2, which needs to be filled;

WHEREAS, the alternate member appointed herein shall begin service immediately and serve according to the Zoning Board of Adjustment Ordinance;

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

SECTION 1. Appointment of an Alternate Member with term expiring November 30, 2024

The following is hereby appointed to serve on the Zoning Board of Adjustment as an Alternate Member for a two-year term, expiring November 30, 2024:

Alternate 2 Trudy Jackson

SECTION 2 Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 17th day of January, 2023.

CITY OF PARKER COLLIN COUNTY, TEXAS

CITY OF PARKER:

Lee Pettle

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Interim City Attorney

RESOLUTION NO. 2023-729
(2023 Zoning Board of Adjustment Appointments)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING ZONING BOARD OF ADJUSTMENT OFFICERS FROM AMONG THE MEMBERS

WHEREAS, Members and Alternate Members of the Zoning Board of Adjustment serve in staggered two-year terms, commencing December 1st and ending on November 30th as set forth in Section 156.67(B)(1) of the City of Parker Code of Ordinances; and

WHEREAS, the Zoning Board of Adjustment recommended that member Andrew Ellison serve as the Zoning Board of Adjustment Chair; and

WHEREAS, the Zoning Board of Adjustment recommended that member Steve Schoenekase serve as the Zoning Board of Adjustment Vice Chair;

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

SECTION 1. Appointment of Officers with terms expiring November 30, 2023

The officers of the Zoning Board of Adjustment shall include a Chairperson and Vice-chairperson. The following people are hereby appointed to serve as the respective officer indicated below for a one-year term, expiring November 30, 2023, unless otherwise designated by Council:

Chairperson	Andrew Ellison
Place 4	Steve Schoenekase

SECTION 2. Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 7th day of March, 2023.

CITY OF PARKER:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Catherine Clifton, Interim City Attorney

RESOLUTION NO. 2023-747

(2023 Zoning Board of Adjustment Appointment to Vacant Alternate Position)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING AN ALTERNATE MEMBER TO SERVE ON THE ZONING BOARD OF ADJUSTMENT

WHEREAS, Members and Alternate Members of the Zoning Board of Adjustment serve in staggered two-year terms, commencing December 1st and ending on November 30th as set forth in Section 156.67(B)(1) of the City of Parker Code of Ordinances;

WHEREAS, one Alternate Position, Alternate 1 is vacant;

WHEREAS, the alternate member appointed herein shall begin service immediately and serve according to the Zoning Board of Adjustment Ordinance;

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

SECTION 1. **Appointment of an Alternate Member with term expiring November 30, 2024**

The following is hereby appointed to serve on the Zoning Board of Adjustment as an Alternate Member for a two-year term, expiring November 30, 2024:

Alternate 1 _____Lindy M. (Buddy) Pilgrim_____

SECTION 2 Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 1st day of August, 2023.

CITY OF PARKER:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Amy J. Stanphill, City Attorney

RESOLUTION NO. 2023-752

(2023 Zoning Board of Adjustment Appointment to Vacant Alternate Position)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING THE CURRENT ALTERNATE 2 POSITION HOLDER TO THE VACANT PLACE TWO POSITION, AND APPOINTING AN ALTERNATE MEMBER TO SERVE IN THE THEN VACANT ALTERNATE 2 POSITION ON THE ZONING BOARD OF ADJUSTMENT

WHEREAS, Members and Alternate Members of the Zoning Board of Adjustment serve in staggered two-year terms, commencing December 1st and ending on November 30th as set forth in Section 156.67(B)(1) of the City of Parker Code of Ordinances;

WHERESAS, Randy Kercho resigned his Place Two voting member position effective August 1, 2023, when he was appointed to City Council;

WHEREAS, the Alternate 2 position has been held by Trudy Jackson who has seniority as an Alternate on the Zoning Board of Adjustment and Ms. Jackson desires to be moved to the Place Two voting member position;

WHEREAS, if Trudy Jackson is moved to Place Two, the Alternate 2 position is vacant; and

WHEREAS, the alternate member appointed herein shall begin service immediately and serve in the Alternate 2 position according to the Zoning Board of Adjustment Ordinance.

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

SECTION 1. Appointment of an Alternate Member with term expiring November 30, 2024

The following is hereby appointed to serve on the Zoning Board of Adjustment as an Alternate Member for a two-year term, expiring November 30, 2024:

Alternate 2 ___Ted Lane_____

SECTION 2 Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 15th day of August, 2023.

CITY OF PARKER:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Amy J. Stanphill, City Attorney

Zoning Board of Adjustment 2023 Attendance

2

2023 Res. No. 2022-720			Place 3 Chairman Andrew Ellison	Place 4 Don Dickson	Place 1 Steve Schoenekase	Place 2 Randy Kercho	Place 5 Vice Chair Brian Deaver	Alternate 1 Lucy Estabrook	Alternate 2 Trudy Jackson
2023									
Jan									
Feb	20		✓	Absent	✓	✓	Absent	✓	✓
Mar									
Apr	6								
May	8		✓	✓	✓	✓	Absent	✓	✓
Jun									
Jul									
Aug									
Sept									
Oct									
Nov									
Dec									
2023 Absences			0	1	0	0	2	0	0

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	City Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey for City Administrator Olson
Estimated Cost:		Date Prepared:	November 8, 2023
Exhibits:	Proposed Resolution Resolution No. 2023-751; 745; 728; 2022-721;2021- 692; 2021-684 Application(s) – None at this time Reminder Place 3 - LeAnn Turrentine's resignation, dated 2023 1011 Alt. 2 - Melanie Harris' resignation, dated 2023 1102 Alt. 3 – Paula Johnston – Hutka resignation, dated 2023 1014 Attendance Record		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-772, MAKING APPOINTMENTS TO THE TO THE PARKS AND RECREATION COMMISSION.

SUMMARY

The following Parks and Recreation (P&R) Commission members, whose term(s) expire November 30th, expressed a desire to continue to serve on P&R in their current positions:

Member	Position	Term Expiration	
Cherie Ware	**Place One; Voting**	**Nov. 2023**	**Would like to continue**
LeAnn Turrentine	**Place Three; Voting**	**Nov. 2023**	**Resignation**
Donna DaCosta	**Place Five; Voting**	**Nov. 2023**	**Would like to continue**
Richard Pratt	**Alternate One**	**Nov. 2023**	**Would like to continue**
Melanie Harris	**Alternate Two**	**Nov. 2023**	**Resignation**
Paula Johnston-Hutka	**Alternate Three**	**Nov. 2023**	**Resignation**
Cyndy Lane	**Alternate Four**	**Nov. 2023**	**Would like to continue**

Member	Position	Term Expiration	
Pier Burgess	**Place Two; Voting**	**Nov. 2024**	**Would like to continue**
Frank DaCosta	**Place Four; Voting**	**Nov. 2024**	**Would like to continue**

P&R Commission Chair Frank DaCosta has no concerns with current members; therefore, recommends no changes at this time. Mr. DaCosta understands, as does all P&R Commissioners serving, any and all appointments are at the pleasure of the Council. P&R Commission Chair Frank DaCosta said he is open to any Alternate moving to the vacant voting position that Council so desires, and the remaining vacant positions will be will be brought to Council to be filled as applicants/candidates become available.

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:	11/09/2023
City Attorney:	*Amy J. Stanphill*	Date:	11/xx/2023 via email
City Administrator:	*Luke B. Olson*	Date:	11/xx/2023

RESOLUTION NO. 2023-772
(Parks and Rec Appointments)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING MEMBERS TO SERVE ON THE PARKS AND RECREATION COMMISSION

WHEREAS, Members and Alternate members of the Parks and Recreation Commission serve in staggered two-year terms, commencing December 1st and ending on November 30th; and

WHEREAS, the positions set forth below are expiring November 30, 2023, and appointments are requested.

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

SECTION 1. Appointment of Voting Members with terms expiring November 30, 2025:

The following are hereby appointed to serve on the Parks and Recreation Commission as voting members for the remainder of a two-year term, expiring November 30, 2025, or until their successors are appointed and qualified.

Current		
Cherie Ware	Place 1	_____
Vacant	Place 3	_____
Donna DaCosta	Place 5	_____

SECTION 2. Appointment of Alternate Members with terms expiring November 30, 2024:

The following are hereby appointed to serve on the Parks and Recreation Commission as voting members for a one-year term, expiring November 30, 2024, or until their successors are appointed and qualified.

Current		
Richard Pratt	Alt 1	_____
Vacant	Alt 2	_____
Vacant	Alt 3	_____
Cyndy Lane	Alt 4	_____

SECTION 2. Effective Date

This resolution shall be effective upon its passage.

Proposed

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the **14TH DAY OF NOVEMBER 2023**.

CITY OF PARKER:

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

_____
Amy J. Stanphill, City Attorney

Proposed

RESOLUTION NO. 2021-684
(Parks and Rec Appointments)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING MEMBERS TO SERVE ON THE PARKS AND RECREATION COMMISSION

WHEREAS, Members and Alternate members of the Parks and Recreation Commission serve in staggered two-year terms, commencing December 1st and ending on November 30th as set forth below; and

WHEREAS, the Parks and Recreation Commission is newly established therefore the members appointed herein shall begin service immediately and serve terms according to the Parks and Recreation Ordinance; and

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

SECTION 1. Appointment of Voting Members with terms expiring November 30, 2022:

The following are hereby appointed to serve on the Parks and Recreation Commission as voting members for the remainder of a two-year term, expiring November 30, 2022, or until their successors are appointed and qualified.

Place 2 __Pier Burgess_____
Place 4 __Frank DaCosta_____

SECTION 2. Appointment of Voting Members with terms expiring November 30, 2023:

The following are hereby appointed to serve on the Parks and Recreation Commission as voting members for a two-year term, expiring November 30, 2023, or until their successors are appointed and qualified.

Place 1 __Kimberly Hinshaw_____
Place 3 __LeAnn Turrentine_____
Place 5 __Cherie Ware_____

SECTION 3. Appointment of Alternate Members with terms expiring November 30, 2022:

The following are hereby appointed to serve on the Parks and Recreation Commission as voting members for a one-year term, expiring November 30, 2022, or until their successors are appointed and qualified.

Alt 1 ___Donna DaCosta_____
Alt 2 ___Melanie Harris_____

Alt 3 __Paula Johnston - Hutka_____
Alt 4 ___Vacant_____

SECTION 2. Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 16th day of November, 2021.

CITY OF PARKER:

Lee Pettle, Mayor

ATTESTED:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Scott D. Levine, Interim City Attorney

CITY OF PARKER:-

CITY OF PARKER

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Larkin Crutcher
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Parker, TX 75094

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JR Douglas
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Parker, TX 75002

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Todd Fecht
7234 Moss Ridge Circle
Parker, TX 75002

RESOLUTION NO. 2021-692
(Parks and Rec Appointment of vacant Alternate position)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING AN ALTERNATE MEMBER TO SERVE ON THE PARKS AND RECREATION COMMISSION

WHEREAS, Members and Alternate members of the Parks and Recreation Commission serve in staggered two-year terms, commencing December 1st and ending on November 30th as set forth below; and

WHEREAS, Resolution No. 2021-684, approved November 17, 2021, had one remaining Alternate 4 position needing to be filled;

WHEREAS, the alternate member appointed herein shall begin service immediately and serve terms according to the Parks and Recreation Ordinance; and

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

SECTION 1. Appointment of an Alternate Member with term expiring November 30, 2022:

The following is hereby appointed to serve on the Parks and Recreation Commission as an alternate member for a one-year term, expiring November 30, 2022.

Alt 4 Cyndy Lane

SECTION 2. Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 7th day of December, 2021.

CITY OF PARKER:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Scott D. Levine, Interim City Attorney

RESOLUTION NO. 2022-721
(2022 Parks and Rec Appointments)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING MEMBERS TO SERVE ON THE PARKS AND RECREATION COMMISSION

WHEREAS, Members of the Parks and Recreation Commission serve in staggered two-year terms, commencing December 1st and ending on November 30th as set forth in Section 97.05(A)(1); and

WHEREAS, Alternate Members of the Parks and Recreation Commission serve one-year terms commencing on December 1st and ending on November 30th, as set forth in Section 97.05(B) of the City of Parker Code of Ordinances; and

WHEREAS, Member for Place Five (5), Cherie Ware, has submitted a resignation for her current term and requested to be appointed as an Alternate Member;

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

SECTION 1. Appointment of Voting Members with terms expiring November 30, 2024:

The following are hereby appointed to serve on the Parks and Recreation Commission as voting Members for the two-year term, beginning December 1, 2022 and expiring November 30, 2024, or until their successors are appointed and qualified.

Place 2 __Pier Burgess_____
Place 4 __Frank DaCosta_____

SECTION 2. Acceptance of Resignation and Appointment to Fill Remainder of Term expiring November 30, 2023:

The resignation of Cherie Ware for Place 5 is hereby accepted, and the following is hereby aapointed to serve on the Parks and Recreation Commission as a voting Member for the remainder of the two-year term, expiring November 30, 2023, or until a successor is appointed and qualified.

Place 5: __Donna DaCosta_____

SECTION 3. Appointment of Alternate Members with terms expiring November 30, 2023:

The following are hereby appointed to serve on the Parks and Recreation Commission as Alternate Members for a one-year term, expiring November 30, 2023, or until their successors are appointed and qualified.

Alt 1	Cherie Ware
Alt 2	Melanie Harris
Alt 3	Paula Johnston - Hutka
Alt 4	Cyndy Lane

SECTION 4. Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 15th day of November, 2022.

CITY OF PARKER:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Larence M. Lansford, III, City Attorney

RESOLUTION NO. 2023-728
(2023 Parks and Rec Officer Appointments)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING PARKS AND RECREATION COMMISSION OFFICERS FROM AMONG THE MEMBERS.

WHEREAS, Members of the Parks and Recreation Commission serve in staggered two-year terms, commencing December 1st and ending on November 30th as set forth in Section 97.05(A)(1); and

WHEREAS, the Parks and Recreation Commission recommended that member Frank DaCosta serve as the Parks and Recreation Commission Chair; and

WHEREAS, the Parks and Recreation Commission recommended that member Lee Anne Turrentine serve as the Parks and Recreation Commission Vice Chair; and

WHEREAS, the Parks and Recreation Commission recommended that member Pier Burgess serve as the Parks and Recreation Commission Secretary; and

WHEREAS, the Parks and Recreation Commission recommended that member Donna DaCosta serve as the Parks and Recreation Commission Treasurer;

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

SECTION 1. Appointment of Officers with terms expiring November 30, 2023

The officers of the Park and Recreation Commission shall include a Chairperson, Vice-chairperson, Secretary, and Treasurer. The following people are hereby appointed to serve as the respective officer indicated below for a one-year term, expiring November 30, 2023, unless otherwise designated by Council:

Chairperson	Frank DaCosta
Vice-Chairperson	Lee Ann Turrentine
Secretary	Pier Burgess
Treasurer	Donna DaCosta

SECTION 2. Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 7th day of March, 2023.

CITY OF PARKER:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Catherine Clifton, Interim City Attorney

RESOLUTION NO. 2023-745
(Parks and Rec Appointment)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING A MEMBER TO SERVE ON THE PARKS AND RECREATION COMMISSION VOTING MEMBER PLACE 1

WHEREAS, Members and Alternate members of the Parks and Recreation Commission serve in staggered two-year terms, commencing December 1st and ending on November 30th as set forth in the each resolution appointing the respective Member and Alternate member; and

WHEREAS, Kimberly Hinshaw, Voting Member Place 1 with a term expiring November 30, 2023, has resigned creating a vacancy for Place 1 for the remainder of the term; and

WHEREAS, Place 5 Alternate, Cherie Ware, with a term expiring November 30, 2023, is interested in appointment to Voting Member Place 1 to fill the vacancy for the remainder of the term.

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

SECTION 1. Appointment of Voting Member with term expiring November 30, 2023:

The following is hereby appointed to serve on the Parks and Recreation Commission as a voting member for the remainder of a two-year term, expiring November 30, 2023, or until their successor is appointed and qualified.

Place 1 Cherie Ware

SECTION 2. Alternate Member Vacancy:

The following Alternate Member position is vacant as of the effective date of this Resolution.

Alt 1 Vacant

SECTION 2. Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 18th day of July 2023.

CITY OF PARKER:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Amy J. Stanphill, City Attorney

RESOLUTION NO. 2023-751
(Parks and Rec Appointment)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING A MEMBER TO SERVE ON THE PARKS AND RECREATION COMMISSION ALTERNATE ONE POSITION

WHEREAS, Members and Alternate members of the Parks and Recreation Commission serve in staggered two-year terms, commencing December 1st and ending on November 30th as set forth in the each resolution appointing the respective Member and Alternate member; and

WHEREAS, a vacancy currently exists for the Alternate One (1) position on the Parks and Recreation Commission expiring November 30, 2023; and

WHEREAS, the alternate member appointed herein shall begin service immediately and serve in the Alternate One (1) position according to the Parks and Recreation Commission Ordinance through November 30, 2023.

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

SECTION 1. Appointment of an Alternate Member with term expiring November 30, 2024.

The following is hereby appointed to serve on the Parks and Recreation Commission as an Alternate Member for a two-year term, expiring November 30, 2023:

Alternate 1 Richard Pratt

SECTION 2. Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 15th day of August 2023.

CITY OF PARKER:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Amy J. Stanphill, City Attorney

CITY OF PARKER

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SEP 21 2023

Richard Pratt
6404 Northridge Parkway
Parker, TX 75502

From: Lee Pettle
To: Patti Grey; Luke Olson
Subject: Fwd: Parks and Recs Meeting Today
Date: Wednesday, October 11, 2023 11:56:56 PM

From: Le Ann Turrentine
To: Frank DaCosta

Cc:

Subject: Parks and Recs Meeting Today

I am unable to attend meeting this afternoon as I have a benefit for American Red Cross downtown Dallas with my fellow Okie, Garth Brooks! Have a great meeting!

Also, wanted to acknowledge that I will not be reapplying for the commission at the end of my term in November. I have truly enjoyed being on the commission and was so glad to be a part of the reinstatement of the commission "a few years ago". I believe it is an integral part of our city and communities, and I know that there are great and capable "minds and hands" to carry it forward. See you soon.

Le Ann

Sent from my iPad

From: Paula Johnston
To: Patti Grey
Subject: Re: P&R Reappointment Status Update
Date: Saturday, October 14, 2023 8:42:13 AM
Attachments: image867884.png
image304888.png
image331355.png
image348706.png

Hi Patty,
I so not wish to serve on the P&R commission at this time.
Thank you always for the excellent communication and follow up!
Warm Regards,

From: Patti Grey <PGrey@parkertexas.us>
Sent: Friday, October 13, 2023 3:20:21 PM
To: Patti Grey <PGrey@parkertexas.us>
Subject: P&R Reappointment Status Update

All:

It is that time again . . .

I need to know . .

- If you are willing to continue to serve on Parks and Recreation (P&R) Commission for another term, if Council so desires? In your current capacity?

Member	Position	Term Expires
Cherie Ware	Place One; Voting	November 2023
Pier Burgess	Place Two; Voting	November 2024
LeAnn Turrentine	Place Three; Voting	November 2023
Frank DaCosta	Place Four; Chair	November 2024
Donna DaCosta	Place Five; Voting	November 2023
Richard Pratt	Alternate One	November 2023
Melanie Harris	Alternate Two	November 2023
Paula Johnston - Hutka	Alternate Three	November 2023
Cyndy Lane	Alternate Four	November 2023

Please let me know your thoughts by November 3, 2023, 12:00 noon, as Council would like to make appointments to P&R at the November 14, 2023, 6:00 PM City Council meeting.

At the moment, I know of no vacancies and/or resignations.

Thank you!

Patti

Patti Scott Grey, CMC, CAMC
Asst. City Administrator/City Secretary

City of Parker, Texas
5700 East Parker Road
Parker, TX 75002
972.442.6811 x235
972.442.2894 (Fax)
www.parkertexas.us
PGrey@parkertexas.us

"The City Secretary believes in being responsive to our citizens with professional knowledge, courtesy and timely service."

"Serving Citizens Today and Tomorrow, While Preserving the Records of the Past"

ATTENTION PUBLIC OFFICIALS!

A "Reply to All" of this e-mail could lead to violations of the Texas Open Meetings Act. Please reply only to the sender.

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From: Lee Pettle
To: Patti Grey
Subject: Fwd: Parks and Recreation
Date: Thursday, November 2, 2023 11:09:21 PM

From:
To: LPettle@aol.com
Sent: 11/2/2023 5:51:26 PM Central Daylight Time
Subject: Re: Parks and Recreation

Hey there- I appreciate you reaching out to me and I apologize I have not done anything with it. Please remove me from the board. Let me know if I need to do anything. I greatly appreciate you!
MELANIE HARRIS

On Wed, Nov 1, 2023 at 9:06 PM Lee Pettle <lpettle@aol.com> wrote:

> Hey Mel,
>
> We have not received anything from you regarding Parks and Recreation Commission. If you would like to stay on, please let us know. If you must leave us, please let us know that also. We are asking folks to let us know by Friday 11/3 at 5 so we will be ready to proceed with appointments on 11/14's City Council meeting.
>
> If you would send Patti (pgrey@parkertexas.us) an email letting her know your decision, I would appreciate it.
>
> Plus we need to lunch and visit!
>
> Lee

City of Parker
Parks and Recreation

Attendance Report 2022-2023

	Place 1	Place 2	Place 3	Place 4	Place 5	Alt 1	Alt 2	Alt 3	Alt 4
Term Expires	23-Nov	22-Nov	23-Nov	22-Nov	23-Nov	15-Nov	15-Nov	15-Nov	15-Nov
Name	**Hinshaw**	**Burgess**	**Turrentine**	**F. DaCosta**	**D. DaCosta**	**Ware**	**Harris**	**Johnston**	**Lane**
Dec-14,2022	No Meeting								
Jan-11,2023	√	√	√	√	√	√	x	x	√

	Place 1	Place 2	Place 3	Place 4	Place 5	Alt 1	Alt 2	Alt 3	Alt 4
	F. DaCosta	**Turrentine**	**Burgess**	**Hinshaw**	**D. DaCosta**	**Ware**	**Harris**	**Johnston**	**Lane**
Feb-8-2023	√	x	√	x	√	x	x	x	√
Mar-8-2023	√	√	x	x	√	√	x	x	x
Apr-12-2023	√	x	√	x	√	√	x	x	x
May-10-2023	√	x	√	x	√	x	x	x	√
Jun-14-2023	√	x	√	x	√	√	x	x	√
July-12-2023	√	x	√	x	√	√	resigned	x	x
Aug-9-2023	√	x	√	resigned	√	√		x	√

	F. DaCosta	**Turrentine**	**Burgess**	**Donna (Place 4)**	**Ware (Place 5)**	**Lane (Alt 1)**	**Pratt (Atl 2)**	
Sept-13-2023	√	x	√	√	√	√	√	x
Oct-11-2023	√	x	√	√	√	√	√	x
Nov-8-2023	√	resigned	√	√	√	x	√	resigned

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Administration
Fund Balance-before expenditure:		Prepared by:	Finance/HR Director Savage
Estimated Cost:		Date Prepared:	November 2, 2023
Exhibits:	1. **Proposed Resolution** 2. **Investment Policy 2023-2024**		

AGENDA SUBJECT

CONSIDERATION, DISCUSSION, AND/OR APPROPRIATE ACTION ON A RESOLUTION NO 2023-773 REGARDING APPROVAL OF THE 2023-2024 INVESTMENT POLICY.

SUMMARY

Section 2256.005, Texas Government Code requires the City Council review the investment policies and investment strategies not less than annually and to adopt a resolution or order stating the review has been completed and record any changes made. The investment policy was last reviewed by City Council on June 20, 2023.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	Grant Savage	Date:	11/2/2023
City Attorney:	Amy J. Stanphill	Date:	11/XX/2023 via Municode
Acting City Administrator:	Luke B. Olson	Date:	11/XX/2023

RESOLUTION NO. 2023-773
(2023-2024 Investment Policy)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, DECLARING THAT THE CITY COUNCIL HAS COMPLETED ITS REVIEW AND REVISION OF THE INVESTMENT POLICY AND INVESTMENT STRATEGIES OF THE CITY; ADOPTING THE 2023-2024 INVESTMENT POLICY ATTACHED HERETO AS EXHIBIT "A"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the Public Funds Investment Act, Chapter 2256.005, Texas Government Code, the City Council of the City of Parker, Texas by resolution adopted an investment policy; and

WHEREAS, Section 2256.005, Texas Government Code requires the City Council to review the investment policies and investment strategies not less than annually and to adopt a resolution or order stating the review has been completed and recording any changes made to either the investment policies or investment strategies;

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

SECTION 1. The City Council of the City of Parker has completed its review of the investment policies and investment strategies and proposes no new changes.

SECTION 2. The City of Parker 2023-2024 Investment Policy attached hereto as Exhibit "A" is hereby adopted and shall govern the investment policies and investment strategies for the City, and shall define the authority of the Investment Officers and any additional Investment Committee members from and after the effective date of this resolution.

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

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

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

DULY RESOLVED AND ADOPTED by the City Council of the City of Parker,

Proposed

Texas, on this the _14th__ day of __November__, 2023.

CITY OF PARKER:

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

_____
Amy Stanphill, City Attorney

Proposed

City of Parker

2023-2024 Investment Policy

GLOSSARY of COMMON TREASURY TERMS

Agencies: Federal agency securities.

Asked: The price at which securities are offered.

Bid: The price offered for securities.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Portfolio: Collection of securities held by an investor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ARTICLE I
PURPOSE AND NEED FOR POLICY

Chapter 2256 of the Government Code, as amended from time to time by the Texas State Legislature ("Public Funds Investment Act") requires each city to adopt rules governing its investment practices and to define the authority of the Investment Officer and any additional Investment Committee members. The 2023-2024 Investment Policy addresses the methods, procedures and practices that must be exercised to ensure effective and prudent fiscal management of the City of Parker, Collin County, Texas funds.

ARTICLE II
SCOPE

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

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

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

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

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

C. Review and Amendment

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

ARTICLE III
PRUDENCE

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

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

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

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

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

ARTICLE IV
OBJECTIVES

A. Preservation and Safety of Principal

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

B. Liquidity

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

C. Yield

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

ARTICLE V
RESPONSIBILITY AND CONTROL

A. Delegation - Investment Officers

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

B. Subordinates

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

C. Internal Controls

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

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

D. Ethics and Conflicts of Interest

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

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

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

E. Investment Training Requirements

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

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

ARTICLE VI
INVESTMENT STRATEGY STATEMENTS

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

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

A. Operating Funds

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

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

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

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

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

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

B. Reserve and Deposit Funds

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

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

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

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

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

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

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

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

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

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

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

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

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

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

D. Debt Service Funds

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

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

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

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

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

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

ARTICLE VII
AUTHORIZED INVESTMENTS

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

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

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

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

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

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

(1) and such Certificates of Deposit are:

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

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

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

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

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

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

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

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

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

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

ARTICLE VIII
PORTFOLIO AND INVESTMENT ASSET PARAMETERS

A. Bidding Process for Investments

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

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

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

B. Maximum Maturities

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

C. Maximum Dollar-Weighted Average Maturity

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

D. Diversification

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

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

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

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

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

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

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

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

ARTICLE IX
AUTHORIZED BROKER/DEALERS AND FINANCIAL INSTITUTIONS

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

(1) all primary government securities dealers; and

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

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

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

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

ARTICLE X
SAFEKEEPING AND CUSTODY OF INVESTMENT ASSETS

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

ARTICLE XI
COLLATERAL

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

A. Market Value

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

B. Collateral Substitution

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

C. Collateral Reduction

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

D. Holding Period

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

E. Insurance or Collateral

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

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

ARTICLE XII
INVESTMENT REPORTS

A. Reporting Requirements

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

B. Investment Records

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

C. Auditor Review

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

ARTICLE XIII
INVESTMENT COMMITTEE

A. Members

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

B. Scope

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

C. Procedures

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

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Finance
Fund Balance-before expenditure:		Prepared by:	Finance/HR Manager Savage
Estimated Cost:		Date Prepared:	November 2, 2023
Exhibits:	1. **Proposed Ordinance** 2. **Government Code TMRS Provisions**		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 856 REGARDING A TEXAS MUNICIPAL RETIREMENT SYSTEM (TMRS) ADJUSTMENT.

SUMMARY

During the FY 2023-2024 budget process, the Mayor and Council approved an increase in TMRS contribution rates. This change will become effective on January 1, 2024. The employee rate will increase from 6% to 7% and the city rate will increase from 12% to 14%.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	*Grant Savage*	Date:	11/2/2023
City Attorney:	*Amy J. Stanphill*	Date:	11/XX/2023 via Municode
Acting City Administrator:	*Luke B. Olson*	Date:	11/XX/2023

ORDINANCE NO. 2023-856
(*2023 TEXAS MUNICIPAL RETIREMENT SYSTEM [TMRS] BENEFIT ADJUSTMENT*)

AN ORDINANCE REGARDING THE CITY OF PARKER'S TEXAS MUNICIPAL RETIREMENT SYSTEM BENEFITS AUTHORIZING (1) AN INCREASE TO THE EMPLOYEE CONTRIBUTION RATE; AND (2) ANNUALLY ACCRUING UPDATED SERVICE CREDITS AND TRANSFER UPDATED SERVICE CREDITS.

Whereas, the City of Parker, Texas (the "City"), elected to participate in the Texas Municipal Retirement System (the "System" or "TMRS") pursuant to Subtitle G of Title 8, Texas Government Code, as amended (which subtitle is referred to as the "TMRS Act"); and

Whereas, the City Council finds that it is in the public interest to: (1) increase the employee contribution rate contributed to TMRS, and (2) in accordance with TMRS Act §§853.401 through 853.404, reauthorize annually accruing Updated Service Credits and transfer Updated Service Credits, now:

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

Section 1. Increased Employee Contribution Rate.

(a) The rate of member contributions to be made by the City to the System shall be 7% of the compensation of City employees who are members of the System, in accordance with TMRS Act §855.401. The City shall submit a monthly payroll report and deposit the amounts deducted from employees' compensation to the System in accordance with TMRS Act §855.402.

(b) The increased employee contribution rate under this Section shall be effective on the first day of the month of January 2024.

Section 2. Authorization of Annually Accruing Updated Service Credits and Transfer Updated Service Credits.

(a) On the terms and conditions set out in TMRS Act §§853.401 through 853.404, the City authorizes each member of the System who on the first day of January of the calendar year immediately preceding the January 1 on which the Updated Service Credits will take effect (i) has current service credit or prior service credit in the System by reason of service to the City, (ii) has at least 36 months of credited service with the System, and (iii) is a TMRS-contributing employee of the City, to receive "Updated Service Credit," as that term is defined and calculated in accordance with TMRS Act §853.402.

Proposed

(b) The City authorizes and provides that each employee of the City who (i) is eligible for Updated Service Credits under Subsection (a) above, and (ii) who has unforfeited prior service credit and/or current service credit with another System-participating municipality or municipalities by reason of previous employment, shall be credited with Updated Service Credits pursuant to, calculated in accordance with, and subject to adjustment as set forth in TMRS Act §853.601 (also known as "Transfer USC"), both as to the initial grant and all future grants under this Ordinance.

(c) The Updated Service Credit authorized and provided under this Ordinance shall be 100% of the "base Updated Service Credit" of the TMRS member calculated as provided in TMRS Act §853.402.

(d) Each Updated Service Credit authorized and provided by this Ordinance shall replace any Updated Service Credit, prior service credit, special prior service credit, or antecedent service credit previously authorized for part of the same service.

(e) The initial Updated Service Credit authorized by this Section shall be effective on January 1 immediately following the year in which this Ordinance is approved, subject to receipt by the System prior to such January 1 and approval by the Board of Trustees ("Board") of the System. Pursuant to TMRS Act §853.404, the authorization and grant of Updated Service Credits in this Section shall be effective on January 1 of each subsequent year, using the same percentage of the "base Updated Service Credit" stated in Subsection (c) in computing Updated Service Credits for each future year, provided that, as to such subsequent year, the actuary for the System has made the determination set forth in TMRS Act §853.404(d), until this Ordinance ceases to be in effect as provided in TMRS Act §853.404(e).

READ, PASSED, AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 14TH DAY OF NOVEMBER 2023.

Proposed

_____

Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

_____
Amy J. Stanphill, City Attorney

Proposed

GOVERNMENT CODE

TITLE 8. PUBLIC RETIREMENT SYSTEMS

SUBTITLE G. TEXAS MUNICIPAL RETIREMENT SYSTEM

CHAPTER 853. CREDITABLE SERVICE

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 853.001. TYPES OF CREDITABLE SERVICE. The types of service creditable as credited service in the retirement system are prior service and current service.

Acts 1981, 67th Leg., p. 1876, ch. 453, Sec. 1, eff. Sept. 1, 1981. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.001 by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989.

Sec. 853.0015. EXCLUDED PRIOR SERVICE CREDIT. If a member is entitled to receive excluded prior service credit under this chapter, the excluded prior service credit certified to the member:

(1) may only be used to satisfy length of service requirements for vesting and retirement eligibility; and

(2) may not be used to determine eligibility for or computation of updated service credits.

Added by Acts 2019, 86th Leg., R.S., Ch. 991 (S.B. 1337), Sec. 4, eff. January 1, 2020.

Sec. 853.002. BENEFIT ELIGIBILITY BASED ON CREDITED SERVICE. A member's eligibility to receive a benefit is based on credited service at the time of retirement.

Acts 1981, 67th Leg., p. 1876, ch. 453, Sec. 1, eff. Sept. 1, 1981. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec.

63.002 by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989.

Sec. 853.003. BUY BACK OF CREDITED SERVICE PREVIOUSLY CANCELED. (a) An eligible member who has withdrawn contributions and canceled credited service in the retirement system may reestablish the canceled credit in the system if the governing body of the municipality that currently employs the member by ordinance authorizes reestablishment of the credit by eligible employee members.

(b) A member eligible to reestablish credit under this section is one who has, since resuming membership, at least 24 consecutive months of credited service as an employee of the municipality for which the ordinance was adopted.

(c) A member may reestablish credit by depositing with the retirement system in a lump sum the amount withdrawn from the system, plus a withdrawal charge computed at an annual rate of five percent from the date of withdrawal to the date of redeposit.

(d) Credit reestablished under this section is treated as if all service on which the credit is based were performed for the municipality authorizing the reestablishment.

(e) A governing body may not adopt an ordinance under Subsection (a) unless the actuary first determines that all obligations charged against the municipality's account in the benefit accumulation fund, including the obligations proposed in the ordinance, can be funded by the municipality within its maximum contribution rate and within its amortization period.

Acts 1981, 67th Leg., p. 1876, ch. 453, Sec. 1, eff. Sept. 1, 1981. Amended by Acts 1981, 67th Leg., 1st C.S., p. 220, ch. 18, Sec. 72, eff. Jan. 1, 1982. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.003 and amended by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989.
Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1208 (S.B. 350), Sec. 6, eff. June 17, 2011.

Acts 2019, 86th Leg., R.S., Ch. 991 (S.B. 1337), Sec. 3, eff. January 1, 2020.

Sec. 853.004. RULES FOR CREDITABLE SERVICE. The board of trustees may adopt rules necessary or desirable to implement this chapter.

Added by Acts 2019, 86th Leg., R.S., Ch. 991 (S.B. 1337), Sec. 4, eff. January 1, 2020.

SUBCHAPTER B. ESTABLISHMENT OF PRIOR SERVICE

Sec. 853.101. CREDITABLE PRIOR SERVICE. Prior service creditable in the retirement system is:

(1) service performed as an employee of a participating department of a municipality before the date the department's participation in the retirement system became effective;

(2) for a person who becomes a member of the retirement system under Section 852.105, service performed as an employee of a participating department during a time the person was ineligible for membership because of age; or

(3) for a person entitled to prior service credit under Section 853.102(a)(3), service for which current service credit has not been granted that was performed as an employee of a participating department during a time the person was ineligible to participate because of age.

Acts 1981, 67th Leg., p. 1876, ch. 453, Sec. 1, eff. Sept. 1, 1981. Amended by Acts 1981, 67th Leg., 1st C.S., p. 220, ch. 18, Sec. 73, eff. Jan. 1, 1982. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.101 and amended by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989.

Sec. 853.102. ELIGIBILITY FOR PRIOR SERVICE. (a) A member is eligible to receive credit in the retirement system for prior service if the member:

(1) became a member as an employee of a department of a municipality on the effective date of the department's participation in the retirement system;

(2) became a member as an employee of a department of a municipality before the fifth anniversary of the effective date of the department's participation and continued as an employee of a participating department of the municipality for at least five consecutive years after reemployment; or

(3) became a member September 1, 1987, by virtue of Sections 852.101(a)(3) and (b) and has service before that date with a municipality that has adopted the provisions of Section 852.105.

(b) The board of trustees may adopt rules concerning eligibility for prior service under this section.

Acts 1981, 67th Leg., p. 1876, ch. 453, Sec. 1, eff. Sept. 1, 1981. Amended by Acts 1981, 67th Leg., 1st C.S., p. 221, ch. 18, Sec. 74, eff. Jan. 1, 1982; Acts 1987, 70th Leg., ch. 183, Sec. 6, eff. Aug. 31, 1987. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.102 and amended by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989.

Sec. 853.103. STATEMENT OF PRIOR SERVICE. A member may claim credit for prior service by filing a detailed statement of the service with the city clerk or city secretary of the municipality for which the service was performed.

Acts 1981, 67th Leg., p. 1876, ch. 453, Sec. 1, eff. Sept. 1, 1981. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.103 by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989.

Sec. 853.104. CERTIFICATION OF SERVICE AND AVERAGE COMPENSATION. (a) As soon as practicable after a member files a statement of prior service under Section 853.103, the municipality that employs the person who receives the statement shall verify the prior service claimed and certify to the board of trustees the amount of service approved and the member's average prior service compensation.

(b) The average prior service compensation of a member is computed as the average monthly compensation for service performed for a participating department of the municipality:

(1) for the 36 months immediately preceding the effective date of the department's participation in the retirement system; or

(2) if the member did not perform service in each of the 36 months immediately preceding participation, for the number of months of service within the 36-month period.

(c) The board of trustees may adopt rules concerning verification and certification of service and compensation under this section.

Acts 1981, 67th Leg., p. 1876, ch. 453, Sec. 1, eff. Sept. 1, 1981. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.104 and amended by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989.

Sec. 853.105. DETERMINATION OF PRIOR SERVICE CREDIT.

(a) After receiving a certification of prior service and average prior service compensation under Section 853.104, the retirement system shall determine the member's prior service credit.

(b) Repealed by Acts 2019, 86th Leg., R.S., Ch. 991 (S.B. 1337), Sec. 28, eff. January 1, 2020.

(c) The prior service credit is an amount computed as a percentage determined as provided by Subsection (d) or, if applicable, Subsection (d-1), times a base credit equal to the accumulation at three percent interest of a series of monthly

amounts for the number of months of approved prior service, times the sum of:

(1) the rate of contributions required of employees of the municipality for current service; plus

(2) the rate described in Subdivision (1) times the municipal current service matching ratio.

(d) The governing body of a municipality shall determine in the ordinance providing for participation the percentage to be applied against the base credit in computing a prior service credit under Subsection (c). Except as provided by Subsection (d-1), the percentage adopted may be any multiple of 10 percent that does not exceed 100 percent of the base credit, with 10 percent being the minimum percentage a municipality may adopt. A governing body may not adopt a percentage under this subsection until the actuary first determines, and the retirement system concurs in the determination, that the municipality is able to fund, before the 30th anniversary of the effective date of its participation in the retirement system, all prior service obligations that the municipality proposes to assume under this section.

(d-1) The governing body of a municipality shall adopt, by ordinance, a zero percent prior service credit if, before joining the retirement system, the municipality provided retirement benefits to its employees that were funded partly or wholly by the municipality. Prior service credit adopted under this subsection is excluded prior service credit.

(e) The prior service credit of a person who becomes a member of the retirement system under Section 852.105 or who is entitled to prior service credit under Section 853.102(a)(3) is computed on the percentage of the base prior service credit that was most recently used by the person's employing municipality in computing prior or updated service credits for current employees.

(f) Interest on a prior service credit is earned for each whole calendar year beginning on the effective date of membership and ending on the effective date of retirement. If a

person retires under this subtitle on a date other than December 31, interest on a prior service credit is earned for the partial year in which the retirement occurs, prorated from January 1 of the year in which the retirement occurs to the effective date of retirement.

Acts 1981, 67th Leg., p. 1876, ch. 453, Sec. 1, eff. Sept. 1, 1981. Amended by Acts 1981, 67th Leg., 1st C.S., p. 221, ch. 18, Sec. 75, eff. Jan. 1, 1982. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.105 and amended by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989. Amended by Acts 2001, 77th Leg., ch. 121, Sec. 5, eff. Jan. 1, 2002.
Amended by:

Acts 2019, 86th Leg., R.S., Ch. 991 (S.B. 1337), Sec. 5, eff. January 1, 2020.

Acts 2019, 86th Leg., R.S., Ch. 991 (S.B. 1337), Sec. 28, eff. January 1, 2020.

Sec. 853.106. PRIOR SERVICE CERTIFICATE. (a) After determining a member's prior service credit under Section 853.105, the retirement system shall issue to the member a prior service certificate stating:

(1) the number of months of prior service credited;

(2) the average prior service compensation; and

(3) the prior service credit.

(b) As long as a person remains a member, the person's prior service certificate is, for purposes of retirement, conclusive evidence of the information it contains, except that a member or participating municipality may request that the retirement system correct an error in the prior service certificate in accordance with Section 852.110.

Acts 1981, 67th Leg., p. 1876, ch. 453, Sec. 1, eff. Sept. 1, 1981. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.106 and amended by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 991 (S.B. 1337), Sec. 6, eff. January 1, 2020.

Sec. 853.107. VOID PRIOR SERVICE CERTIFICATE. (a) When a person's membership in the retirement system is terminated, any prior service certificate issued to the person becomes void.

(b) A person whose membership has terminated and who subsequently resumes membership in the retirement system is not entitled to credit for prior service.

Acts 1981, 67th Leg., p. 1876, ch. 453, Sec. 1, eff. Sept. 1, 1981. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.107 by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989.

SUBCHAPTER C. ESTABLISHMENT OF CURRENT SERVICE

Sec. 853.201. CREDITABLE CURRENT SERVICE. Service performed as an employee member of a participating department of a municipality is credited in the retirement system for each month for which the required contributions are made by the member.

Acts 1981, 67th Leg., p. 1876, ch. 453, Sec. 1, eff. Sept. 1, 1981. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.201 by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989.

SUBCHAPTER D. OPTIONAL SERVICE

Sec. 853.301. SERVICE FOR CERTAIN PUBLIC FACILITIES. (a) The governing body of a participating municipality by ordinance may authorize the granting of prior service credit in the retirement system for service performed in a public hospital, utility, or other public facility currently operated by the

municipality, during a time the facility was operated by a unit of government other than the municipality and before:

(1) the effective date of the municipality's participation in the retirement system, if the facility was acquired by the municipality before that date; or

(2) the date of acquisition of the facility, if the facility was acquired after the effective date of the municipality's participation in the retirement system.

(b) A member eligible to receive credit under this section after an ordinance is adopted under Subsection (a) is one who was employed by the municipality at a public facility:

(1) on the effective date of the municipality's participation, for service under Subsection (a)(1); or

(2) on the date of acquisition of the facility, for service under Subsection (a)(2).

(c) All credit authorized by a municipality under this section is treated as if it were performed for the municipality.

Acts 1981, 67th Leg., p. 1876, ch. 453, Sec. 1, eff. Sept. 1, 1981. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.301 and amended by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989.

Sec. 853.302. SERVICE FOR ELECTED OFFICERS. An elected officer who becomes a member of the retirement system on the effective date of an ordinance adopted under Section 852.107 is entitled to prior service credit computed as provided by Section 853.105, except that if the employing municipality has granted updated service credits, the percentage to be used in computing a prior service credit under this section is the percentage of the base updated service credit that was most recently used by the municipality in computing updated service credits.

Added by Acts 1981, 67th Leg., 1st C.S., p. 221, ch. 18, Sec. 76, eff. Jan. 1, 1982. Renumbered from Vernon's Ann.Civ.St.

Title 110B, Sec. 63.302 and amended by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989.

Sec. 853.303. PRIOR SERVICE CREDIT FOR SERVICE FOR NONPARTICIPATING DEPARTMENT. (a) The governing body of a participating municipality by ordinance may authorize the granting of prior service credit in the retirement system to an employee who is a member of the retirement system and who became a member as an employee of a participating department of the municipality, for service performed, before the person's date of membership, as an employee of a department of the same municipality that was not participating in the retirement system at the time of the service but later became a participating department.

(a-1) This subsection applies to a participating municipality that is required to adopt a zero percent prior service credit under Section 853.105(d-1). If the governing body of a participating municipality subject to this subsection authorizes the granting of prior service credit to an employee under Subsection (a), the employee is only entitled to receive excluded prior service credit.

(a-2) This subsection applies to a participating municipality that, before having a department of the municipality begin participating in the retirement system, provided other retirement benefits to its employees in that department funded partly or wholly by the municipality. If, on or after January 1, 2020, the governing body of a participating municipality subject to this subsection authorizes the granting of prior service credit to an employee under Subsection (a), the employee is only entitled to receive excluded prior service credit.

(a-3) This subsection applies to a participating municipality that elected to discontinue the participation in the retirement system of persons employed or reemployed after the date of an election to discontinue under Section 852.006(a),

provided other retirement benefits to those persons funded partly or wholly by the municipality, and subsequently elects, by ordinance, to have those persons resume participating in the retirement system as employees. If, on or after January 1, 2020, the governing body of a participating municipality subject to this subsection authorizes prior service credit under Subsection (a) to an employee described by this subsection, the employee is only entitled to excluded prior service credit.

(b) A member may claim prior service credit under this section by filing, not later than one year after the effective date of the ordinance authorizing the credit, a detailed statement of the service with the clerk or secretary of the municipality.

(c) As soon as practicable after a member has filed a statement of prior service under this section, the municipality shall verify the prior service claimed and certify to the retirement system the creditable prior service approved and the average monthly compensation paid to the member during the period of the service.

(d) After receiving a certification of prior service and average monthly compensation under this section, the retirement system shall:

(1) determine the prior service credit allowable to the member in the manner provided by Section 853.105; and

(2) issue to the member a prior service certificate as provided by Section 853.106.

Added by Acts 1989, 71st Leg., ch. 136, Sec. 1, eff. May 25, 1989. Renumbered from Title 110B, Sec. 63.303 and amended by Acts 1989, 71st Leg., ch. 1100, Sec. 4.08(a)(1) to (3), eff. Sept. 1, 1989.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 991 (S.B. 1337), Sec. 7, eff. January 1, 2020.

Sec. 853.304. PRIOR SERVICE CREDIT FOR PROBATIONARY EMPLOYMENT. (a) The governing body of a participating municipality which prior to September 1, 1989, engaged persons beginning work with the municipality on a probationary basis for a specified period and consequently did not enroll the person as a member of the system until the probationary period expired may by ordinance allow prior service credit for service performed during the period of probationary employment (not exceeding six months) with the municipality.

(b) After the retirement system receives a copy of a municipality's ordinance described by Subsection (a), the retirement system shall furnish to the municipality a report containing the names of employees who, according to the retirement system's records, are eligible to receive prior service credit for probationary employment.

(c) As soon as practicable after the municipality receives a report under Subsection (b), the municipality shall verify the information in the report and certify to the retirement system the number of months of probationary employment to which each employee listed on the report appears to be entitled and the average monthly compensation paid to the member during the period of probationary employment.

(d) The certification by the municipality must be received by the retirement system not later than the first anniversary of the effective date of the ordinance allowing the credit. After receiving the certification from the municipality described by Subsection (c), the board of trustees shall determine the prior service credit allowable to the member in the manner provided in Section 853.105.

Added by Acts 1991, 72nd Leg., ch. 16, Sec. 11.01(b), eff. Aug. 26, 1991. Amended by Acts 2001, 77th Leg., ch. 121, Sec. 6, eff. Jan. 1, 2002.

Sec. 853.305. CREDIT FOR SERVICE WITH NONPARTICIPATING MUNICIPALITY, AIRPORT AUTHORITY, OR COUNCIL OF GOVERNMENTS, OR

CERTAIN SERVICE PREVIOUSLY CANCELED. (a) The governing body of a participating municipality by ordinance may authorize the granting of restricted prior service credit to an employee who is a member of the retirement system for service previously performed:

(1) as a full-time, paid employee of the United States, of any public authority or agency created by the United States, of any state or territory of the United States, of any political subdivision of any state of the United States, of any public agency or authority created by a state or territory of the United States, or of an institution of higher education at which the person is commissioned as a campus security personnel employee under Section 51.212, Education Code, and for which service the person has not otherwise received credited service in this system, including combined service credit under Chapter 803; or

(2) as an employee of the state or any branch, agency, or subdivision of the state for which the person received credited service under the Employees Retirement System of Texas, the Teacher Retirement System of Texas, the Judicial Retirement System of Texas Plan One, the Judicial Retirement System of Texas Plan Two, the Texas County and District Retirement System, or this retirement system, and the credit for which was canceled because of withdrawal of contributions and has not been reinstated.

(b) Restricted prior service credit may be used only to satisfy length-of-service requirements for retirement eligibility, has no monetary value in computing the annuity payments allowable to the member, and may not be used in other computations, including computation of updated service credits.

(c) A member seeking to establish restricted prior service credit under Subsection (a)(1) must obtain from the official custodian of personnel records of the entity for which the previous service was performed a detailed statement of the service, verified by that official, and file the statement with the clerk or secretary of the participating municipality by

which the member is employed. A member seeking to establish restricted prior service credit under Subsection (a)(2) must obtain from the public retirement system in which the canceled service was credited a detailed statement of the service, verified by an official of that retirement system, and file that statement with the clerk or secretary of the participating municipality by which the member is employed.

(d) As soon as practicable after the member has filed the verified statement, the clerk or secretary of the participating municipality authorizing the credit shall examine the statement. If satisfied that the claim is correct, the clerk or secretary shall endorse the statement as approved, file the original in the appropriate files of the granting municipality, and prepare and transmit to the director of the retirement system a certified copy of the approved claim.

(e) On receipt of a certified copy of an approved claim, the retirement system, if satisfied that credit for service claimed under Subsection (a)(1) has not previously been granted the member, or that credit claimed under Subsection (a)(2) previously existed but has been canceled and not reinstated, shall enter the credit in the member's records.

(f) In this section, "full-time, paid employee" has the meaning assigned "employee" by Section 851.001, except that the services do not have to be performed for a municipality.

(g) An ordinance adopted under this section applies to the granting of restricted prior service credit to a member who is or has been an employee of the authorizing municipality at any time on or after the effective date of the ordinance.

Added by Acts 1991, 72nd Leg., ch. 466, Sec. 1, eff. Aug. 26, 1991. Amended by Acts 1993, 73rd Leg., ch. 57, Sec. 5, 6, eff. Jan. 1, 1994; Acts 1995, 74th Leg., ch. 514, Sec. 6, 7, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 76, Sec. 2, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 121, Sec. 7, eff. Jan. 1, 2002; Acts 2003, 78th Leg., ch. 599, Sec. 7, eff. Jan. 1, 2004.

SUBCHAPTER E. OPTIONAL INCREASES IN SERVICE CREDITS

Sec. 853.401. ORDINANCE AUTHORIZING UPDATED SERVICE CREDITS. (a) Except as provided by Subsection (b) and Section 853.0015, the governing body of a participating municipality by ordinance may authorize the crediting in the retirement system of updated service credits for service performed for the municipality by members. Beginning January 1, 2022, a member must be a contributing employee of the municipality on the date prescribed by Section 853.402(e) to be eligible to receive an updated service credit authorized under this section. An updated service credit authorized under this section replaces any updated service credit or prior service credit previously authorized for part of the same service.

(b) A municipality may not authorize updated service credits for members who had less than 36 months of credited service on the date prescribed by Section 853.402(e).

(c) In adopting an ordinance under this section, a governing body shall specify the percentage of base updated service credits to be used in computing updated service credits for employees of the municipality and shall specify the date the updated service credits will take effect. The percentage adopted may be 50 percent, 75 percent, or 100 percent of a base updated service credit. The effective date must be January 1 of a year specified by the governing body. If the governing body of a municipality has specified a different percentage in an ordinance adopted under Section 853.404(a) and in effect on December 31, 1999, the percentage used in computing updated service credits for employees of that municipality remains in effect until changed or discontinued under Section 853.404.

(d) A governing body that adopts an ordinance under this section shall send it to the retirement system, and the system must receive it before the effective date of the updated service credits authorized in the ordinance.

Acts 1981, 67th Leg., p. 1876, ch. 453, Sec. 1, eff. Sept. 1, 1981. Amended by Acts 1981, 67th Leg., 1st C.S., p. 221, ch. 18, Sec. 77, eff. Jan. 1, 1982. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.401 and amended by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989. Amended by Acts 1993, 73rd Leg., ch. 57, Sec. 7, eff. Jan. 1, 1994; Acts 1999, 76th Leg., ch. 83, Sec. 3, eff. Dec. 31, 1999.
Amended by:

Acts 2019, 86th Leg., R.S., Ch. 991 (S.B. 1337), Sec. 8, eff. January 1, 2020.

Sec. 853.402. DETERMINATION OF UPDATED SERVICE CREDITS. (a) If a governing body sends the retirement system an ordinance adopted under Section 853.401, the retirement system shall determine for each affected member the average updated service compensation, base updated service credit, and updated service credit.

(a-1) The board of trustees by rule may limit the increase in a member's average updated service compensation from year to year.

(b) The average updated service compensation of a member is computed as the monthly average compensation:

(1) for the 36 months immediately preceding the date prescribed by Subsection (e); or

(2) if the member did not perform service in each of the 36 months described in Subdivision (1) or did not perform any service within the 36-month period, for the most recent 36 months before the date prescribed by Subsection (e) in which the member performed service.

(c) The base updated service credit of a member is an amount computed as the number 1.03, times the difference by which the amount computed under Subdivision (1) exceeds the amount computed under Subdivision (2), where:

(1) "(1)" is an amount equal to the accumulation at three percent interest of a series of monthly amounts for the

number of months of credited service on the date prescribed by Subsection (e), each amount of which equals the member's average updated service compensation, times the sum of:

(A) the rate of contributions required of the member for current service; plus

(B) the member's contribution rate, times the municipal current service ratio in effect on the effective date of the ordinance adopted under Section 853.401; and where

(2) "(2)" is an amount equal to the sum of:

(A) the amount credited to the member's individual account on the date prescribed by Subsection (e), subject to a 1 to 1 matching ratio, times 2; plus

(B) the amount credited to the member's individual account, subject to a 1.5 to 1 matching ratio, times 2.5; plus

(C) the amount credited to the member's individual account, subject to a 2 to 1 matching ratio, times 3.

(d) The updated service credit of a member is an amount equal to the greatest of the following:

(1) the percentage determined under Section 853.401(c), times the member's base updated service credit; or

(2) any updated service credit previously authorized by the municipality and in effect for the member, accumulated at interest as provided by Subsection (f) from the date it took effect to the date prescribed by Subsection (e); or

(3) prior service credit previously authorized by the municipality and in effect for the member, accumulated at interest as provided by Subsection (f) from the date the credit took effect to the date prescribed by Subsection (e).

(e) The date used in computing updated service compensation and updated service credits under this section is January 1 of the year immediately preceding the January 1 on which the updated service credits will take effect.

(f) Interest on an updated service credit is earned for each whole calendar year beginning on the date the updated service credit takes effect and ending on the effective date of

retirement. If a person retires under this subtitle on a date other than December 31, interest on an updated service credit is earned for the partial year in which the retirement occurs, prorated from January 1 of the year in which the retirement occurs to the effective date of retirement.

(g) The retirement system may recalculate updated service credit for purposes of determining a member's retirement annuity if:

(1) the member reestablishes credited service in accordance with Section 853.003 and retires in the same calendar year; and

(2) any municipality for which the member performed creditable service adopts an ordinance authorizing updated service credits under Section 853.401, 853.404, or 853.601 with an effective date of January 1 of the same calendar year.

Acts 1981, 67th Leg., p. 1876, ch. 453, Sec. 1, eff. Sept. 1, 1981. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.402 and amended by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989; Acts 1993, 73rd Leg., ch. 57, Sec. 8, eff. Jan. 1, 1994. Amended by Acts 1999, 76th Leg., ch. 83, Sec. 4, eff. Dec. 31, 1999; Acts 2001, 77th Leg., ch. 121, Sec. 8, eff. Jan. 1, 2002.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 293 (H.B. 1244), Sec. 2, eff. January 1, 2008.

Acts 2007, 80th Leg., R.S., Ch. 293 (H.B. 1244), Sec. 5, eff. September 1, 2007.

Acts 2011, 82nd Leg., R.S., Ch. 1208 (S.B. 350), Sec. 7, eff. June 17, 2011.

Acts 2019, 86th Leg., R.S., Ch. 991 (S.B. 1337), Sec. 9, eff. January 1, 2020.

Sec. 853.403. APPROVAL OF ORDINANCE. (a) An ordinance adopted under Section 853.401 may not take effect unless the board of trustees approves the ordinance as meeting the

requirements of this section. The board may not approve an ordinance unless the actuary first determines, and the board concurs in the determination, that all obligations charged against the municipality's account in the benefit accumulation fund, including obligations proposed in the ordinance, can be funded by the municipality within its maximum total contribution rate and within its amortization period as in effect on the date the updated service credits take effect.

(b) The board of trustees may adopt rules it finds necessary to ensure that the retirement system receives in a timely manner from a municipality the certified information the actuary requires to make the necessary determinations before the date the updated service credits take effect.

Acts 1981, 67th Leg., p. 1876, ch. 453, Sec. 1, eff. Sept. 1, 1981. Amended by Acts 1981, 67th Leg., 1st C.S., p. 222, ch. 18, Sec. 78, eff. Jan. 1, 1982. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.403 and amended by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989. Amended by Acts 1997, 75th Leg., ch. 76, Sec. 3, eff. Sept. 1, 1997.
Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1208 (S.B. 350), Sec. 8, eff. June 17, 2011.

Sec. 853.404. ALLOWANCE OF UPDATED SERVICE CREDIT AND ANNUITY INCREASES. (a) The governing body of a participating municipality that adopts an ordinance authorizing the crediting in the retirement system of updated service credits under Sections 853.401, 853.402, and 853.403, to be effective January 1 of a designated year, may further provide in the ordinance that updated service credits will be credited effective January 1 of each year following the designated year, using the same percentage of the base updated service credit specified in the ordinance in computing updated service credits for each future year, until changed or discontinued as provided by this section.

(b) The governing body of a participating municipality that adopts an ordinance under Section 853.601, authorizing the crediting of updated service credits for transferred service effective January 1 of a designated year, may further provide in the ordinance that updated service credits will be credited effective January 1 of each year following the designated year, using the same percentage of the base updated service credit specified in the ordinance in computing updated service credits for each future year, until changed or discontinued as provided by this section.

(c) The governing body of a participating municipality that adopts an ordinance under Section 854.203 providing for increased annuities effective January 1 of a designated year may further provide in the ordinance that increases in annuities will be credited effective January 1 of each year following the designated year based on recomputations made as provided by Section 854.203(b)(1) for each year following the initial computation, and using the fraction specified in the ordinance as required under Section 854.203(b)(2) in the recomputations.

(d) Except as provided by Subsection (e), an ordinance under this section continues in effect for each year that the actuary determines that all obligations charged against the municipality's account in the benefit accumulation fund, including the obligations to become effective the next January 1, can be funded by the municipality within its maximum contribution rate and within its amortization period as in effect on the next January 1. An ordinance under this section will cease to be in effect for future years if the actuary cannot make that determination, but shall again take effect for future years beginning January 1 of the first year after the actuary can make that determination.

(e) An ordinance under this section ceases to be in effect for future years if the municipality:

(1) adopts a new ordinance under this section;

(2) adopts a new matching ratio for matching a member's future contributions and earnings on those contributions at the time of retirement under Section 855.501;

(3) adopts a new rate of member contributions under Section 855.401; or

(4) adopts an ordinance stating that the ordinance in effect under this section will cease to be in effect for future years.

(f) Subject to Subsection (f-1) and notwithstanding conflicting provisions of Subsection (c) or Section 854.203, the governing body of a participating municipality that adopts an ordinance under Section 854.203 providing for increased annuities effective January 1 of 2024, 2025, or 2026 may elect to compute the annuity increase, including an annual annuity increase authorized under Subsection (c), as the sum of prior and current service annuities, as increased in subsequent years under Section 854.203 or Subsection (c), of the person on whose service the annuities are based on the effective date of the annuity increase, multiplied by:

(1) the percentage change in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the United States Department of Labor, during the 12-month period ending in December of the year that is 13 months before the effective date of the ordinance providing the increase; and

(2) 30 percent, 50 percent, or 70 percent, as specified by the governing body in the ordinance.

(f-1) Subsection (f) applies only with respect to:

(1) a participating municipality that as of January 1, 2023:

(A) does not provide by ordinance an annual annuity increase under Subsection (c) because the municipality:

(i) passed an ordinance before January 1, 2023, that rescinded a previous ordinance authorizing annual increases under Subsection (c); or

(ii) has not passed an ordinance authorizing annual increases under Subsection (c); or

(B) does provide by ordinance an annual annuity increase under Subsection (c) if the governing body of the municipality elects to provide increased annuities recomputed in accordance with Subsection (f) for purposes of maintaining or increasing the amount of the annuity increase otherwise authorized by the ordinance; and

(2) the annuity of:

(A) a retiree who retired not later than the last day of December of the year that is 13 months before the effective date of the ordinance providing the increase; or

(B) a beneficiary of a deceased retiree whose death occurred not later than the last day of December of the year that is 13 months before the effective date of the ordinance providing the increase.

Added by Acts 1991, 72nd Leg., ch. 466, Sec. 2, eff. Aug. 26, 1991. Amended by Acts 1995, 74th Leg., ch. 514, Sec. 8, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 76, Sec. 4, eff. Sept. 1, 1997.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1208 (S.B. 350), Sec. 9, eff. June 17, 2011.

Acts 2023, 88th Leg., R.S., Ch. 234 (H.B. 2464), Sec. 1, eff. May 27, 2023.

SUBCHAPTER F. MILITARY SERVICE

Sec. 853.501. MILITARY SERVICE BY MEMBER. (a) A member of the retirement system is allowed credited service as provided in this subchapter if at any time the person:

(1) leaves employment with a participating municipality to perform and performs active duty service in the armed forces or the armed forces reserves of the United States or their auxiliaries, provided that:

(A) the person makes application for reemployment with the same municipality within 90 days after the person is released from active duty or discharged from such military service or from hospitalization continuing after discharge for a period of not more than one year; and

(B) the person is reemployed by the same participating municipality; or

(2) is conscripted and leaves employment with a participating municipality to perform and performs war-related service during a state of war or during a conflict between the armed forces of the United States and the armed forces of a foreign country, provided that the person is reemployed by the same municipality within 90 days after the end of such service.

(b) Credit for service under this section may only be used as set forth in Section 853.505.

Added by Acts 1989, 71st Leg., ch. 462, Sec. 4, eff. Sept. 1, 1989. Amended by Acts 1991, 72nd Leg., ch. 16, Sec. 11.01(d), eff. Aug. 26, 1991.

Sec. 853.502. OTHER MILITARY SERVICE CREDIT. (a) The governing body of a participating municipality by ordinance may authorize eligible members in its employment to establish credit in the retirement system for active military service performed as a member of the armed forces or armed forces reserves of the United States or their auxiliaries, for which service the members do not receive credit under Section 853.501.

(b) A member eligible to establish credit for military service creditable as provided by this section is one who is an employee of a municipality that has adopted an ordinance under this section and who:

(1) was an employee of a participating municipality immediately prior to the military service, but terminated employment with the municipality and membership in the retirement system during the period of service, and applied for reemployment with the municipality not later than the 90th day

after the date the person was released from active duty or discharged or from hospitalization continuing after discharge for a period of not more than one year, and was reemployed by that municipality; or

(2) has at least five years of credited service in the retirement system and has been an employee of one or more participating municipalities for at least five years.

Added by Acts 1981, 67th Leg., 1st C.S., p. 222, ch. 18, Sec. 79, eff. Jan. 1, 1982. Amended by Acts 1989, 71st Leg., ch. 462, Sec. 4, eff. Sept. 1, 1989. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.501 and amended by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989. Renumbered from Government Code, Sec. 853.501 and amended by Acts 1991, 72nd Leg., ch. 16, Sec. 11.01(d), eff. Aug. 26, 1991; Acts 2003, 78th Leg., ch. 599, Sec. 8, eff. Jan. 1, 2004.

Sec. 853.503. CONDITIONS FOR RECEIVING MILITARY SERVICE CREDIT. No person can receive credit for service under this subchapter unless:

(1) the person's military service was terminated by release from active duty or discharge on terms not dishonorable;

(2) the person does not receive and is not eligible to receive federal retirement payments based on 20 years or more of active military service or its equivalent; and

(3) the person does not have and does not receive credit for the service in any other public retirement system or program established under laws of this state.

Added by Acts 1989, 71st Leg., ch. 462, Sec. 4, eff. Sept. 1, 1989. Amended by Acts 1991, 72nd Leg., ch. 16, Sec. 11.01(d), eff. Aug. 26, 1991.

Sec. 853.504. ESTABLISHMENT OF MILITARY SERVICE CREDIT. (a) An eligible member may establish credit under Section 853.501 by filing written application therefor with the

retirement system, accompanied by satisfactory evidence of the member's military service.

(b) An eligible member seeking military service credit under Section 853.502 must file with the retirement system a written application for the credit, together with satisfactory evidence of the member's military service.

(c) No person may obtain credit under this subchapter for more than 60 months of military service.

Added by Acts 1981, 67th Leg., 1st C.S., p. 222, ch. 18, Sec. 79, eff. Jan. 1, 1982. Amended by Acts 1989, 71st Leg., ch. 462, Sec. 4, eff. Sept. 1, 1989. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.502 and amended by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989. Renumbered from Government Code, Sec. 853.502 and amended by Acts 1991, 72nd Leg., ch. 16, Sec. 11.01(d), eff. Aug. 26, 1991; Acts 2003, 78th Leg., ch. 599, Sec. 9, eff. Jan. 1, 2004.

Sec. 853.505. USE OF MILITARY SERVICE CREDIT. (a) The retirement system shall use military service credit established under this subchapter in determining length-of-service requirements for benefits.

(b) Except as provided by Section 853.506, military service credit allowed under Section 853.501 shall have no monetary value in calculating the annuity payments allowable to the member and shall not be used in other computations, including computation of updated service credits or prior service credits.

(c) When a person who has military service credit under Section 853.502 retires and has paid for military service credit under former law, the retirement system shall compute an amount equal to the sum of any accumulated amount paid by the person for the military service credit under former law, plus an equal amount multiplied by the municipality's current service matching percent in effect on the date the member applied for the military service credit. The retirement system shall use the sum

derived from that computation to make annuity payments to the person that are computed in the same manner as is the person's current service annuity, but the military service credit and the sum may not be used in other computations, including computations of updated service credits or prior service credits.

Added by Acts 1981, 67th Leg., 1st C.S., p. 222, ch. 18, Sec. 79, eff. Jan. 1, 1982. Amended by Acts 1989, 71st Leg., ch. 462, Sec. 4, eff. Sept. 1, 1989. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.503 and amended by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989. Renumbered from Government Code, Sec. 853.503 and amended by Acts 1991, 72nd Leg., ch. 16, Sec. 11.01(d), eff. Aug. 26, 1991. Amended by Acts 1997, 75th Leg., ch. 76, Sec. 5, eff. Sept. 1, 1997.
Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1208 (S.B. 350), Sec. 10, eff. June 17, 2011.

Sec. 853.506. CURRENT SERVICE FOR REEMPLOYED VETERANS. Notwithstanding any provision of this subtitle to the contrary, contributions, benefits, and service credit for qualified military service will be provided in accordance with Section 414(u) of the Internal Revenue Code of 1986 (26 U.S.C. Section 414). The board of trustees may adopt rules that modify the terms of this subtitle for the purpose of compliance with the Uniformed Services Employment and Reemployment Rights Act (38 U.S.C. Section 4301 et seq.).

Added by Acts 1997, 75th Leg., ch. 76, Sec. 6, eff. Sept. 1, 1997.

SUBCHAPTER G. OPTIONAL UPDATED SERVICE CREDIT FOR TRANSFERRED SERVICE

Sec. 853.601. ORDINANCE AUTHORIZING UPDATED SERVICE CREDIT FOR TRANSFERRED SERVICE. (a) The governing body of a participating municipality in ordinances authorizing updated service credits under Section 853.401 may provide that those members who are eligible for such credits on the basis of service with the granting municipality, who have unforfeited credit for prior service or current service with another participating municipality or municipalities by reason of previous employment, and who are contributing members on the date prescribed by Section 853.402(e), shall be credited in the retirement system with updated service credit calculated in the manner prescribed by Sections 853.401 and 853.402, except that in determining the base updated service credit of the member under Section 853.402(c)(1), all unforfeited credited service performed by the member by reason of previous employment in other participating municipalities prior to the date prescribed by Section 853.402(e) shall be treated as if performed in the service of the municipality adopting the ordinance, and that amount shall be reduced by an amount equal to the sum of:

(1) 2 times the amount credited to the member's individual account on the date prescribed in Section 853.402(e), which any participating municipality has undertaken to match on a 1 to 1 ratio; plus

(2) 2.5 times the amount credited to the member's individual account, subject to a 1.5 to 1 matching ratio by any participating municipality; plus

(3) 3 times the amount credited to the member's individual account, subject to a 2 to 1 matching ratio by any participating municipality; and plus

(4) the sum of all updated service credits, prior service credits, special prior service credits, and antecedent service credits allowed to the member by any other participating municipality by which the member was previously employed and to which the member is entitled.

(b) If the member is granted an updated service credit by a previously employing municipality on or after the granting of

an updated service credit under Subsection (a), the updated service credit granted under Subsection (a) shall be reduced by the amount of increase in credits resulting from the granting of updated service credits by the previous employer.

Added by Acts 1983, 68th Leg., p. 2977, ch. 512, Sec. 1, eff. Aug. 29, 1983. Renumbered from Vernon's Ann.Civ.St. Title 110B, Sec. 63.601 and amended by Acts 1989, 71st Leg., ch. 179, Sec. 1, eff. Sept. 1, 1989.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1208 (S.B. 350), Sec. 11, eff. June 17, 2011.

Acts 2019, 86th Leg., R.S., Ch. 991 (S.B. 1337), Sec. 10, eff. January 1, 2020.

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Finance
Fund Balance-before expenditure:		Prepared by:	Finance/HR Manager Savage
Estimated Cost:		Date Prepared:	November 2, 2023
Exhibits:	1. Proposed Ordinance 2. Tax Assessor Collector Kenneth L. Maun Letter, dated Oct. 10, 2023 3. 2023 Tax Roll Summary		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 857, APPROVING THE 2023 TAX ROLL.

SUMMARY

Please review the letter of request from Tax Assessor Collector Kenneth L. Maun, dated October 10, 2023, and the 2023 Tax Roll Summary for approval in accordance with *Texas Property Tax Code*, Section 26.09 (e).

Sec. 26.09. CALCULATION OF TAX.

(e) The assessor shall enter the amount of tax determined as provided by this section in the appraisal roll and submit it to the governing body of the unit for approval. The appraisal roll with amounts of tax entered as approved by the governing body constitutes the unit's tax roll.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	Grant Savage	Date:	11/2/2023
City Attorney:	Amy J. Stanphill	Date:	11/XX/2023 via Municode
Acting City Administrator:	Luke B. Olson	Date:	11/XX/2023

ORDINANCE NO. 857
(Approval of 2023 Tax Roll)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPROVING THE 2023 TAX ROLL PROVIDED BY COLLIN COUNTY TAX ASSESSOR / COLLECTOR PER TEXAS PROPERTY TAX CODE SECTION 26.09(e); PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Texas Property Tax Code, Section 26.09(e) provides in relevant part that the assessor shall enter the amount of tax determined in the appraisal roll and submit it to the governing body of the unit for approval. The appraisal roll with amounts of tax entered as approved by the governing body constitutes the unit's tax roll.; and

WHEREAS, the City of Parker received a letter from Tax Assessor Collector, Kenneth L. Maun, dated October 10, 2023, with the 2023 Tax Roll Summary, both of which are attached hereto as Exhibit A and incorporated herein, requesting an ordinance evidencing the City Council approval of the 2023 Tax Roll in accordance with Texas Property Tax Code, Section 26.09(e); and

WHEREAS, the Finance Director and City Administrator have reviewed the 2023 Tax Roll Summery and find it to be accurate.

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 if set out fully herein as legislative findings of fact.

SECTION 2. ENACTMENT

The City Council hereby adopts this Ordinance approving the 2023 Tax Roll reflected in Exhibit A in accordance with Texas Property Tax Code, Section 26.09(e).

SECTION 3. 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 4. 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

Proposed

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 this Ordinance as a whole.

SECTION 5. 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.

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 14TH DAY OF NOVEMBER 2023.

APPROVED:
CITY OF PARKER

_____
Lee Pettle, Mayor

ATTEST:

_____
Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

_____
Amy J. Stanphill, City Attorney

Proposed

EXHIBIT A
2023 TAX ROLL SUMMARY
&
TAX ASSESSOR COLLECTOR LETTER

Proposed

KENNETH L. MAUN
TAX ASSESSOR COLLECTOR
COLLIN COUNTY
2300 Bloomdale Road, Suite 2366
P.O. Box 8006
McKinney, TX 75070-8006
(972) 547-5020
Fax: (214) 491-4808
Email: kmaun@collincountytx.gov

October 10, 2023

Lee Pettle, Mayor
City of Parker
5700 E. Parker Road
Parker, TX 75002

Dear Mayor Pettle,

Attached is the 2023 Tax Roll Summary for City of Parker.

Submission of the 2023 Tax Roll to your governing body for approval, in accordance with *Texas Property Tax Code*, Section 26.09, will constitute the 2023 Tax Roll for City of Parker.

Please provide my office a copy of your ordinance approving the Tax Roll at your earliest convenience. While this is a formality in the Texas Property Tax Code, we do want to fulfill the requirements of the law and do appreciate your cooperation.

If you have any questions, please contact me.

Sincerely,

Kenneth L. Maun
Tax Assessor Collector

KLM:jd

Enclosure

cc: Grant Savage
Patti Grey

2023 TAX ROLL SUMMARY 22 - PARKER CITY

	Amount		Count
NUMBER OF ACCOUNTS			2,489
MARKET VALUES			
ROLLCODE: MOBILE HOME			
Improvement	$1,379,969		
ROLLCODE: PERSONAL			
Personal	$16,177,469		
ROLLCODE: REAL			
Agriculture	$95,363,246		
Improvement	$1,460,854,374		
Improvement Non-Home Site	$24,856,656		
Land	$449,885,139		
Land Ag Land	$186,183		
Land Non-Home Site	$50,497,653		
TOTAL MARKET VALUE		**$2,099,200,689**	
DEFERRALS			
Ag	$95,363,246		147
TOTAL DEFERRALS		**$95,363,246**	
EXEMPTIONS			
Autos , XO , PPV , XO , PPV	$6,711,845		34
Cap Adjustment , XT , XT	$308,496,090		1,410
Disabled	$0		16
Disabled Veteran	$20,719,108		66
Historic Site	$0		1
Homestead	$0		14
Miscellaneous , XV , XV	$31,185,588		183
Nominal Value	$27,714		33
Over 65	$22,634,747		492
Solar/Wind	$45,522		2
TOTAL EXEMPTIONS		**$389,820,614**	
GRAND TOTAL FOR DEFERRALS AND EXEMPTIONS		**$485,183,860**	
TOTAL MARKET VALUE		**$2,099,200,689**	
TAXABLE VALUE		**$1,614,016,829**	
TAX RATE		**0.32268**	
ROLLCODE: MOBILE HOME			
Levy	$3,974.54		70
ROLLCODE: PERSONAL			
Levy	$30,307.36		133
ROLLCODE: REAL			
Levy	$5,173,827.60		2,286
TOTAL LEVY		**$5,208,109.50**	
LEVY LOST DUE TO FROZEN		**$0.00**	
OTHER LOST LEVY		**$0.00**	
TOTAL LOST LEVY		**$0.00**	

Calculation Analysis

	Calc Levy	- Tax Amount	=	Diff.	Market Value	Exemption	Taxable Value
Frozen	0.00	0.00		0.00	0	0	0
DV100 (Excl. Frozen)	1,559.50	1,559.50		0.00	23,605,155	18,677,549	4,927,606
Prorated (Excl. Frozen	0.00	0.00		0.00	0	0	0
Other	5,533,635.09	5,533,635.09		0.00	2,194,914,817	484,460,435	1,710,454,382
Total	5,535,194.59	5,535,194.59		0.00	2,218,519,972	503,137,984	1,715,381,988
DV100 (Incl. Frozen)	0.00	0.00		0.00	0	0	0
Prorated (Incl. Frozen	0.00	0.00		0.00	0	0	0

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey for Public Works Director Gary Machado
Estimated Cost:		Date Prepared:	November 8, 2023
Exhibits:	1. Revised Schedule 2. Water and Impact Fee Advisory Committee Recommendation Letter 3. Land Use Assumptions Report 4. Water C.I.P. Information 5. Parker Impact Fee Report		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON SETTING A PUBLIC HEARING DATE FOR THE WATER IMPACT FEE LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLAN AND IMPACT FEES UPDATE IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE CHAPTER 395

SUMMARY

The Water Impact Fee Capital Improvement Advisory Committee ("CIAC") is an advisory body required by Texas Local Government Code Chapter 395 to make recommendations to Council.

The CIAC's purpose is to: (1) advise and assist the city in adopting the land use assumptions; (2) review and file written comments on the city's CIP; (3) monitor and evaluate implementation of the CIP; (4) file semiannual reports with respect to the progress of the CIP and report to the city any perceived inequities in implementing the plan or imposing the impact fee; and (5) advise the city of the need to update or revise the land use assumptions, CIP, or impact fee.

The City adopted the current Water Impact Fees in accordance with Texas Local Government Code Chapter 395 in January 2017 as codified by Parker Code of Ordinances Sections 51.85 – 51.99. Texas Local Government Code Sec. 395.052 requires the governing body's periodic review of land use assumptions and/or CIP every 5 years even though the term of the CIP runs for 10 years from adoption.

In accordance with Chapter 395, the City of Parker has retained Birkhoff, Hendricks & Carter, LLP to provide the updates to the Land Use Assumptions and CIP and facilitate the review and presentation to the CIAC and Council and prepare a report reflecting the above information.

The Land Use Assumptions have not substantially changed since 2016 and the CIAC recommends the continued use, without revision, of the Land Use Assumptions that were adopted in 2017. In addition, the Water Impact Fee Capital Improvements Plan ("CIP") has changed only to the extent current costs have increased. The impact fee calculation is based upon the CIP cost increases.

This agenda item is to set a public hearing on the Land Use Assumptions, Capital Improvements Plan and Impact Fees on December 19, 2023. Notice will be posted in accordance with the Chapter 395 requirements and updated documents posted for public viewing ahead of the hearing.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	*Gary Machado*	Date:	11/09/2023
City Attorney:	*Amy J. Stanphill*	Date:	11/xx/2023 via Municode
City Administrator:	*Luke B. Olson*	Date:	11/xx/2023

City of Parker, TX

2023-2033 Water Impact Fee Update

Proposed Adoption Schedule

Notes:

1 **City Council Meets on the 1st and 3rd Tuesday of the Month**

City Staff/Consultant Meetings	Impact Fee Advisory Committee Meetings	City Council Meeting	Meeting/Action	Agenda and Action Items Required
			Staff Meeting	Impact Fee Update Kick-off Meeting with City Staff Agenda: a) Service Areas b) Impact Fee Land Use and Growth Assumptions c) Capital Recover Project Data d) Water, Sewer and Roadway Capital Improvement Plans
October 10, 2023			Staff Meeting	Present Impact Fee Capital Improvement Plan and Preliminary Impact Fee Calculations
			City Staff	Publish Impact Fee Advisory Meeting Notice and Agenda (Sec. 395.055)
	October 19, 2023		Impact Fee Advisory Committee Meeting	Advisory Committee Meeting (Sec. 395.056) a) Review of CIP Update b) Review of Impact Fee Updates c) Advisory Committee Recommendation Letter to City Council
		November 14, 2023		City Council to set a Public Hearing on Amendments to Land Use Assumptions, Capital Improvement Plan, or Impact Fee (Sec. 395.053) for December 19, 2023
November 17, 2023			Notice of Public Hearing	Deadline for Publication of Notice of Public Hearing on December 19 in local newspaper (Sec. 395.055; 395.044(b)
November 17, 2023			Final Impact Fee Update Report	Final Impact Fee Update Report Published and made available for public review (Sec. 395.054)
		December 19, 2024	City Council Public Hearing	Public Hearing on Amendments to Land Use Assumptions, Capital Improvement Plan, or Impact Fee
			Possible Council Action	Approve, Reject or take no action on Amendments to Land Use Assumptions, Capital Improvement Plan or Impact Fees (Sec. 395.057(a)) ***NOTE: Council has 30-calendar days to take action***
			Possible Council Action	If Impact Fee Amendments are approved, adopt an ordinance, order or resolution approving the amendments to the Land Use Assumptions, Capital Improvement Plan (Sec. 395.057(b))
		January 16, 2024	Possible Council Action	If council action on 12/19/2023, then Approve, Reject or Table Amendments to Land Use Assumptions, Capital Improvement Plan or Impact Fees (Sec. 395.057)
			Possible Council Action	If Impact Fee Amendments are approved, adopt an ordinance, order or resolution approving the amendments to the Land Use Assumptions, Capital Improvement Plan (Sec. 395.057(b))
		February 6, 2024	Possible Council Action	If no council action on 01/16/2024, then last council meeting to Approve, or Reject Amendments to Land Use Assumptions, Capital Improvement Plan or Impact Fees (Sec. 395.057)
			Possible Council Action	If Impact Fee Amendments are approved, adopt an ordinance, order or resolution approving the amendments to the Land Use Assumptions, Capital Improvement Plan (Sec. 395.057(b))

City of Parker, Texas
Capital Improvement Impact Fee Advisory Committee
5700 E. Parker Road
Parker, Texas 75002

November 9, 2023

Re: Water Impact Fee
Capital Improvement Advisory Committee Recommendation

Honorable Lee Pettle and the City of Parker City Council:

The City of Parker Water Impact Fee Capital Improvement Advisory Committee, established in accordance with Section 395.058 of the Texas Local Government Code, met on this date for the purpose of reviewing the 2023 Water Impact Fee Report prepared and presented by Birkhoff, Hendricks & Carter, L.L.P. Professional Engineers.

The Impact Fee Advisory Committee reviewed the existing Land Use Assumptions prepared by the City of Parker Impact Fee Capital Improvement Advisory Committee for adoption in 2017 and found no material changes and therefor recommend the use of the Land Use Assumptions without revision. The Impact Fee Advisory Committee also reviewed the 2023 Water Capital Improvement Plan prepared by Birkhoff, Hendricks & Carter, L.L.P. Professional Engineers.

On behalf of the Advisory Committee, we find the Water Impact Fee Land Use Plan to be consistent with the City's current Comprehensive Plan, and the Water Capital Improvement Plan to be consistent with the land use plan and in conformance with the requirements of Texas Local Government Code Chapter 395. The Capital Impact Advisory Committee offers no objections and recommends City Council move forward with the public hearing and any appropriate action under Chapter 395.

Sincerely

Russell Wright
Chairman, Capital Improvement Advisory Committee

Land Use Assumptions Report of the Capital Improvements Advisory Committee of the City of Parker

September 9, 2016

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Executive Summary

The Capital Improvements Advisory Committee (the "Committee") was appointed by the City of Parker City Council to review the subjects identified below and render an opinion on the land use assumptions necessary for the City to create and adopt lawful impact fees for the City of Parker public water system. The Committee has reviewed the Comprehensive Plan, the land use data, the current development within Parker, the current zoning within Parker, and the existing water plans for future growth and development. The Committee's report on the Land Use Assumptions required by Texas Local Government Code with relation to the Committee's work on impact fee research is contained within.

Members of this Committee include regular members of the Planning and Zoning Commission, experienced developers within the City of Parker, its ETJ, and key City personnel.

Table 1 - Capital Improvements Advisory Committee Members

Name	Role
Russell Wright	P&Z Chairman
Joe Lozano	P&Z Vice-Chairman
Cleburne Raney	P&Z Member
Jasmat Sutaria	P&Z Member
Wei Wei Jeang	P&Z Member
JR Douglas	P&Z Alternate, Developer
Steve Sallman	Developer/ETJ Owner
Jim Shepherd	City Attorney
Jeff Flanigan	City Administrator
Patti Scott Grey	City Secretary

Analysis of Existing Conditions

Each member of the Committee is personally familiar with the existing development within the City of Parker. The areas of the City of Parker that are not yet developed were presented by the City Administrator and the relevant maps and data were reviewed. This data review included the population (Exhibit 1), existing zoning (Exhibit 2), and the Comprehensive Plan (Exhibit 3), current Development Map (Exhibit 4), and the Water Master Plan Map (Exhibit 5) for the City as it relates to the undeveloped areas of Parker and it's ETJ.

Determination of Service Area

The City Council's charge to the Committee was to render an opinion on the land use assumptions necessary for the City to create and adopt lawful impact fees for the City of Parker public water system. The Committee reviewed the requirements to exclude the provisions and related costs to current development and concentrated on the capital improvements necessary to serve future development based on the existing conditions noted above, and the anticipated use of the comprehensive plan and related development plans of the City, all as required by the Texas Local Government Code. The service area for a water impact fee would be the entire City and its ETJ with respect to new development in any portion of this area.

There is a portion of the City's water service area (CCN, Certificate of Convenience and Necessity) that lies within the City of Wylie. This was discussed as whether it should be included in the impact fee Service Area. The City Administrator noted that the water infrastructure in that area is already built out to specifications that would not necessitate additional infrastructure capital improvements. Therefore, it was concluded by the committee to not include this area within the Service Area.

Additionally, The City has a Special Activities area of approximately 188 acres (Southfork Ranch) which, at some point in the future, could be developed and subsequently subdivided. While there are no specific plans at the time of this writing, it is important to include this area for any future plans.

Growth Projections

Based on the review of the factors set forth in the sections above, *Analysis of Existing Conditions* and *Determination of Service Area,* the Committee projected the 10 year growth patterns as they relate to water system capital improvements are as set forth in Table 6 - Land Use Assumptions (Exhibit A). The Committee's findings are based on the following discussions and calculations.

Density Calculations

The Committee agrees with the Comprehensive Plan of Parker with regard to the future development of Parker and its ETJ. Consequently, for those areas zoned SF-Single Family, the Committee has projected single family residential units on lots of two acres, with three residents per household. For those areas projected to be zoned SFT-Single Family Transitional, the Committee anticipates 1 acre minimum lots, with a 1.5 acre average size of lots in the subdivision. The population estimate for SFT is also three residents per unit. Additional zoning categories such as Special Activities, Agricultural, Manufactured Housing and non-conforming uses, were all considered in the analysis.

The raw data in Table 2 was used as the basis of the analysis. The Meters column indicates the number of water meters the City was billing in that year. The Estimated Residents (Est. Residents) is based on the assumption of three residents per household, as indicated above. The % Change is expressed as the delta (change in number of meters) from the prior year divided by the number of meters in the prior year, e.g. 98/688=14.2%.

Table 2 - Historical Water Meters (i.e. Service Units) for 2000 - Jan 2016

Year	Meters	Est. Residents	Delta	% Change	Std. Dev.
2000	688	2064	688.0		
2001	786	2358	98.0	14.2%	5.1%
2002	938	2814	152.0	19.3%	4.6%
2003	1022	3066	84.0	9.0%	2.1%
2004	1075	3225	53.0	5.2%	1.4%
2005	1121	3363	46.0	4.3%	
2006	1180	3540	59.0	5.3%	
2007	1210	3630	30.0	2.5%	
2008	1258	3774	48.0	4.0%	
2009	1273	3819	15.0	1.2%	
2010	1295	3885	22.0	1.7%	
2011	1320	3960	25.0	1.9%	
2012	1351	4053	31.0	2.3%	
2013	1385	4155	34.0	2.5%	
2014	1404	4212	19.0	1.4%	
2015	1435	4305	31.0	2.2%	
2016	1501	4503	66.0	4.6%	

Referring to the standard deviation of a sample[1] Table 2, we can see the standard deviation for years 2001 and 2002 are significantly greater than several of the later years, so it was concluded that this extreme rate of growth for the City of Parker will likely not repeat itself. However, the Committee concluded the economic factors of many companies moving into the surrounding areas will likely increase

[1] Excel function STDEV.S is used to calculate the standard deviation of a sample.

the growth rate for the next several years, which might indicate above average growth for four to five years (5-6%), followed by slower growth (2-3%). In its final estimation, the committee agreed that 5% growth for the next five years (2017-2021) followed by 3% growth for the following five years (2022-2026) was a reasonable compromise.

When the absolute number of water meters is graphed over the years for which data exists, a curve as shown in Figure 1 develops. For comparison purposes, linear and 3rd order polynomial trend lines are added, along with their respective formulae.

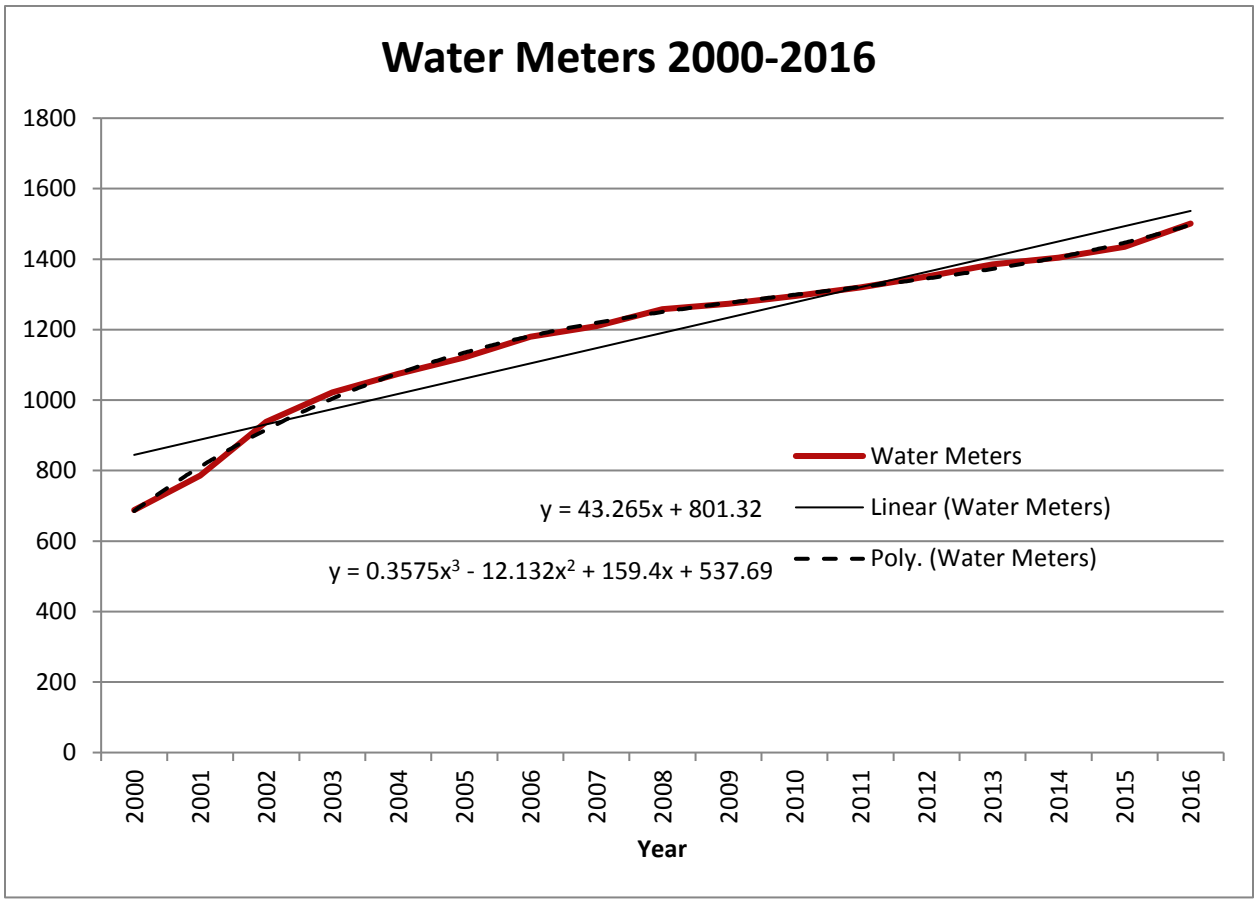


Figure 1 - Water Meter Graph

Figure 2 shows a graphical representation of the tabular data in Table 2. Since there was no detailed recording of service unit numbers prior to the year 2000, it is difficult to determine if the upward trend of the graph is representative of the years prior to 2000. However, as stated earlier, this could represent the beginning of an upward “growth spurt” for the City and this upward trend has been considered in the analysis of the overall growth projections.

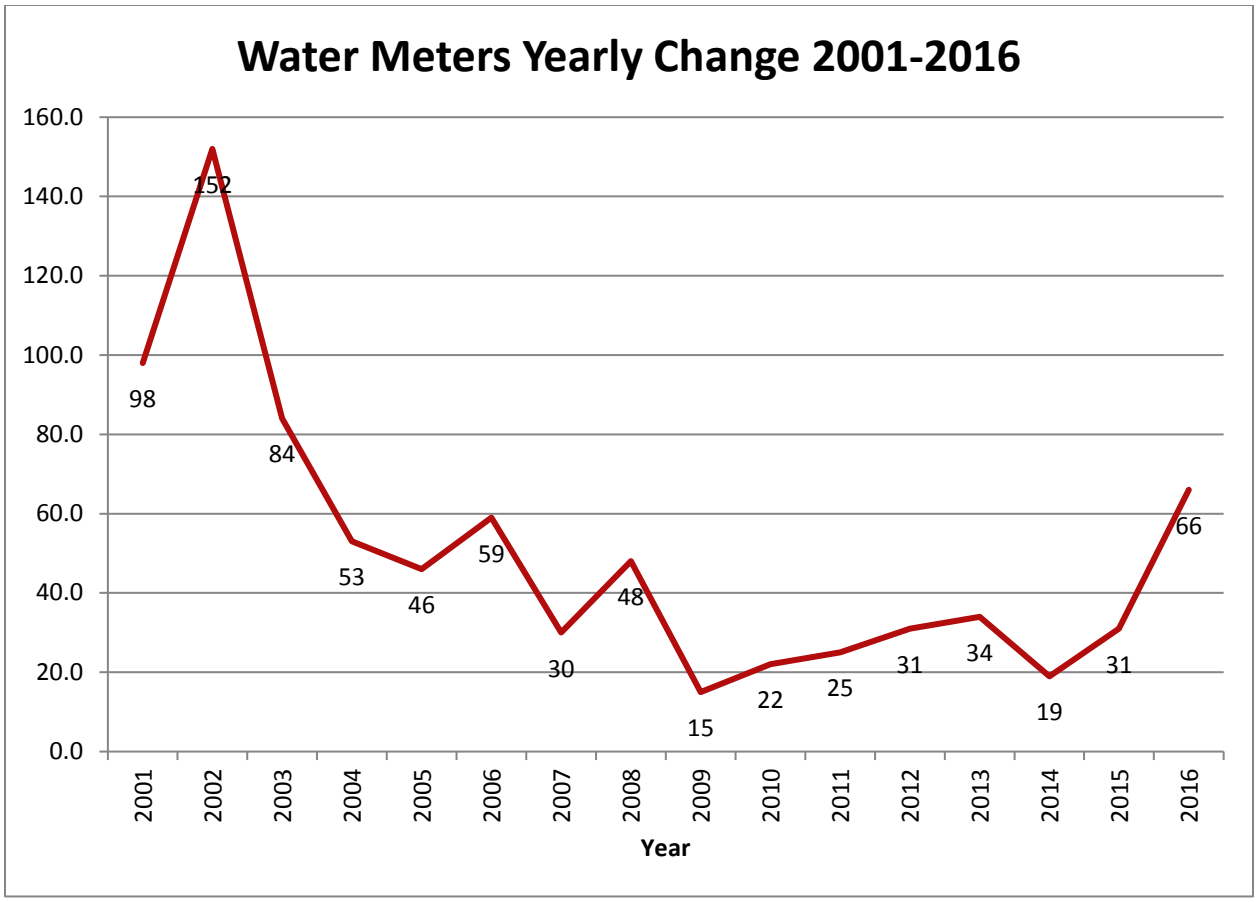


Figure 2 - Water Meters Delta from Prior Year

For selected time periods, average year on year growth rates can be established. Several time periods were used (refer to Table 3) to show the difference in growth rate when some of the outlying data is included or excluded.

Table 3 - Selected Year on Year Growth Rates

Period	# Periods	Avg. YoY Growth Rate
2001-2016	16	5.1%
2003-2016	14	3.4%
2001-2011	10	6.2%
2003-2013	10	3.6%

Build Out

Table 4 shows the analysis of the estimated number of lots, which correspond directly to service units in the City, for areas covered by zoning or development agreements and all undeveloped land. The estimated lots for those areas already approved are actual numbers. For the undeveloped areas a factor of 0.9[2] is used to allow for those areas dedicated for roads, rights-of-way and other unusable areas.

[2] Formula used: Number of acres * Lots/Acre * 0.9

Table 4 - Future Service Area Impact

Future Service Area	Acres	Lots/Acre	Est. Lots/Service Units	Est. Residents
Approved by Zoning or Development Agreement	1500	0.646	969	2907
Undeveloped in ETJ	720	1	648	1944
Undeveloped Zoned SF	500	0.5	225	675
Undeveloped Zoned SFT	400	0.67	241	724
Current Special Activities Area[3]	188	2		
Totals	3120	NA	2083	6250

Add plus existing homes.

The current number of residents and population within Parker and its anticipated growth patterns over the next 10 years are as set forth in Table 6 - Land Use Assumptions (Exhibit A). The projections shown in Table 6 provide Parker's ultimate build-out growth projections, including existing development within Parker, anticipated future development on currently undeveloped land within Parker, and development in the extra-territorial jurisdiction (ETJ).

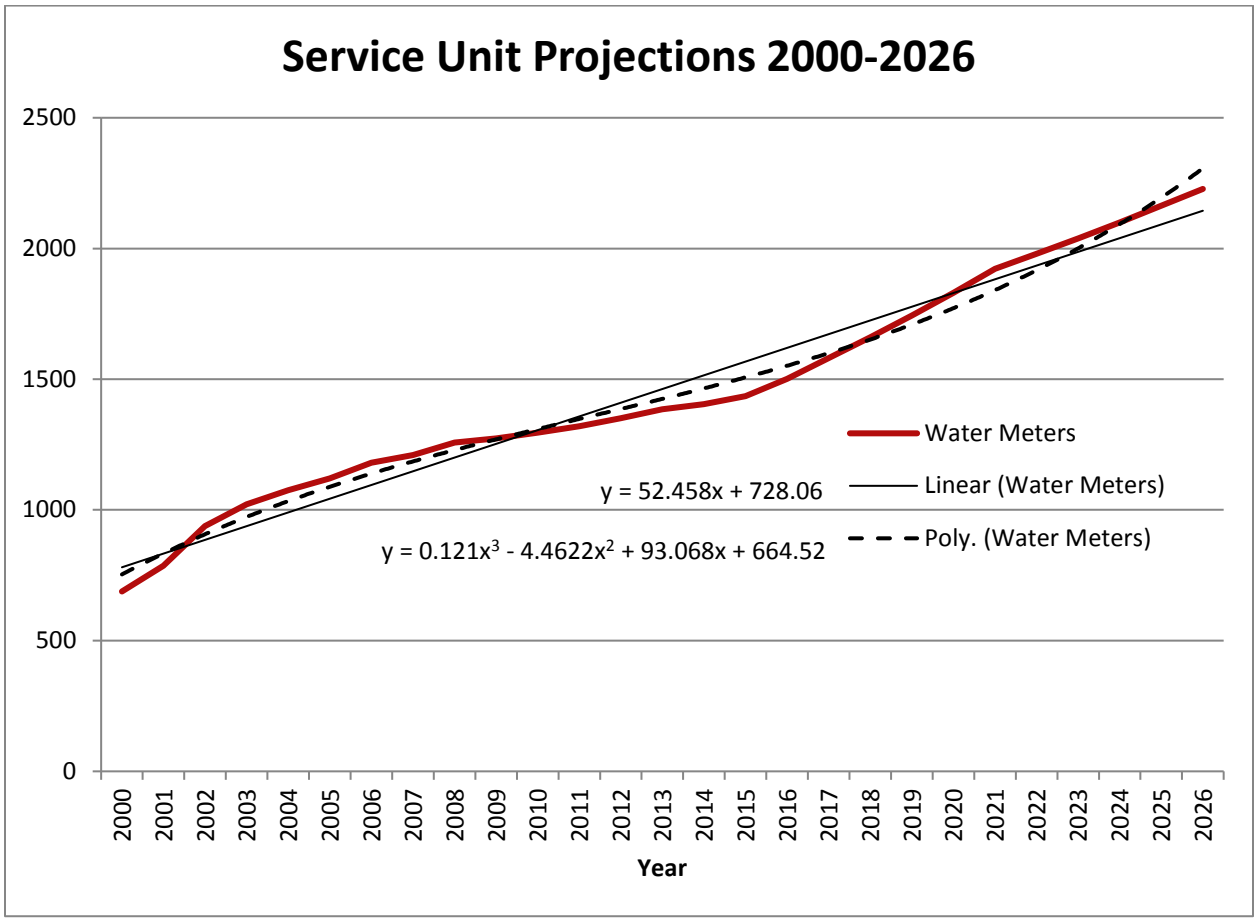


Figure 3 - Service Unit Projection Graph

[3] Southfork Ranch is a Special Activities area that is included in the table but not included in calculations.

Table 5 - Actual and Estimated Service Units

Year	Meters	Linear equation	Poly equation
2000	688	845	685
2001	786	888	811
2002	938	931	916
2003	1022	974	1004
2004	1075	1018	1076
2005	1121	1061	1135
2006	1180	1104	1182
2007	1210	1147	1219
2008	1258	1191	1250
2009	1273	1234	1276
2010	1295	1277	1299
2011	1320	1320	1321
2012	1351	1364	1345
2013	1385	1407	1372
2014	1404	1450	1406
2015	1435	1493	1447
2016	1501	1537	1498
2017	1581	1580	1561
2018	1660	1623	1639
2019	1743	1666	1733
2020	1830	1710	1846
2021	1922	1753	1979
2022	1979	1796	2136
2023	2039	1839	2317
2024	2100	1883	2526
2025	2163	1926	2764
2026	2228	1969	3034

Table 6 - Land Use Assumptions (Exhibit A)

	2016 (Current)	2021	2026	Buildout
Homes	1,501	1,922	2,228	4,000[4]
Mfg'dHousing	75[5]	75	75	75
Commercial	0	10	20	20
Public	0	0	0	0
Totals	1,576	2,007	2,323	4,095
Population	4,503	6,021	6,969	12,000

[4] Buildout based on total population of 12,000
[5] 75 manufactured houses, 75 houses in CCN (not in City) is a wash

11/2/2016

Birkhoff, Hendricks & Carter L.L.P.

CITY OF PARKER, TEXAS
2016 IMPACT FEE
WATER DISTRIBUTION SYSTEM
10-YEAR CAPITAL IMPROVEMENT PLAN

PROPOSED WATER LINES

Project No. (3)	Project	Size	Opinion of Project Cost (1)	Debt Service (2)	Total Project Cost
1	Dillehay Drive 18-Inch Water Line	18"	$ 577,500	$ 197,657	$ 775,157
2	Chaparral Elevated Storage Tank 16-Inch Water Line	16"	$ 46,200	$ 24,255	$ 70,455
3	Malone Road 8-Inch Water Line	8"	$ 215,000	$ 112,875	$ 327,875
4	Bois-D-Arc Lane 8-Inch Water Line	8"	$ 167,000	$ 87,675	$ 254,675
	Subtotal: Proposed Water Lines		**$ 1,005,700**	**$ 422,462**	**$ 1,428,162**

SUPPLY, PUMPING, STORAGE FACILITIES AND FACILITY IMPROVEMENTS

Project No. (4)	Project	Capacity	Opinion of Project Cost (1)	Debt Service (2)	Total Project Cost
5	Central Pump Station - 1.75 MGD P.S.	1.75 MGD	$ 3,150,000	$ 1,653,750	$ 4,803,750
6	Central Pump Station - 0.75 MG G.S.R.	0.75 MG	$ 2,700,000	$ 135,000	$ 2,835,000
7	NTMWD Delivery Point No. 2	5 MGD	$ 2,100,000	$ 135,000	$ 2,235,000
8	Chaparral 1-MG Elevated Storage Tank	1 MGD	$ 4,800,000	$ 1,102,500	$ 5,902,500
9	Bois-D-Arc Lane 8-Inch Pressure Reducing Valve	-----	$ 240,000	$ 2,520,000	$ 2,760,000
	Subtotal, Supply, Pumping and Storage Facilities:		**$ 12,990,000**	**$ 5,546,250**	**$ 18,536,250**

PLANNING EXPENSES

Project No.	Project	Opinion of Cost (1)(b)	Debt Service (2)	Total Project Cost
	Water System Master Plan	$ 32,000	$ -	$ 32,000
	Water Impact Fee	$ 20,000	$ -	$ 20,000
	Subtotal, Planning Expenses:	**$ 52,000**	**$ -**	**$ 52,000**
	Water Distribution System CIP Grand Total:	**$ 14,047,700**	**$ 5,968,712**	**$ 20,016,412**

Notes:

(1) Opinion of Project Cost includes:

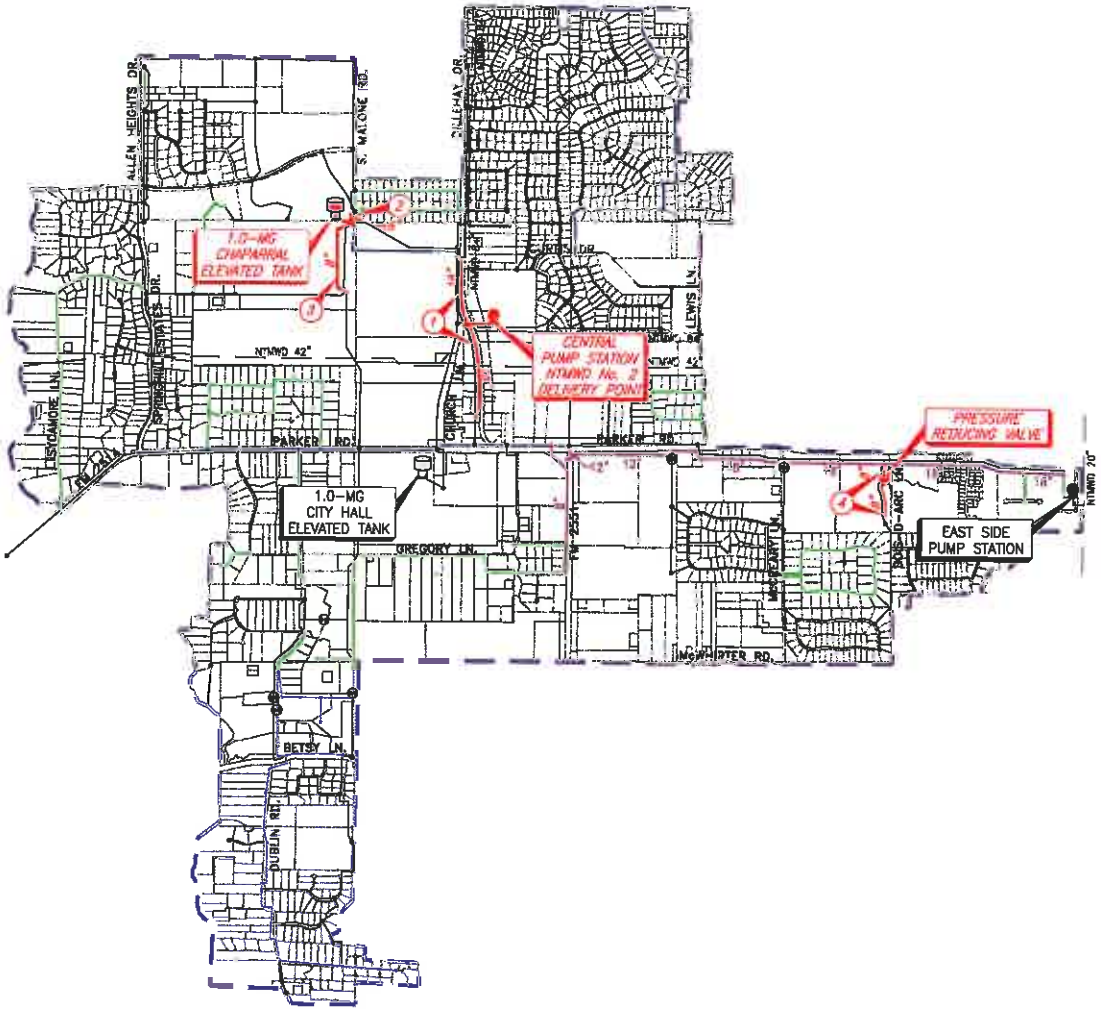
a) Engineer's Opinion of Construction Cost

b) Professional Services Fees (Survey, Engineering, Testing, Legal)

c) Cost of Easement or Land Acquisitions

(2) Debt Service based on 20-year simple interest bonds at 5%

(3) * - Developer Initiated Construction of 8-inch Waterline, City Participation in Oversize Cost



PARKER

WATER DISTRIBUTION SYSTEM 2016-2026 WATER IMPACT FEE CAPITAL IMPROVEMENT PLAN AND RECOVERY WATERLNE MAP

LEGEND

- PLANNING AREA BOUNDARY
- EXISTING WATER LINE (NO IMPACT FEE)
- EXISTING WATER LINE (IMPACT FEE)
- PROPOSED WATER LINE (IMPACT FEE)
- CITY PARTICIPATED IN OVERSIZE COST (IMPACT FEE)
- CITY PURCHASED FROM PECAN ORCHARD (IMPACT FEE)
- EXISTING NTMWD SUPPLY LINE
- EXISTING PUMP STATION
- PROPOSED PUMP STATION
- EXISTING ELEVATED STORAGE TANK
- PROPOSED ELEVATED STORAGE TANK
- EXISTING PRESSURE REDUCING VALVE
- PROPOSED PRESSURE REDUCING VALVE

N

0 1500 3000 4500
HORIZONTAL SCALE IN FEET

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

NOVEMBER, 2016

REVISED: 11/2/16 – AMATA H:\Projects\H2ONET\Parker\2016133 Water Impact Fee\Maps\2016-2026 Water CIP Map.dwg PLOT SCALE: 1:2 PLOT STYLE: ——— PLOTTED BY: AMATA ON 11/2/2016

2023-2033 Impact Fee Capital Improvement Plan Program

Submitted To The City Of

PARKER

Submitted By

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
SPECIALIZING IN CIVIL ENGINEERING FOR MUNICIPALITIES AND GOVERNMENTAL AGENCIES

October 2023

TBPE Firm 526

CITY OF PARKER, TEXAS
2023 to 2033 IMPACT FEE
CAPITAL IMPROVEMENT PROGRAM

PROPOSED WATER LINES

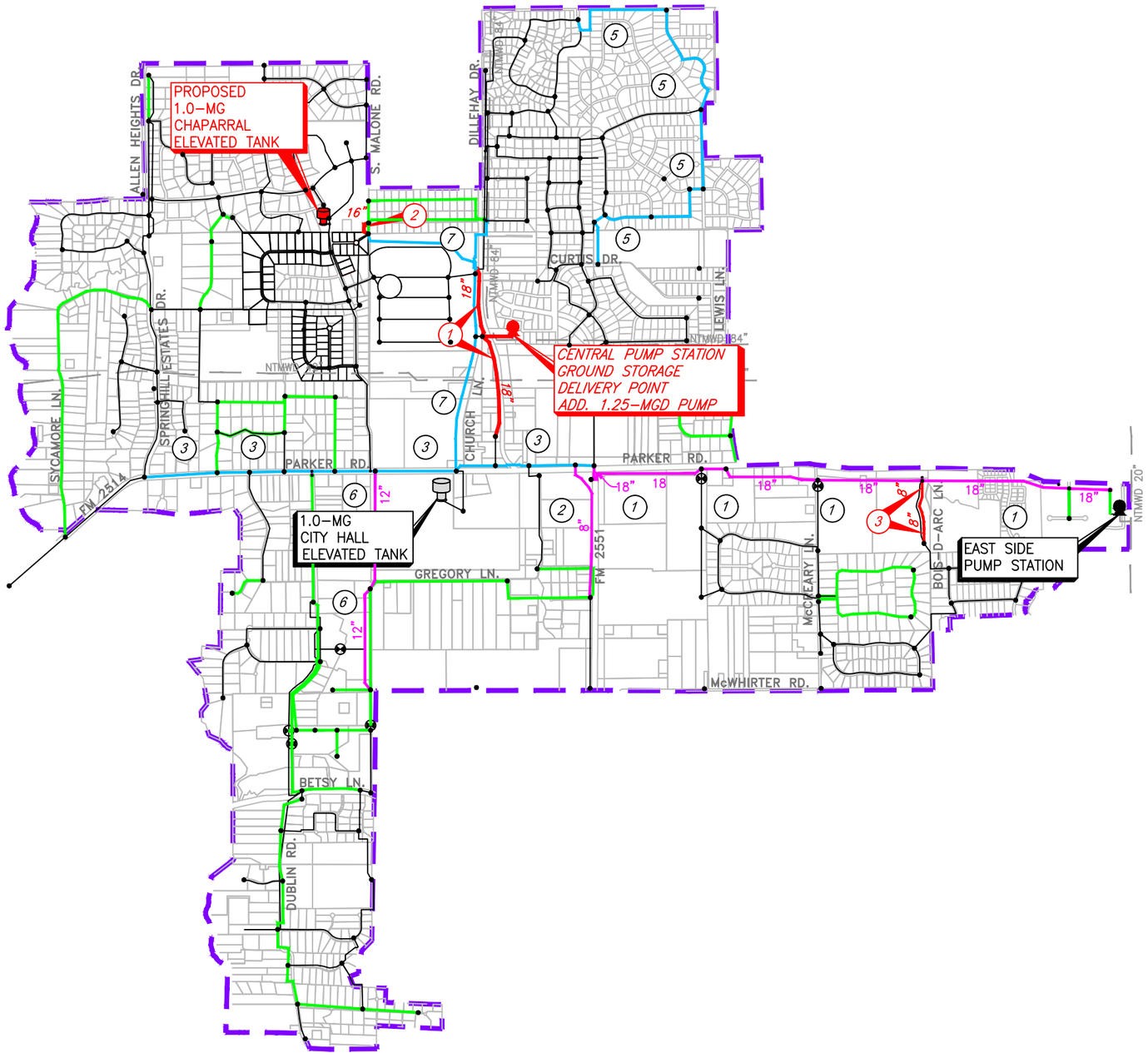
Project No.	Project	Size	Length (ft.)
1	Dillehay Drive 18-Inch Water Line	18"	4,125
2	Chaparral Elevated Storage Tank 16-Inch Water Line	16"	385
3	Bois-D-Arc Lane 8-Inch Water Line	8"	1,670

SUPPLY, PUMPING, STORAGE FACILITIES AND FACILITY IMPROVEMENTS

Project No.	Project	Capacity
4	Central Pump Station - 1.75 MGD P.S.	1.75 MGD
5	Central Pump Station - 1.0 MG G.S.R.	0.75 MG
6	NTMWD Delivery Point No. 2	5 MGD
7	Chaparral 1.0-MG Elevated Storage Tank	1 MG
8	Additional 1.25-MGD Pump at Central Pump Station	1.25 MGD

PARKER

WATER DISTRIBUTION SYSTEM 2023-2033 WATER IMPACT FEE CAPITAL IMPROVEMENT PLAN AND RECOVERY WATERLINE MAP



LEGEND

- PLANNING AREA BOUNDARY
- EXISTING WATER LINE (NO IMPACT FEE)
- EXISTING WATER LINE (IMPACT FEE)
- PROPOSED WATER LINE (IMPACT FEE)
- CITY PARTICIPATED IN OVERSIZE COST (IMPACT FEE)
- CITY PURCHASED FROM PECAN ORCHARD (IMPACT FEE)
- EXISTING NTMWD SUPPLY LINE
- EXISTING PUMP STATION
- PROPOSED PUMP STATION
- EXISTING ELEVATED STORAGE TANK
- EXISTING PRESSURE REDUCING VALVE
- PROPOSED PRESSURE REDUCING VALVE
- (1) EXISTING WATER LINE (IMPACT FEE)
- (1) PROPOSED WATER LINE PROJECTS

N

0 1500 3000 4500

HORIZONTAL SCALE IN FEET

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

OCTOBER, 2023

WATER IMPACT FEE REPORT 2023 - 2033

Submitted To The City Of

PARKER

Submitted By

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
SPECIALIZING IN CIVIL ENGINEERING FOR MUNICIPALITIES AND GOVERNMENTAL AGENCIES

October 2023

TBPE Firm 526

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
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DEREK B. CHANEY, P.E., R.P.L.S.
CRAIG M. KERKHOFF, P.E., CFM
JUSTIN R. IVY, P.E.
COOPER E. REINBOLD, P.E.

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

Re: Water Impact Fee Update

Dear Mr. Olson:

This report presents the results of the City of Parker Water Impact Fee Update for the planning years 2023 through 2033. This report includes the updated impact fee Capital Improvements Plan and the updated Maximum Impact Fees by meter size for water. The maximum allowable fees per service unit (for a 5/8 x 3/4-inch water meter), adjusted to fifty percent (50%) of the calculated fees are the following:

Maximum Allowable Water Impact Fee per Service Unit $8,269.17

We have enjoyed working with the City on this important study and are available to discuss the findings and conclusions of this updated impact fee further at your convenience. We look forward to our continued working relationship with you and the City of Parker.

STATE OF TEXAS
JOHN W. BIRKHOFF
54137
REGISTERED
PROFESSIONAL ENGINEER

Sincerely yours,

John W. Birkhoff, P.E.

CITY OF PARKER, TEXAS
WATER IMPACT FEE STUDY
2023 TO 2033

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J. Allowable Max Fee per Living Units Equivalent & Per Meter Size & Type 23

APPENDIX: WATER IMPACT FEE UTILIZED CAPACITY TABLES:

- Existing Water Lines Utilized Capacity Tables
- Existing Facilities Utilized Capacity Tables
- Proposed Water Lines Utilized Capacity Tables
- Proposed Water Facilities Utilized Capacity Tables

CITY OF PARKER, TEXAS
WATER IMPACT FEE STUDY
2023 to 2033

A. INTRODUCTION

Chapter 395, of the Local Government Code is an act that provides guidelines for financing capital improvements required by new development in municipalities, counties, and certain other local governments. Under Chapter 395, political subdivisions receive authorization to enact or impose impact fees on land that is located within their political subdivision's corporate boundaries and extraterritorial jurisdictions. No governmental entity or political subdivision can enact or impose an impact fee unless they receive specific authorization by state law or by Chapter 395.

An "Impact Fee" is a charge or assessment imposed by a political subdivision for new development within its service area in order to generate revenue for funding or recouping the costs of capital improvements necessitated by and attributable to the new development.[1] The first step in determining an impact fee is preparation of land use and growth assumptions for the service area for the next ten years. Next, a Capital Improvements Plan must be created to describe the water distribution system infrastructure that will be necessary to serve the anticipated land uses and growth. Following the preparation of the Capital Improvements Plan the Water Impact Fee is calculated.

[1] P. 831, Texas Local Government Code, West's Texas Statutes and Codes, 1998 Edition.

B. WATER IMPACT FEES

The following items can be included in the water impact fee calculation:

1) The portion of the cost of the new infrastructure that is to be paid by the City, including engineering, property acquisition and construction cost.

2) Existing excess capacity in lines and facilities that will serve future growth and which were paid for in whole or part by the City.

3) Interest and other finance charges on bonds issued by the City to cover its portion of the cost.

4) Cost of the Impact Fee Analysis.

These items are summed and the utilized capacity is calculated over the impact fee period. The maximum allowable impact fee per service unit may not exceed fifty percent of the calculated maximum amount of the total utilized capital improvement cost divided by the total number of new standard service units. This maximum allowable impact fee recovers a portion of the City's costs for the construction of facilities to serve the new developments and support new growth. However, the City may recover the maximum fee by crediting the portion of utility service revenue generated by new service units during the 10-year program period.

Chapter 395 requires that an update of the land use assumptions, capital improvements plan, and impact fees be performed every five years, unless it is determined by the political subdivision after a review that such an update is not necessary.

This section of the report constitutes the City's 2023 water portion of the Capital Improvements Plan, and the maximum allowable impact fees. As required by state law, the study period is a ten-year period with 2023 as the base year. The engineering analysis of the water system is based on established land use in the year 2023, projected land use patterns through the year 2033, and on proposed infrastructure.

The engineering analysis portion of the City of Parker's 2023 Impact Fee determines utilized capacity cost of the water distribution system master plan between the years 2023 and 2033.

C. GLOSSARY

1. Advisory Committee means the capital improvements advisory committee established by the City for purposes of reviewing and making recommendations to the City Council on adoption and amendment of the City's impact fee program.

2. Area-related facility means a capital improvement or facility expansion which is designated in the impact fee capital improvements plan and which is not a site-related facility. Area-related facility may include a capital improvement which is located off-site, or within or on the perimeter of the development site.

3. Assessment means the determination of the amount of the maximum impact fee per service unit which can be imposed on new development.

4. Capital improvement means a water facility, wastewater facility or roadway with a life expectancy of three or more years, to be owned and operated by or on behalf of the City.

5. City means the City of Parker, Texas.

6. Credit means the amount of the reduction of an impact fee due, determined under this ordinance or pursuant to administrative guidelines that is equal to the value of area-related facilities provided by a property owner pursuant to the City's subdivision or zoning regulations or requirements, for the same type of facility.

7. Facility expansion means either a water facility expansion, sewer facility expansion or roadway expansion.

8. Final plat approval means the point at which the applicant has complied with all conditions of approval in accordance with the City's subdivision regulations, and the plat has been approved for filing with Collin County.

9. Impact fee means either a fee for water facilities, wastewater facilities or roadway facilities, imposed on new development by the City pursuant to Chapter 395 of the Texas Local Government Code in order to generate revenue to fund or recoup the costs of capital improvements or facility expansion necessitated by and attributable to such new development. Impact fees do not include the dedication of rights-of-way or easements for such facilities, or the construction of such improvements, imposed pursuant to the City's zoning or subdivision regulations.

10. Impact fee capital improvements plan means either a water capital improvements plan, wastewater capital improvements plan or roadway capital improvements plan, adopted or revised pursuant to the impact fee regulations.

11. Land use assumptions means the projections of population and growth, and associated changes in land uses, densities and intensities over at least a ten-year period, as adopted by the City and as may be amended from time to time, upon which the capital improvements plans are based.

12. Land use equivalency table means a table converting the demands for capital improvements generated by various land uses to numbers of service units, as may be amended from time to time.

13. New development means the subdivision of land; the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; or any use or extension of the use of land; any of which increases the number of service units.

14. Plat has the meaning given the term in the City's subdivision regulations. Plat includes replat.

15. Platting has the meaning given the term in the City's subdivision regulations. Platting includes replatting.

16. Property owner has the meaning given the term in the City's subdivision regulations. Property owner includes the developer for a new development.

17. Recoupment means the imposition of an impact fee to reimburse the City for capital improvements which the City had previously oversized to serve new development.

18. Service area means either a water service area or wastewater benefit area within the City, within which impact fees for capital improvements or facility expansion will be collected for new development occurring within such area, and within which fees so collected will be expended for those types of improvements or expansions identified in the type of capital improvements plan applicable to the service area. For roadways, it means a roadway service area within the city limits.

19. Service unit means the applicable standard units of measure shown on the land use equivalency table in the Impact Fees Capital Improvements Plan which can be converted to water meter equivalents, for water or for wastewater facilities, which serves as the standardized measure of consumption, use or generation attributable to the new unit of development. For roadway facilities, the service unit is converted vehicle miles.

20. Site-related facility means an improvement or facility which is for the primary use or benefit of a new development, and/or which is for the primary purpose of safe and adequate provision of water, wastewater or roadway facilities to serve the new development, and which is not included in the impact fees capital improvements plan and for which the property owner is solely responsible under subdivision or other applicable development regulations.

21. Utility connection means installation of a water meter for connecting a new development to the City's water system, or connection to the City's wastewater system.

22. Water facility means a water interceptor or main, pump station, storage tank or other facility included within and comprising an integral component of the City's water storage or distribution system. Water facility includes land, easements or structures associated with such facilities. Water facility excludes site-related facilities.

23. Water facility expansion means the expansion of the capacity of any existing water facility for the purpose of serving new development, but does not include the repair, maintenance, modernization, or expansion of an existing water improvement to serve existing development.

24. Water improvements plan means the adopted plan, as may be amended from time to time, which identifies the water facilities or water expansions and their associated costs which are necessitated by and which are attributable to new development, for a period not to exceed 10 years.

25. Water meter means a device for measuring the flow of water to a development, whether for domestic or for irrigation purposes.

D. LAND USE ASSUMPTIONS SUMMARY

Under Chapter 395, of the Local Government Code, "Land Use Assumptions" includes a description of service area and projected changes in land uses, densities, intensities, and population in the service area for a minimum of a 10-year period. In order to impose an impact fee, the City must adopt an order, ordinance, or resolution that establishes a public hearing date to consider the land use assumptions within the designated service area. After the public hearing on the land use assumptions, the City makes a determination of adoption or rejection of the ordinance, order or resolution approving the land use assumptions that will be utilized to develop the Capital Improvement Plan. For this analysis the existing land use plan was utilized as no changes in land use has been made by the city.

Table 1 provides a summary of the growth assumptions used for the water distribution system.

TABLE NO. 1
POPULATION GROWTH ASSUMPTIONS

	2023	2033	Buildout
Population Assumption	**5,884**	**8,710**	**12,000**
Percent of Buildout Population (%)	49%	73%	100%
2023 to 2033 Population Growth:		148%	

E. DEFINITION OF A WATER SERVICE UNIT

Chapter 395 of the Local Government Code requires that impact fees be based on a defined service unit. A "service unit" means a standardized measure of consumption, use generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards. The City of Parker has previously defined a water service unit to be a 1-inch water meter and has referred to these service units as Single Family Living Unit Equivalents (SFLUE). The service unit is based on the continuous duty capacity of a 1-inch water meter. This is the typical meter used for a single family detached dwelling within the City, and therefore is considered to be equivalent to one "living unit". Other meter sizes can be compared to the 1-inch meter through a ratio of water flows as published by the American Water Works Association and shown in Table No. 1 below. This same ratio is then used to determine the proportional water impact fee amount for each water meter size.

TABLE NO. 2
LIVING UNIT EQUIVALENCIES
FOR VARIOUS TYPES AND SIZES OF WATER METERS

Meter Type	Meter Size	Continuous Duty Maximum Rate [(a)]	Living Unit Per Meter Size
Simple	1"	25	1.0
Simple	2"	80	3.2
Compound	2"	80	3.2
Turbine	2"	100	4.0

[(a)] *Source: AWWA Standard C700 - C702*

F. CALCULATION OF WATER LIVING UNIT EQUIVALENTS 2023-2033

The City of Parker provided the existing water meter count by size category as of October 2023. In total, there are 2,100 water meters serving the existing population of 5,882 residents in the Water Service Area. Table No. 2 shows the number of existing meters, the living unit equivalent factor, and the total number of living unit equivalents (LUE's) for water accounts. As shown in Table No. 2, the new LUE's during the impact fee period total 1,136.

TABLE NO. 3
WATER LIVING UNIT EQUIVALENTS BY METER SIZE

	2023			2033				New
Meter Size	**Number of Water Meters**	**Living Unit Equivalent Ratio for 1" Used**	**Total Number of Living Units**	**Future Meter Size**	**Number of Water Meters**	**Living Unit Equivalent Ratio for 1" Used**	**Total Number of Living Units**	**Living Units During Impact Fee Period**
5/8" x 3/4"	197	1.0	197	1"	292	1.0	292	95
1"	1,820	1.0	1,820	1"	2,701	1.0	2,701	881
2"	83	4.0	332	2"	123	4.0	492	160
Totals	**2,100**		**2,349**		**3,116**		**3,485**	**1,136**

G. WATER DISTRIBUTION SYSTEM

Computer models for the years 2023 and 2033 were prepared based on the City's Water Distribution System Master Plan. The models were developed from residential population projections as shown in Table 1. The water distribution system include major distribution lines, pressure reducing valves, pump stations, elevated storage tanks and ground storage reservoirs.

All computer models were run for a 72-hour Extended Period Simulation to insure proper sizing of the facilities to meet peak demand periods.

G.1 Existing Pump Stations, Ground Storage Reservoirs & Elevated Storage Tanks

The existing water distribution system includes the facilities as shown in Table No. 4 and Table No. 5 below.

TABLE NO. 4
WATER DISTRIBUTION SYSTEM
EXISTING PUMP STATIONS & GROUND STORAGE

Pump Station	Number Of Pumps	Rated Capacity (MGD)	Number of Ground Storage Reservoirs	Total Ground Storage Available (MG))
East Side Pump Station	4	3.50	2	0.5
Total:	**4**	**3.50**	**2**	**0.5**

TABLE NO. 5
WATER DISTRIBUTION SYSTEM
EXISTING ELEVATED STORAGE

Pump Station	Capacity (MG)
City Hall Elevated Storage Tank	1.0
Total:	**1.0**

The pump stations and ground storage facilities were analyzed on the maximum daily demand, while elevated storage acts dynamically and therefore was analyzed utilizing the difference between the Maximum Hourly Demand and the Maximum Daily Demand.

G.2 Distribution Lines

The distribution lines consist of all lines within the service area planning boundary supplying water to customers in the City of Parker. Lines vary in size from 3/4-inch service lines to 18-inch transmission lines. Unless a smaller diameter water line is expected to be constructed by the City of Parker, only those proposed water lines 8-inches in diameter or larger were considered in the Impact Fee calculations. The cost of water lines includes construction cost, appurtenances (water valves, fire hydrants, taps, etc.), utility relocations, purchase of easements and engineering costs. Financing cost is included for each project assuming a bond rate of 5% over a 20-year term.

Unit cost for water lines 12-inches in diameter or larger, which are anticipated to be constructed by private development, include the City's oversize cost participation only. City initiated water lines include the full cost of the proposed facility. Developer initiated water line projects which are 8-inches or less in diameter are not included in this Impact Fee analysis, unless otherwise shown on the CIP map. The cost for these size lines are the responsibility of the developer.

H. CAPITAL IMPROVEMENT PLAN

H.1 Executive Summary

The City of Parker owns and operates their water distribution system comprised of pump stations, ground storage reservoirs, elevated storage tanks and pipeline infrastructure. This system is being improved and expanded to meet the needs of the water demands imposed by the current residents and future residents of Parker, Texas. A schedule for future improvements and investments in the water distribution system is known as the Capital Improvements Plan. Chapter 395 of the Texas Local Government Code requires the political subdivision create its Capital Improvement Plan to impose impact fees. The Capital Improvement Plan and its costs are required for the calculation of the water impact fee. Birkhoff, Hendricks, and Carter, with assistance of City staff, created the Capital Improvements Plan. Only projects from the Capital Improvement Plan that are required to provide capacity to serve growth during the impact fee (2023-2033) period can be included in the impact fee calculation.

H.2 Introduction

In accordance with Chapter 395 of the Texas Local Government Code, the City of Parker has retained Birkhoff, Hendricks & Carter, L.L.P. to establish the Capital Improvement Plan in conjunction with the Water Impact Fee Study. This section establishes the engineering basis for the capital projects and costs which are included in the water impact fee calculations.

The Capital Improvements Plan consists of the necessary water distribution system improvements to support the projected water demands placed on the distribution system due to future growth.

H.3 Facility Capacity Requirements

H.3.1 General

This section of the report discusses the capacity of those facilities that are required to be included in the Impact Fee Capital Improvements Plan and are also eligible in the calculation of the impact fee. The capacities evaluated are the existing available capacities and the increased capacities due to projected growth. These increased capacities serve the growth projected during the impact fee period.

H.3.2 Water Usage

The water distribution system must be improved in accordance with this Capital Improvement Plan in order to support the water demands imposed on the system by the projected growth the City is envisioning within the next 10-year period. The City's existing 2023 residential population is approximately 5,882 residents. In year 2033 the City projects the residential population to grow to approximately 8,710 residents. Based on a water demand study conducted for the City in August of 2023, the residential per capita water usage rate for maximum daily demand is 666 gallons per capita per day (gpcd). Table No. 6 illustrates the water demand rates used to calculate the water demands for the projected population.

TABLE NO. 6
2023 DESIGN WATER DEMAND RATES

Land Use	Maximum Daily Demand Rate	Maximum Hourly Demand Rate
Residential	666 g.p.c.d.	1,078 g.p.c.d.

g.p.c.d. – gallons per capita per day
g.p.a.d. – gallons per acre per day
residential peaking factor 1.62

Table No. 7 summarizes the calculated water demands for year 2023 and 2033, within the City's planning area.

TABLE NO. 7
WATER DEMANDS

Water Demand Capacities	Maximum Daily Demand (MGD)	Maximum Hourly Demand (MGD)
2023 Water Demands	3.92	6.34
2033 Water Demands	5.80	9.39
Additional Capacity Required:	**1.88**	**3.05**

H.3.3 Water Supply

The City currently receives treated water supply from the North Texas Municipal Water District (NTMWD) at the East Side Pump Station delivery point located at the southwest corner of the Parker Road and F.M. 1378 intersection. The East Side Pump Station delivery point has capacity to receive up to 3.50 MGD supply rate. It does not have enough capacity to support the additional supply required for the growth within the next ten year period. This site also does not have sufficient area for expansions. Based on the growth projections and the calculated water demands, a second delivery point for water supply will be needed to meet the new water demands. This new delivery point will be the Central Pump Station delivery point. The locations of the existing and proposed delivery points are shown on the Capital Improvement Plan Map included in this report. Table No. 8 summarizes the maximum day supply capacity requirements at each delivery point within the next ten-year impact fee period.

TABLE NO. 8
WATER SUPPLY

Water Supply Capacities	East Side Supply (MGD)	Central Supply (MGD)
2023 NTMWD Supply	3.50	0.00
2033 NTMWD Supply	3.50	2.30
Additional Supply Capacity Required:	**0.00**	**2.30**

H.3.4 Water Distribution System

The City's existing water distribution system can support the water demands applied to the system from the existing residential population. As the City grows within the next ten-year period, additional water distribution system facilities will need to be constructed to support water demand created from new growth. In addition to facilities, the water distribution system will require additional water lines.

The design of the proposed water distribution system is based on three separate demand conditions. The first condition is based on the maximum daily demand. This demand is the rate at which water is supplied and the rate which pump stations must be sized to deliver water to the system. The second condition is the maximum hourly demand rate on the day of maximum demand. Maximum hourly demand rate is used to size distribution lines and to determine the volume of elevated storage. The third condition used is the minimum hourly demand rate on the day of maximum demand. This rate is used to analyze the refill rates of elevated storage tanks. These three demand conditions were modeled over a three-day period with an Extended Period Simulation (EPS) in the hydraulic water model utilizing the InfoWater Pro water model software.

The existing and proposed distribution lines along with facilities are shown on the Capital Improvement Plan Map presented in this section of the Impact Fee Report. Table No. 9 summarizes the maximum hourly demands that the proposed distribution system will need to support.

TABLE NO. 9
WATER LINE DEMANDS

Waterline Capacities	Maximum Hourly Demand (MGD)
2023 Waterline Demands	6.34
2033 Waterline Demands	9.39
Addition Waterline Capacity Required:	**3.05**

H.3.5 High Service Pump Stations

The City can meet its pumping system demand requirements with the existing East Side Pump Station. This pump station has a firm pumping capacity of 3.50 MGD with the largest pump on standby to meet the Texas Commission on Environmental Quality (TCEQ) regulations. In order to meet the projected maximum daily demands, a second pump station with an initial firm capacity of 3.0 MGD will be required to be in service to meet the additional maximum daily demands. Table No. 10 summarizes the pump station capacities.

TABLE NO. 10
PUMP STATIONS

Pump Station Capacities	East Side Pump Station (MGD)	Central Pump Station (MGD)
2023 Pumping Capacity	3.50	0.00
2033 Pumping Capacity	0.00	3.0
Additional Pumping Capacity Required:	**0.00**	**3.0**

H.3.6 Ground Storage Reservoirs

Ground Storage within the system is necessary to provide a dependable supply and during periods of interruption in supply. The volume of ground storage was designed for a 6-hour drawdown for the maximum demand pumping. The East Side Pump Station currently has a 200,000-gallon and a 300,000-gallon ground storage reservoir. These two existing reservoirs serve the East Side delivery point and pump station. The new delivery point will require additional ground storage to meet TCEQ

regulations and to provide a dependable supply to the Central Pump Station. Table No. 11 illustrates the ground storage capacity requirements. The ground storage reservoir at the Central Pump Station will need to be constructed congruently with the proposed pump station.

TABLE NO. 11
GROUND STORAGE RESERVOIR REQUIREMENTS

Ground Storage Capacities	Ground Storage Added (MG)	Ground Storage Available (MG)
2023 Ground Storage Capacity	0.00	0.50
2033 Ground Storage Capacity	1.0	1.5
Reservoir Capacity Required:	**1.0**	**1.5**

H.3.7 Elevated Storage Tanks

Elevated storage within the system is required by TCEQ to maintain system pressure. In the Parker system, elevated storage is sized to meet the maximum hourly demands working in conjunction with the pump stations, while maintaining system pressures.

The City currently has one 1.0-MG elevated storage tank located on Parker Road, adjacent to City Hall, with a high water level at 800-ft above mean sea level (MSL). Table No. 12 summarizes the elevated storage requirements to meet maximum hourly demand rates within the 10-year study period.

TABLE NO. 12
ELEVATED STORAGE TANK REQUIREMENTS

Elevated Storage Capacities	Elevated Storage Added (MG)	Elevated Storage Available (MG)
2023 Elevated Storage Capacities	0.0	1.0
2033 Elevated Storage Capacities	1.0	2.0
Elevated Storage Capacity Required:	**1.0**	**2.0**

H.4 Facilities – Utilized Capacity

Utilized capacity for the water distribution system was calculated based on the demand required for each model year (2023, 2033 and Buildout). The models of the water distribution system are based on the 72-hour extended period simulation (EPS). Transmission and distribution facilities are sized based on either the maximum hour demand or the minimum hour demand, whichever demand is greater for a particular water line. Often times, the capacity of a water line is determined by the flows generated by the minimum hour demand. The minimum hour flows are usually higher in those lines which are used to refill elevated storage. Table No. 13 below shows the unit flow assumptions used for analysis of each element of the distribution system.

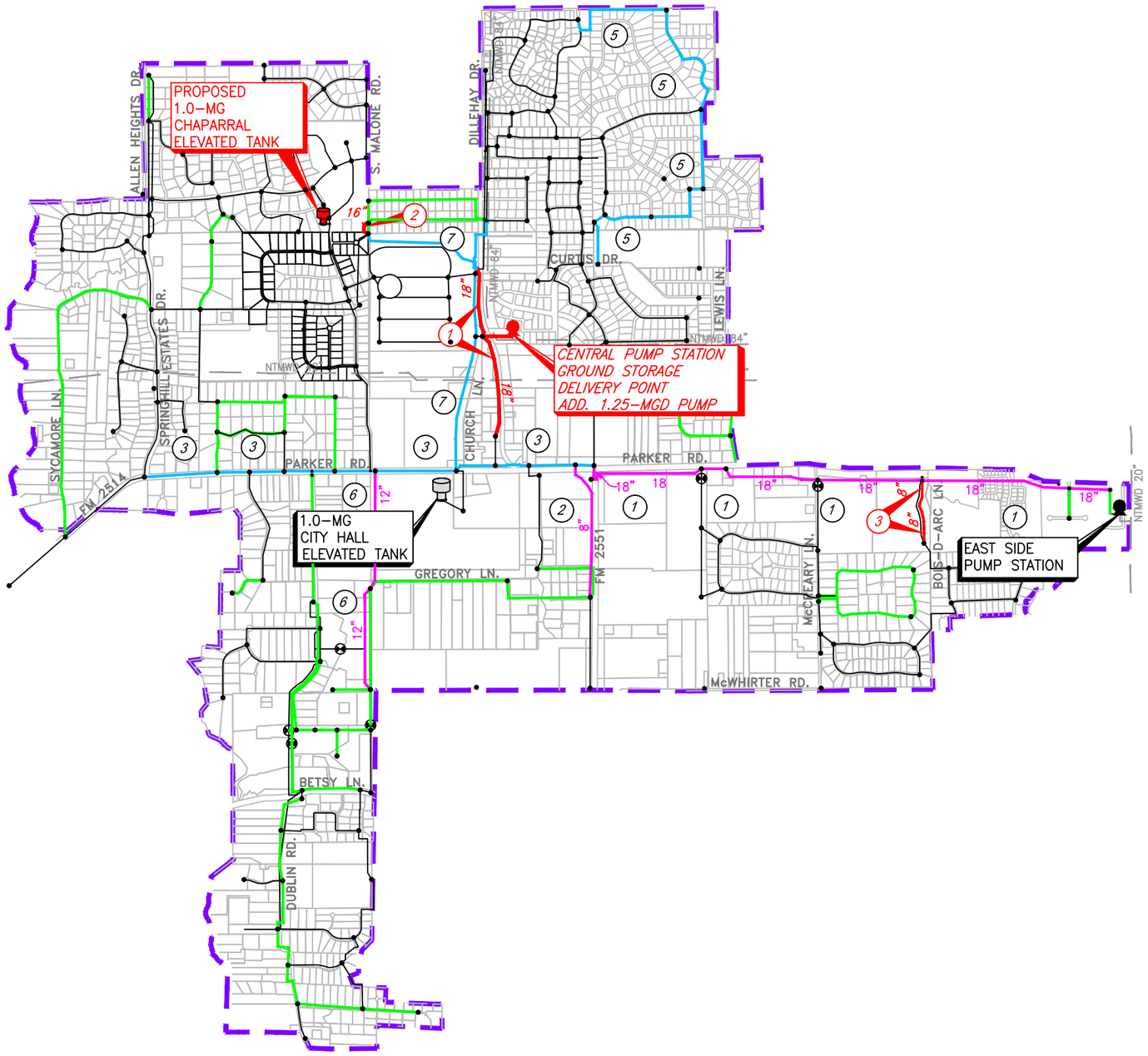
TABLE NO. 13
WATER DISTRIBUTION SYSTEM ANALYSIS
BASIS OF DEMAND CALCULATION

Type of Facilities	Demand Type	Impact Fee Per Capita Use
Pumping	Maximum Day	666 gallons/day
Distribution System	Maximum Hour	1,078 gallons/day
Ground Storage	Maximum Day x 6/24 Hours	
Elevated Storage	Maximum Hour - Maximum Day x 6/24 Hours	

For each line segment in the water distribution model, the build-out flow rate in any given line was compared to the flow rate in the same line for the 2023 and the 2033 models. The utilized capacity was then calculated for each year based on the build-out being 100% capacity. The utilized capacity during the Impact Fee period is the difference between the year 2023 percent utilized and the year 2033 percent utilized. The utilized capacity for each water distribution facility, both existing and proposed, is presented in the Impact Fee Capacity Calculation Tables provided in Appendix A. Table No. 14 summarizes the project cost and utilized cost over the impact fee period of 2023 - 2033 for each element of the Water Distribution System.

PARKER

WATER DISTRIBUTION SYSTEM 2023-2033 WATER IMPACT FEE CAPITAL IMPROVEMENT PLAN AND RECOVERY WATERLINE MAP



LEGEND

- PLANNING AREA BOUNDARY
- EXISTING WATER LINE (NO IMPACT FEE)
- EXISTING WATER LINE (IMPACT FEE)
- PROPOSED WATER LINE (IMPACT FEE)
- CITY PARTICIPATED IN OVERSIZE COST (IMPACT FEE)
- CITY PURCHASED FROM PECAN ORCHARD (IMPACT FEE)
- EXISTING NTMWD SUPPLY LINE
- EXISTING PUMP STATION
- PROPOSED PUMP STATION
- EXISTING ELEVATED STORAGE TANK
- EXISTING PRESSURE REDUCING VALVE
- PROPOSED PRESSURE REDUCING VALVE
- (1) EXISTING WATER LINE (IMPACT FEE)
- (1) PROPOSED WATER LINE PROJECTS

N

0 1500 3000 4500

HORIZONTAL SCALE IN FEET

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

OCTOBER, 2023

H.6 Capital Improvement Plan Cost

In order to meet the demands of the anticipated growth over the next 10-years, certain water distribution system improvements are required. These recommended improvements form the basis for the Water Distribution System Impact Fee Calculation and totals $13,916,225. Adding the cost of financing brings the total 10-year Water Distribution System Capital Improvement cost to $22,321,381. Table No. 16 represents a summary of the existing and proposed facilities capital costs within the planning period.

The existing facilities that were determined to be impact fee eligible due to available capacity that can be utilized to support growth were included in the impact fee calculations. The actual cost of construction for these facilities were used in the calculations when known. Existing eligible infrastructure without available project costs were estimated based on average unit cost.

The average unit cost for the proposed capital improvement projects and the existing facilities was derived from a limited survey of projects, which bid recently, plus an estimated cost for engineering, easements and debt service. The cost and the utilized capacity of the proposed water lines, pump stations, ground storage reservoirs elevated storage tanks and existing facility proposed improvements during the impact fee period are included in Table No. 15.

TABLE No. 14
CITY OF PARKER, TEXAS
2023 IMPACT FEE
WATER DISTRIBUTION SYSTEM
10-YEAR CAPITAL IMPROVEMENT PLAN

PROPOSED WATER LINES

Project No. (3)	Project	Size	Opinion of Project Cost (1)	Debt Service (2)	Total Project Cost
1	Dillehay Drive 18-Inch Water Line	18"	$ 1,546,875	$ 935,630	$ 2,482,505
2	Chaparral Elevated Storage Tank 16-Inch Water Line	16"	$ 96,250	$ 58,217	$ 154,467
3	Bois-D-Arc Lane 8-Inch Water Line	8"	$ 317,300	$ 191,919	$ 509,219
Subtotal: Proposed Water Lines			**$ 1,960,425**	**$ 1,185,766**	**$ 3,146,191**

SUPPLY, PUMPING, STORAGE FACILITIES AND FACILITY IMPROVEMENTS

Project No. (4)	Project	Capacity	Opinion of Project Cost (1)	Debt Service (2)	Total Project Cost
4	Central Pump Station - 1.75 MGD P.S.	1.75 MGD	$ 4,391,800	$ 2,656,388	$ 7,048,188
5	Central Pump Station - 1.0 MG G.S.R.	0.75 MG	$ 1,160,000	$ 701,628	$ 1,861,628
6	NTMWD Delivery Point No. 2	5 MGD	$ 1,320,000	$ 798,404	$ 2,118,404
7	Chaparral 1.0-MG Elevated Storage Tank	1 MG	$ 4,920,000	$ 2,975,871	$ 7,895,871
8	Additional 1.25-MGD Pump at Central Pump Station		$ 144,000	$ 87,099	$ 231,099
Subtotal, Supply, Pumping and Storage Facilities:			**$ 11,935,800**	**$ 7,219,390**	**$ 19,155,190**

PLANNING EXPENSES

Project No.	Project	Opinion of Cost (1)(b)	Debt Service (2)	Total Project Cost
	Water Impact Fee	$ 20,000	$ -	$ 20,000
Subtotal, Planning Expenses:		**$ 20,000**	**$ -**	**$ 20,000**
Water Distribution System CIP Grand Total:		**$ 13,916,225**	**$ 8,405,156**	**$ 22,321,381**

Notes:

(1) Opinion of Project Cost includes:

a) Engineer's Opinion of Construction Cost

b) Professional Services Fees (Survey, Engineering, Testing, Legal)

c) Cost of Easement or Land Acquisitions

(2) Debt Service based on 20-year simple interest bonds at 5%

H.7 Utilized Capacity Costs

TABLE NO. 15
SUMMARY OF ELIGIBLE CAPITAL COST & UTILIZED CAPACITY COST

Water System	Total Capital Cost ($)	Total 20-Year Project Cost ($)	Utilized Capacity During Fee Period ($)
Existing Water Lines	$ 2,259,443	$ 3,580,694	$ 287,912
Existing Water Facilities	$ 3,494,971	$ 5,511,919	$ 1,322,514
Existing Water System Subtotal:	**$ 5,754,414**	**$ 9,092,613**	**$ 1,610,426**
Proposed Water Lines	$ 1,960,425	$ 3,146,191	$ 1,842,802
Proposed Water Facilities	$ 11,935,800	$ 19,155,189	$ 15,314,320
Impact Fee Expenses	$ 20,000	$ 20,000	$ 20,000
Proposed Water System Subtotal:	**$ 13,916,225**	**$ 22,321,380**	**$ 17,177,122**
TOTAL:	**$ 19,670,639**	**$ 31,413,993**	**$ 18,787,548**

I. CALCULATION OF MAXIMUM WATER IMPACT FEES

The maximum impact fees for the water distribution system is calculated by dividing the cost of the capital improvements or facility expansions necessitated and attributable to new development in the service area within the 10-year period by the number of living units anticipated to be added to the City within the 10-year period as shown on Table No. 16. The calculations are shown below.

TABLE NO. 16
MAXIMUM ALLOWABLE WATER IMPACT FEE

Maximum Water Impact Fee	=	Eligible Existing Utilized Cost	+	Eligible Proposed Utilized Cost		
		Number of New Living Unit Equivalent over the Next 10 Years				
	=	$1,610,426	+	$17,177,122		$18,787,548
		1,136				1,136
Maximum Impact Fee	=	**$16,538.33**				
Allowable Maximum Water Impact Fee: (Max Impact Fee x 50%)*	=					**$8,269.17**

** Maximum allowable impact fee is 50% of the maximum calculated impact fee per Chapter 395 LGC*

Based on the Maximum Impact Fee Calculation for Water, Table No. 17 calculates the maximum impact fee for the various sizes of water meters.

TABLE NO. 17
ALLOWABLE MAXIMUM FEE PER LIVING UNIT EQUIVALENT AND PER METER SIZE AND TYPE

50% Max . Water Impact fee /LUE ..... $ 8,269.17

Typical Land Use	Meter Type	Meter Size	LUE	Maximum Water Impact Fee
Single Family Residential	Simple	1"	1	$ 8,269.17
Single Family Residential	Simple	2"	4	$ 33,076.67

APPENDIX
WATER IMPACT FEE UTILIZED CAPACITY TABLES

TABLE NO. 19
CITY OF PARKER, TEXAS
2023 WATER SYSTEM IMPACT FEE STUDY
EXISTING WATER LINES

Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Construction Cost ($)	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
								2023	2033	During Fee Period	2023	2033	During Fee Period
1 - Parker Road 12 & 18-Inch Water Line (East Side P.S. to F.M. 2551)													
P-1078	358	12	0	$61.79	$22,119	$13,379	$35,498	68%	72%	4%	$24,139	$25,559	$1,420
P-1084	2,615	12	0	$61.79	$161,569	$97,726	$259,295	68%	72%	4%	$176,321	$186,692	$10,372
P-1271	7,903	18	0	$61.79	$488,292	$295,344	$783,636	100%	100%	0%	$783,636	$783,636	$0
P-1289	2,072	18	0	$61.79	$128,020	$77,433	$205,453	100%	100%	0%	$205,453	$205,453	$0
Subtotal:	**12,948**				**$800,000**	**$483,881**	**$1,283,881**				**$1,189,549**	**$1,201,340**	**$11,792**
2 - F.M. 2551 8-Inch Water Line													
P-1035	3,315	8	0	$77.08	$255,515	$154,549	$410,063	79%	85%	6%	$323,950	$348,554	$24,604
Subtotal:	**3,315**				**$255,515**	**$154,549**	**$410,063**				**$323,950**	**$348,554**	**$24,604**
3 - Parker Road 12-Inch Water Line (F.M. 2551 to Springhill Estates Drive)													
P-1068	1,989	12	0	$30.00	$59,670	$36,092	$95,762	100%	100%	0%	$95,762	$95,762	$0
P-1069	585	12	0	$30.00	$17,550	$10,615	$28,165	100%	100%	0%	$28,165	$28,165	$0
P-1070	1,008	12	0	$30.00	$30,240	$18,291	$48,531	100%	100%	0%	$48,531	$48,531	$0
P-1071	560	12	0	$30.00	$16,800	$10,162	$26,962	100%	100%	0%	$26,962	$26,962	$0
P-1072	645	12	0	$30.00	$19,350	$11,704	$31,054	100%	100%	0%	$31,054	$31,054	$0
P-1073	1,009	12	0	$30.00	$30,270	$18,309	$48,579	100%	100%	0%	$48,579	$48,579	$0
P-1074	944	12	0	$30.00	$28,320	$17,129	$45,449	96%	100%	4%	$43,631	$45,449	$1,818
P-1075	812	12	0	$30.00	$24,360	$14,734	$39,094	100%	100%	0%	$39,094	$39,094	$0
P-1076	953	12	0	$30.00	$28,590	$17,293	$45,883	100%	100%	0%	$45,883	$45,883	$0
P-1077	596	12	0	$30.00	$17,880	$10,815	$28,695	100%	100%	0%	$28,695	$28,695	$0
P-1178	1,927	12	0	$30.00	$57,810	$34,966	$92,776	77%	94%	17%	$71,438	$87,210	$15,772
Subtotal:	**11,028**				**$330,840**	**$200,109**	**$530,949**				**$507,794**	**$525,384**	**$17,590**
4 - Chaparral Elevated Storage Tank 16-Inch Water Line													
P-1260	2,956	16	0	$33.83	$100,000	$60,485	$160,485	7%	71%	64%	$11,234	$113,944	$102,711
Subtotal:	**2,956**				**$100,000**	**$60,485**	**$160,485**				**$11,234**	**$113,944**	**$102,711**
5 - Muddy Creek 12-Inch Water Line													
P-1169	2,780	12	0	$30.00	$83,400	$50,445	$133,845	100%	100%	0%	$133,845	$133,845	$0
P-1170	3,035	12	0	$30.00	$91,050	$55,072	$146,122	35%	39%	4%	$51,143	$56,987	$5,845
P-1171	1,890	12	0	$30.00	$56,700	$34,295	$90,995	100%	100%	0%	$90,995	$90,995	$0
P-1176	325	12	0	$30.00	$9,750	$5,897	$15,647	100%	100%	0%	$15,647	$15,647	$0
P-1280	1,570	12	0	$30.00	$47,100	$28,489	$75,589	70%	70%	0%	$52,912	$52,912	$0
P-1317	3,350	12	0	$30.00	$100,500	$60,788	$161,288	100%	100%	0%	$161,288	$161,288	$0
P-1319	320	12	0	$30.00	$9,600	$5,807	$15,407	100%	100%	0%	$15,407	$15,407	$0
P-1321	990	12	0	$30.00	$29,700	$17,964	$47,664	54%	54%	0%	$25,739	$25,739	$0
Subtotal:	**14,260**				**$427,800**	**$258,756**	**$686,556**				**$546,976**	**$552,820**	**$5,845**

TABLE NO. 19
CITY OF PARKER, TEXAS
2023 WATER SYSTEM IMPACT FEE STUDY
EXISTING WATER LINES

Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Construction Cost ($)	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
								2023	2033	During Fee Period	2023	2033	During Fee Period
6 - 2009 12-Inch Water Line Phase-2													
P-1181	2,419	12	2009	$50.43	$121,996	$73,789	$195,785	52%	81%	29%	$101,808	$158,586	$56,778
P-1254	2,940	12		$50.43	$148,271	$89,682	$237,953	72%	100%	28%	$171,326	$237,953	$66,627
Subtotal:	**5,359**				**$270,267**	**$163,471**	**$433,738**				**$273,134**	**$396,539**	**$123,405**
7 - Church Road Waterline													
P-1080	3,124	12	2002	$15.72	$49,113	$0	$49,113	96%	100%	4%	$47,148	$49,113	$1,965
P-1220	1,648	12		$15.72	$25,908	$0	$25,908	100%	100%	0%	$25,908	$25,908	$0
Subtotal:	**4,772**				**$75,021**	**$0**	**$75,021**				**$73,056**	**$75,021**	**$1,965**
Total:	**54,638**				**$2,259,443**	**$1,321,251**	**$3,580,694**				**$2,925,693**	**$3,213,602**	**$287,912**

TABLE NO. 20
CITY OF PARKER, TEXAS
2023 WATER DISTRIBUTION IMPACT FEE STUDY
EXISTING WATER SUPPLY, PUMPING AND STORAGE FACILITIES

Pump Station Improvements	Year Const.	Capacity	Units	Pump Station Cost ($)					Capacity Utilized (%)			Capacity Utilized ($)		
				Construction Cost ($)	Engineering, Testing and Property Acquisition	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Yr. Project Cost ($)	2023	2033	In The CRF Period	2023	2033	In The CRF Period
Existing Pump Stations, Ground Storage, and Elevated Storage Facilities														
Facilities & Water Line Purchase From Pecan Orchard	1988	-----	-----	$196,000	$0	Special	$21,560	$217,560	68%	72%	4%	$147,941	$156,643	$8,702
East Side Pump Station Improvements	2003	3.60	MGD	$396,700	$79,340	5%	$287,934	$763,974	100%	100%	0%	$763,974	$763,974	$0
City Hall Elevated Storage Tank	2011	1.0	MG	$2,352,442	$470,488	5%	$1,707,455	$4,530,385	61%	90%	29%	$2,763,535	$4,077,347	$1,313,812
Existing Facilities Total:				**$2,945,142**	**$549,828**		**$2,016,948**	**$5,511,919**				**$3,675,449**	**$4,997,964**	**$1,322,514**

TABLE NO. 21
CITY OF PARKER, TEXAS
2023 WATER SYSTEM IMPACT FEE STUDY
PROPOSED WATER LINES

** * Average Unit costs are based in 2023 dollars unless otherwise indicated and includes 20% for engineering and easem*

	Pipe Number	Length (Ft.)	Diameter (Inches)	Avg. Unit Cost ($/Ft.)	Construction Cost ($)	20 Year Debt Service @ 5% Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2023	(%) Utilized Capacity 2033	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2023	($) Utilized Capacity 2023	($) Utilized Capacity During Fee Period
1 - Dillehay Drive 18-Inch Water Line													
This project begins at the proposed Central Pump Station and bears north and south. The northern segment terminates near Kara Lane approximantly 1,500 feet south of Chapparral while the southern segment continues to just south of Lindsey Lane approximantly 2,000 feet north of Parker Road.													
2	P-1252	2,490	18"	$375.00	$933,750	$564,780	$1,498,530	0.0%	91.0%	91.0%	$0	$1,363,663	$1,363,663
2	P-1253	1,635	18"	$375.00	$613,125	$370,850	$983,975	0.0%	24.0%	24.0%	$0	$236,154	$236,154
	Subtotal:	**4,125**			**$1,546,875**	**$935,630**	**$2,482,505**				**$0**	**$1,599,817**	**$1,599,817**
2 - Chaparral Elevated Storage Tank 16-Inch Water Line													
This water line begins at the proposed Chaparral Elevated Storage Tank and continues northerly connecting to the existing 16-inch water line at the intersection of Malone Drive and Nestledown Road.													
2	P-1191	385	16"	$250.00	$96,250	$58,217	$154,467	0.0%	65.0%	65.0%	$0	$100,404	$100,404
	Subtotal:	**385**			**$96,250**	**$58,217**	**$154,467**				**$0**	**$100,404**	**$100,404**
3 - Bois-D-Arc Lane 8-Inch Water Line													
The water line begins at a point for connection to the existing 18-inch Parker Road Water Line and continues southerly connecting to the existing 8-inch water line south of Bois-D-Arc Lane.													
2	P-1157	1,670	8"	$190.00	$317,300	$191,919	$509,219	0.0%	28.0%	28.0%	$0	$142,581	$142,581
	Subtotal:	**1,670**			**$317,300**	**$191,919**	**$509,219**				**$0**	**$142,581**	**$142,581**
	CIP Total:	**6,180**			**$1,960,425**	**$1,185,766**	**$3,146,191**				**$0**	**$1,842,802**	**$1,842,802**

1 - City Participate in Cost Oversize

2 - City Initiated & Funded

TABLE NO. 22
CITY OF PARKER, TEXAS
2023 WATER DISTRIBUTION IMPACT FEE STUDY
PROPOSED WATER FACILITIES

	Facility Improvements	Projected Capacity	Units	Water Facilities Cost ($)					Capacity Utilized (%)			Capacity Utilized ($)		
				Capital Cost ($)	Engineering, Testing and Property Acquisition 20% ($)	Opinion of Project Total Cost ($)	20 Year Debt Service Utilizing 5% Simple Interest ($)	Total 20 Yr. Project Cost ($)	2023	2033	In The CRF Period	2023	2033	In The CRF Period
	Proposed Pump Stations, Ground Storage, and Elevated Storage Facilities													
8.	Central Pump Station - 1.75 MGD P.S.	1.75	MGD	$4,391,800	$0	$4,391,800	$2,656,388	$7,048,188	0.0%	73.0%	73.0%	$0	$5,145,177	$5,145,177
9.	Central Pump Station - 1.0 MG G.S.R.	0.75	MG	$1,160,000	$0	$1,160,000	$701,628	$1,861,628	0.0%	73.0%	73.0%	$0	$1,358,988	$1,358,988
10.	NTMWD Delivery Point No. 2	5.0	MGD	$1,100,000	$220,000	$1,320,000	$798,404	$2,118,404	0.0%	73.0%	73.0%	$0	$1,546,435	$1,546,435
11.	Chaparral 1.0-MG Elevated Storage Tank	1.0	MG	$4,100,000	$820,000	$4,920,000	$2,975,871	$7,895,871	0.0%	89.8%	89.8%	$0	$7,086,544	$7,086,544
12.	Additional 1.25-MGD Pump at Central Pump Station	1.25	MGD	$120,000	$24,000	$144,000	$87,099	$231,099	0.0%	76.7%	76.7%	$0	$177,176	$177,176
	Proposed Facility Total:			**$10,871,800**	**$1,064,000**	**$11,935,800**	**$7,219,389**	**$19,155,189**					**$15,314,320**	**$15,314,320**

2023 - 2033
WATER IMPACT FEE STUDY

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFFESIONAL ENGINEERS
DALLAS, TEXAS
(214) 361-7900

October 2023

Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	Public Works/Finance
Fund Balance-before expenditure:		Prepared by:	Finance/HR Manager Savage
Estimated Cost:		Date Prepared:	November 2, 2023
Exhibits:	**Proposed Ordinance**		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 858 AUTHORIZING EXPENDITURES AND APPROVING AMENDMENT(S) TO THE FY 2023-2024 OPERATING BUDGET.

SUMMARY

The purpose of this agenda item is to reappropriate unspent funds from the FY 2022-2023 budget to the FY 2023-2024 budget in the amount of $6,000. These funds will be used to purchase a vehicle mounted sand spreader in the Public Works department that was approved as a supplemental in the FY 2022-2023 budget.

Fund	Account	Description	Budget	Budget Amendment	Revised Budget	Reason
General	01-310-8904	Machines/Tools	0	6,000	6,000	PW Sand Spreader

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	Grant Savage	Date:	11/2/2023
City Attorney:	Amy J. Stanphill	Date:	11/XX/2023 via Municode
Acting City Administrator:	Luke B. Olson	Date:	11/XX/2023

ORDINANCE NO. 858
{Amending FY 2023-2024 Budget}

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS, AMENDING THE BUDGET PREVIOUSLY APPROVED AND ADOPTED FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; PROVIDING FOR A REPEALER; PROVIDING AN EFFECTIVE DATE; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, on September 19, 2023, the City Council of the City of Parker, Texas adopted and approved a budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024 ("FY 2023-2024 Budget"); and

WHEREAS, the City Council finds that it is in the public interest to amend the FY 2023-2024 Budget as set forth herein;

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

SECTION 1. The budget shall be amended by appropriating $6,000 from the General Fund Balance.

SECTION 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. That this Ordinance becomes effective immediately upon its passage.

SECTION 4. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

APPROVED AND ADOPTED on this the ___14th_ day of _____November_____, 2023.

CITY OF PARKER, TEXAS

BY: _____
LEE PETTLE, MAYOR

Proposed

ATTEST:

BY: _____
PATTI SCOTT GREY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
AMY J. STANPHILL, CITY ATTORNEY

Proposed

Council Agenda Item

Budget Account Code:	Meeting Date:	See above.
Budgeted Amount:	Department/ Requestor:	Council
Fund Balance-before expenditure:	Prepared by:	City Secretary Scott Grey for City Administrator Olson
Estimated Cost:	Date Prepared:	November 6, 2023
Exhibits:	**None**	

AGENDA SUBJECT

UPDATE(S):

2551
ENTERPRISE UPDATE BY CITY ADMINISTRATOR OLSON
NEWSLETTER
WEBSITE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)
CIP
COMP PLAN
POLICE VEHICLES
ANY ADDITIONAL UPDATES
MONTHLY/QUARTERLY REPORTS
- September 2023 - Code Report
- October 2023 - Building Permit/Code Report
- October 2023 – Court Report
- August – September 2023 – Finance (monthly financials) Report
- Fire 3rd Qtr. Report 2023
- Investment 3rd Qtr. Report 2023
- September - October 2023 – Police Report
  - September 2023 Police Report
  - October 2023 Police Report

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:	11/09/2023
City Attorney:	Amy J. Stanphill	Date:	11/xx/2023 via Municode
City Administrator:	Luke B. Olson	Date:	11/xx/2023

Council Agenda Item

Budget Account Code:	Meeting Date:	See above.
Budgeted Amount:	Department/ Requestor:	Council
Fund Balance-before expenditure:	Prepared by:	City Secretary Scott Grey for City Administrator Olson
Estimated Cost:	Date Prepared:	November 6, 2023
Exhibits:	**None**	

AGENDA SUBJECT

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

Kristl Pearl from Dublin Road Estates' National Night Out (NNO) event donated $154 and $130 cash respectively to Parker Fire and Police Departments [2 of 2 Donations – Note: Kristl Pearl from Dublin Road Estates' National Night Out (NNO) event donated $100 each via Phil & JoAnn DeNitto checks 10348 & 10349 to Parker Fire and Police Departments.{1 of 2 Donations - Recorded on 2023 1017 CC Agenda/Minutes}].

E.B.A. Automotive 5843 Curtis Dr. Suite 500 Allen, TX 75002 donated donuts valued at $10 to the City of Parker.

Chip and Linda Justice donated Tiff's Treats valued at $100 to the Parker Police Department.

Elvis and Linda Nelson donated $500 to the Parker Fire Department in recognition of their efforts to save Elvis' life in January 2022 and their property in February 2023.

Kathy Young donated homemade banana nut bread valued at $10 to the Parker Police Department.

The Regh's donated Nothing Bundt Cakes valued at 30.00 to the Parker Police Department.

Scott Jeffries and Andrea Petro donated $500 each to the Parker Fire and Police Departments.

First United, Durant, OK donated $500 via Check No. 229278 to City of Parker, TX Parkerfest.

Maryam Boroujerdi and Mohammad Massoudi donated one (1) Dozen Bundtinis valued at $28 to City Staff.

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:	11/09/2023

City Attorney:	*Amy J. Stanphill*	Date:	11/xx/2023 via Municode
City Administrator:	*Luke B. Olson*	Date:	11/xx /2023

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:	November 6, 2023
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:	11/09/2023
City Attorney:	Amy J. Stanphill	Date:	11/xx/2023 via Municode
City Administrator:	Luke B. Olson	Date:	11/xx/2023

FUTURE AGENDA ITEMS

	ITEM DESCRIPTION	CONTACT	Notes
2023			
~~Feb(Mar), May (July), Aug, Nov~~	Fire Department Quarterly Report	Sheff/Miller	3rd Qtr 2023 1114 CC Agenda
~~Feb(Mar), May (July), Aug, Nov~~	Investment Quarterly Report	Savage	3rd Qtr 2023 1114 CC Agenda
~~Feb(Mar), May (July),~~ Aug, Nov	Enterprise Update		2023 1101 - Request for Quarterly Update; 2023 1114
	Council Committee Updates	Council	
	Public Safety Committee (MLP, MPTMS, & CMDA)	Council	2022 1115 and 2022 1206; Postponed 2023 0718
	Website Dev. Subcommittee (CMCM, CMTL, & MLP)	Council	2022 1115, 2022 1209, & 2023 0912; 2023 1016
Tentatively - Dec. 5, 2023	Parkerfest Donations List	Mayor	Added 2023 1108
Tentatively - Dec. 5, 2023	Subdivision Regs	Mayor	Added 2023 0809; 2023 0830
Tentatively - Dec. 5, 2023	Water Impact Fee Capital Improvement Advisory Committee Meeting		2023 1019 CIAC; CC Set P.H. 2023 1205; 2023 1219 P.H. & Item
Tentatively -Dec. 5, 2023	Newsletter - update resolution??		
Tentatively -Dec. 5, 2023	Enterprise Fleet Management Update		
Tentatively -Dec. 5, 2023	CIP discusses/actions	Mayor	
Tentatively -Dec. 5, 2023	Parker Ranch Phas 5		
Tentatively -Dec. 5, 2023	Boards & Commissions - Attendance Policy Review	Mayor	2023 0725; Added at 2022 1115 CC Meeting
Tentatively Dec. 7, 2023	Joint CC/P&Z Comprehensive Plan Mtg		2023 1024 Canceled, due to lack of P&Z
Tentatively - 2023	Planning Session	Mayor	Rescheduled
Tentatively - 2023	Public Safety Appt.	Mayor	2023 0613 - CA AS - Waiting on Ord. Amendment
Tentatively - 2023	Goal Setting Council Workshop	Mayor	2023 0503
Tentatively - 2023	Review Franchise Agreements	Mayor	Added 2023 0621
Tentatively - 2023	Agenda Submiss Process	Mayor	Added 2023 0809
Tentatively - 2023	Presentation Submiss Process	Mayor	Added 2023 0809 - Make sure 9/5 takes care of everything
Tentatively - 2023	Required Elected Oficials Training	Mayor	Added 2023 0809
Tentatively - 2023	Water Impact		
Tentatively - 2023	Water Master Plan	Mayor	Added 2023 0809
Tentatively - 2023	Oncor & Frontier Franchise (All?) - Review Ongoing	Savage	2021 0615 added - When due