



## AGENDA

### HOME RULE CHARTER COMMISSION MEETING

**FEBRUARY 5, 2018 @ 7:00 P.M.**

Notice is hereby given the Home Rule Charter Commission (HRCC) for the City of Parker will meet in a Regular Meeting on Monday, February 5, 2018 at 7:00 P.M. at the Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002.

#### **CALL TO ORDER – Roll Call and Determination of a Quorum**

#### **PLEDGE OF ALLEGIANCE**

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

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

#### **INDIVIDUAL CONSIDERATION ITEMS**

1. APPROVAL OF MEETING MINUTES FOR DECEMBER 12, 2017. [SCOTT GREY]
2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON APPOINTING A SECRETARY FOR THE HOME RULE CHARTER COMMISSION (HRCC). [LEVINE]
3. WORK SESSION

#### **ROUTINE ITEMS**

4. ADJOURN

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

I certify that this Notice of Meeting was posted on or before February 2, 2018 by 5:00 p.m. at the Parker City Hall, and as a courtesy, this Agenda is also posted to the City of Parker Website at [www.parkertexas.us](http://www.parkertexas.us).

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Date Notice Removed

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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.

Reminder .

Please remember

to push your

microphone button

when speaking

Thanks!



## Home Rule Charter Commission (HRCC) Agenda Item

Item 1  
C/Sec Use Only

Budget Account Code:	Meeting Date: February 5, 2018
Budgeted Amount:	Department/ Requestor: City Secretary
Fund Balance-before expenditure:	Prepared by: City Secretary Scott Grey
Estimated Cost:	Date Prepared: January 23, 2018
Exhibits:	Proposed Minutes

### AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR DECEMBER 12, 2017. [SCOTT GREY]

### SUMMARY

Please review the attached minutes. If you have any questions, comments, and/or corrections, please contact the City Secretary at [PGrey@parkertexas.us](mailto:PGrey@parkertexas.us) prior to the Home Rule Charter Commission (HRCC) meeting.

### POSSIBLE ACTION

HRCC may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	02/01/2018
City Attorney:		Date:	
City Administrator:	<i>Jeff Flanigan</i>	Date:	02/02/2018

MINUTES

**HOME RULE CHARTER COMMISSION (HRCC) MEETING**

December 12, 2017

**CALL TO ORDER – Roll Call and Determination of a Quorum**

The Home Rule Charter Commission (HRCC) met on the above date. Chairperson Levine called the meeting to order at 7:00 p.m. and noted there was a quorum.

Home Rule Charter Commission Present:

- ✓ Chairperson – Office of Mayor Pro-tem  
*Scott Levine*
- ✓ Office of Mayor  
*Z Marshall*
- ✓ Diana Abraham
- ✓ Billy Barron
- ✓ Roxanne Bogdan
- ✓ Joe Cordina
- ✓ Terry Lynch
- ✓ Andy Redmond
- ✓ Edwin Smith

Staff/Others Present:

- X Office of City Administrator  
*Jeff Flanagan*

Others

- ✓ City Attorney Brandon S. Shelby
- ✓ Police Chief Richard D. Brooks
- ✓ Councilmember Cindy Meyer
- ✓ Councilmember Lee Pettle
- ✓ Councilmember Cleburne Raney
- ✓ Councilmember Ed Standridge

Chairperson Levine asked the commissioners to introduce themselves and give everyone a brief review of their background or experience.

## **PLEDGE OF ALLEGIANCE**

AMERICAN PLEDGE: HRCC Commissioner Joe Cordina led the pledge.

TEXAS PLEDGE: Roxanne Bogdan led the pledge.

## **INDIVIDUAL CONSIDERATION ITEMS**

1. ADMINISTER OATH OF OFFICE TO NEWLY APPOINTED HOME RULE CHARTER COMMISSION (HRCC) MEMBERS SCOTT LEVINE, BILLY BARRON, JOE CORDINA, ANDY REDMOND, DIANA ABRAHAM, TERRY LYNCH, ROXANNE BOGDAN, AND EDWIN SMITH. [MARSHALL]

It was determined Roxanne Bogdan was the only commissioner that did not have an opportunity to take her Oath of Office, as a newly appointed HRCC member, prior to the meeting.

HRCC Member Z Marshall (Mayor) administered the Oath of Office to Roxanne Bogdan and the Mayor and Ms. Bogdan took their seats at the bench with the others.

## **HOUSEKEEPING ITEMS**

Chairperson Levine reviewed a few housekeeping items that needed to be addressed, documentation [Statement of Appointed Officer and the State of Texas Oath of Office], which has been taken care of; training [Open Meeting Act Training and Public Information Act Training], which it appears most commissioners have taken care of online and the City Attorney will review; and finally, reading of an emailed letter from Mary Anne Seale, 4209 East Parker Road. Mr. Levine read the letter and asked that it be entered into the record. [See Exhibit 1 - Mary Anne Seale's December 12, 2017, 9:48 a.m. email, regarding Home Rule Committee.] Mr. Levine noted Ms. Seale was invited to be an HRCC member, but declined due to upcoming commitments and availability issues. He commended Mayor Marshall for gathering a great group of individuals to serve on this commission, representing the entirety of the city with various backgrounds.

[See Exhibit 2 - Patti Cordina's December 12, 2017, 2:31:27 p.m. email, regarding Home Rule meeting today.]

2. WORK SESSION

Chairperson Levine gave a brief overview of tonight's meeting agenda, stating he would start with the City Attorney's training review and open the floor for comments from the group. He said he did not anticipate delving deep into the issues tonight, but he would like to discuss and set up procedure.

City Attorney Brandon S. Shelby thanked the commissioners for volunteering, reviewed Open Meetings Act (OMA) and Public Information Act (PIA) training, and explained how that training would pertain to this commission. Mr. Shelby said the HRCC meetings would be open to the public and subject to the Open Meetings Act, stating each meeting needed a quorum or a majority to take any action. Therefore, it is not a meeting without a quorum and it is a meeting if there is a quorum. The Commissioners should not discuss HRCC items of business amongst themselves outside of the meetings for governmental transparency. If HRCC items of business are discussed, it becomes an illegal executive session and a problem for the commissioners themselves. Mr. Shelby also asked commissioners to reframe from

responding to "All" on any HRCC related group emails. This would create a walking quorum or illegal executive session. Mr. Shelby also cautioned that HRCC emails are subject to open records act. He encouraged all the commissioners to take the online trainings and turn copies of their certificates into the City Secretary.

City Attorney Shelby also discussed what a charter is to eliminate confusion, commenting this commission was not creating a new zoning code or any new laws for the citizens to follow. The City's Charter is similar to United States constitution or a governing document. He explained differences between a general law city [incorporated with a population under 5,000], which is what the City of Parker is, and a home rule city [incorporated with a population over 5,000], which the City of Parker is considering transitioning to with charter approval. General Law cities look to the Texas State Statutes to determine what they can do, while a home rule city can do whatever it wants as long as Texas State Statutes or common law says you cannot. The Charter sets up the mechanism of government, such as the makeup of city council; the length of city council terms; makeup of some city staff; certain rules for city council and staff; criteria for being on city council, boards, commissions, committees; etc. The Commission should take this process serious, because the charter will need to be marketed to the citizens for vote approval in an upcoming election. Once approved, the charter can only be amended every two years, so it is very important to get it right. Mr. Shelby said he was available for any additional questions the commissioners may have now or in the future.

Although a city charter would take the City Attorney approximately 45 minutes to draft, there are some decisions and input needed, as well as different ideas to be explored. Although the concept is not lengthy, there is not sufficient time to have the Charter ready for the upcoming May 2018 ballot. Therefore, there is no hurry or rush. Mr. Levine said he would like to start the Charter process from scratch, build it organically, and when the Commission is ready, present that product to City Council. The charter does not have to be completely finished; rather it can have options.

Chairperson Levine passed out an example of a very basic charter, which was the Town of Fairview, Texas' Home Rule Charter, and opened the floor to allow comments from various commissioners. He asked the commissioners to think about two (2) things, 1) what you, as a commissioner might need in preparation to discuss issues, pertaining to the charter, and 2) what thoughts you as a commissioner might have as to how we as a commission should approach the process.

Commissioner Roxanne Bogdan stated she liked examples or comparisons of other cities and checklists. Chairperson Levine asked City Attorney Shelby or City Administrator Flanigan to gather examples of charters to supplement what we have in our Home Rule Committee Note Books. Ms. Bogdan also suggested making an Excel spreadsheet of all the different provisions of the various city charters.

Chairperson Levine asked the commission which cities they might want to review. Commissioner Smith suggested cities of similar size, nature, and dynamics. The cities of Fairview, Fate, Heath, Lucas, Murphy, Princeton, Royce City, and Sunnyvale, Texas were proposed. Mr. Levine said he would pull the proposed city charters and assemble an Excel spreadsheet, pulling in the language of the different provisions or examples of what the different cities were doing.

Chairperson Levine asked the commission about the process they might want to follow, where and how the commission would like to start.

Commissioner Joe Cordina said he thought it would be helpful to compare the General Law and Home Rule city concepts, comparing the similarities and differences. As the introductory part of the process, this would show us where the City is and where we may be going. Chairperson Levine used elections and city council terms as examples. Mr. Levine also suggested having a section, discussing the nature or demographics of the city, such as population; number of homes; whether the city was mostly developed or undeveloped; and any Extraterritorial Jurisdiction (ETJ) statistics. Mayor Marshall said city staff was in the process of pulling this information together, so he thought he could get most of that information from city staff for the commission.

Commissioner Billy Barron suggested defining some of the terminology or educating the commission on certain technical terms in the context of charters.

Chairperson Levine said we could gather the proposed city charters, circulate that information, and define questions. For example, identify an area like "Police", define questions and decide how the commission will tackle those issues.

Commissioner Bogdan suggested making a schedule of topics, and tackling one or two topics a meeting. They may need to invite city staff, depending on the topic to answer any related questions or provide any relevant information. Chairperson Levine said that was a good approach, noting that at times there might be a need to go back and forth if one section affects another. Ms. Bogdan agreed the charter would need to be fluid until it was complete.

Commissioner Smith agreed as well, stating he was thinking something very similar. If the Commission built a template that outlines the tasks or sections, visit those tasks or sections with some kind of scheduled plan, allowing the Commission to bring in the necessary resources at the proper time. This would allow a timeline of objectives, not to rush, but to guide the Commission through the tasks and stay focused.

Commissioner Lynch said she had similar thoughts.

Chairperson Levine inquired about the timeline. He asked Commissioner Bogdan approximately how long the process took in the City of Murphy, Texas. Ms. Bogdan said she recalled the process taking about nine (9) months, meeting twice a month. As stated earlier, the commission did not have sufficient time to get the charter on the May 2018 ballot. Mayor Marshall noted the possibility of a November special election, but there were associated costs, approximately \$12,000, with such an election. Realistically, the earliest the charter would be on the ballot was May 2019.

Mayor Marshall said during the interview process, there was somewhat of a commitment or understanding that this process would take at least nine 9 months, maybe longer, and this group would possibly need to meet twice a month. Chairperson Levine said with that being said, if the commission broke the process down into nine (9) segments and met twice on each segment to allow for plenty of time to cover each topic thoroughly; this should also allow the commission time to revisit any segments needing extra attention. Mr. Levine suggested creating a schedule or template for circulation, an Excel spreadsheet for streamlining data; and he asked all the commissioners to make the City Secretary aware of their availability.

At the next meeting, HRCC planned to form a more permanent schedule of the process to tackle the issues. That will allow the commission an opportunity to give city staff guidance

on getting the commission the necessary information. Chairperson Levine said all ideas and questions are worthy and worth being discussed as a group. Please do not hesitate to speak up. The commissioners were encouraged to forward any ideas to the Chairperson for inclusion and discussion on future agendas. It is the responsibility of the HRCC to look out for the best interest of Parker and their opinions are important. Be willing to consider and discuss various thoughts and opinions, but do not feel pressured. It is okay to agree to disagree. The idea is to develop a consensus among the commission in the best interest of the City of Parker and its residents. City Administrator Flanigan is the city staff contact. Chairperson Levine will set the agenda, so forward any agenda items to [sdl@banowsky.com](mailto:sdl@banowsky.com). City Attorney Shelby will write the actual Charter.

Commissioner Smith asked if Chairperson Levine would facilitate the discussion amongst the team or commission. The Chairperson would facilitate, the commission would develop a skeleton draft (the framework could be modified), and the commission would tackle one or two issues a meeting until completion. The process would need to have group participation. The agenda would be posted 72 hours prior to a meeting. Most likely this would be the Friday, prior to a meeting, each commissioner would receive a set of documents, which would include an agenda and any necessary backup material applicable for the upcoming discussion. The Commissioners should review the material and do any research or preparation necessary.

Commissioner Cordina asked how agenda topics would be handled. Mr. Levine said he would prepare the agenda in such a way that the Commission could consider the current topic and be able to have discussions, involving the current topic and past topics, while not jumping forward to any new topics. Public comments would probably be handled at the beginning of the each meeting, but it may be necessary to have a few public hearings to solicit public opinion.

Commissioner Abraham asked how emails and or letters from residents should be handled. Chairperson Levine said he did not foresee having any executive sessions, but anything discussed in an executive session would not to be discussed. Barring that, nothing prohibits the Commissioners from discussing the charter issues. He encouraged the Commissioners to ask resident(s) to attend the HRCC meetings or send their public comments to be read at the meeting for everyone to hear.

Chairperson Levine asked if there were any additional questions, thanked everyone for their participation, and said he thought this would be a very productive commission. Mr. Levine then summarized the next order of business, which would be to decide on a date for the next meeting, possibly mid-January, and dates for future meetings; assembly of a skeleton calendar of topics for discussion and approval; and creation of the Excel spreadsheet for data analysis. This would give city staff the ability to start the city charter.

#### **ROUTINE ITEMS**

##### **3. ADJOURN**

Chairperson Levine adjourned the meeting at 8:08 p.m.

Minutes Approved on 5th day of February, 2018.

Chairperson/Mayor Pro Tem Scott Levine

Attest:

Commission Secretary [Add Name here.]

Prepared by City Secretary Patti Scott Grey

**Exhibit(s):**

- 1 - Mary Anne Seale's December 12, 2017, 9:48 a.m. email, regarding Home Rule Committee.
- 2 - Patti Cordina's December 12, 2017, 2:31:27 p.m. email, regarding Home Rule meeting today.

**From:** [Mary Anne Seale](#)  
**To:** [Patti Grey](#)  
**Subject:** Letter  
**Date:** Tuesday, December 12, 2017 9:46:25 AM  
**Attachments:** [Letter to Home Rule Committee.doc](#)

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Hi Patti,

I am attaching a letter that for Chairman Levine and members of the Home Rule Committee that I would appreciate being read tonight for inclusion in the minutes. I would also appreciate this letter being read at the next City Council meeting during public concerns.

Thanks so much for your help.

Mary Anne Seale



Virus-free. [www.avg.com](http://www.avg.com)

EXHIBIT 1

*Mary Anne Seale*  
4209 East Parker Road  
Parker, Texas 75002  
972 424-6095 (home) 972 571-2404 (cell)  
[maseale1@verizon.net](mailto:maseale1@verizon.net)

December 12, 2017

Mayor Pro-Tem Scott Levine, Chairman  
Home Rule Committee Members  
City of Parker

Dear Chairman Levine and Committee Members,

I understand you are having the first meeting of the Home Rule Committee tonight. Unfortunately, I am unable to attend so I am writing a letter that I wish to be read at the meeting and included in the minutes. I appreciate your willingness to serve on this committee, but I am very concerned about the diversity or lack thereof of the members.

The citizens were told that this committee would represent the entire city and would have members who had been here for many years as well as newer residents. When I read the list of names, I was very surprised. Only one member, Joe Cordina, has lived here for any length of time and is the only one east of City Hall. I do not consider that diversity. The majority of the committee has been here less than five years and most live in the area surrounding Brooks Farm. Again, I appreciate your willingness to serve, but there are many areas of the City that are not being represented.

The citizens of Parker have fought long and hard to maintain our standards and our way of life. It concerns me greatly that none of these citizens who have helped fight those battles except for one are on this committee. The vision and perspective of long-time citizens would help in drafting these plans. Having members from the entire city would give more perspective and knowledge of Parker's needs.

My husband and I have been Parker residents since 1975, and both of us have served the city in various ways for many years. We are proud citizens and want only the best for our City and our neighbors.

Respectfully,

Mary Anne Seale

## Patti Grey

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**From:** Patti Cordina <pattidcordina@yahoo.com>  
**Sent:** Tuesday, December 12, 2017 2:33 PM  
**To:** Patti Grey  
**Subject:** Home Rule meeting today

Hi Patti,

I have some concerns and it was suggested that I send this to you. FYI it was not Joe that suggested it. Can this be read at the meeting during citizen comments? I cannot be there today.

Here is one request : that Z or Scott explain why Parker should be a Home Rule city. Compare it to how we are now with exact differences explained. Most residents don't know or understand the reason to change or not to change. Does it increase the budget to change? What changes in the running of the city government? I think these two questions need an answer and maybe during the meetings that will happen. But i also think before discussions, those 2 points need to be understood.

There are many comments being made that imply that this decision has already been made. It was my understanding that the role of the committee was to research the pros and cons of both forms of government. And draw a conclusion before voting. If I'm wrong, then why the committee? Just some of my personal concerns.

Thank you!

Patti Cordina

EXHIBIT 2