



AGENDA
HOME RULE CHARTER COMMISSION MEETING
SEPTEMBER 23, 2019 @ 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, September 23, 2019 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.

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.

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. CONSIDERATION AND APPROVAL OF MEETING MINUTES FOR JUNE 25, 2019. [BARRON] [TABLED – 07222019]
2. CONSIDERATION AND APPROVAL OF MEETING MINUTES FOR JULY 22, 2019. [BARRON]

INDIVIDUAL CONSIDERATION ITEMS

3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON APPOINTING A VICE CHAIR FOR THE HOME RULE CHARTER COMMISSION (HRCC). [BARRON]
4. DISCUSS FUTURE MEETING DATES
5. WORK SESSION [SHELBY]
 - DISCUSSION REGARDING FORM OF GOVERNMENT.

ROUTINE ITEMS

6. FUTURE AGENDA ITEMS
7. ADJOURN

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

I certify that this Notice of Meeting was posted on or before September 20, 2019 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.

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

Item 1
C'Sec Use Only

Budget Account Code:	Meeting Date: September 23, 2019
Budgeted Amount:	Requestor: HRCC
Fund Balance-before expenditure:	Prepared by: HRCC Secretary Barron
Estimated Cost:	Date Prepared: September 19, 2019
Exhibits:	Proposed Minutes

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR JUNE 25, 2019. [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 prior to the Home Rule Charter Commission meeting.

POSSIBLE ACTION

HRCC may direct staff to take appropriate action.

Inter - Office Use			
Approved by:			
HRCC Secretary:	<i>Billy Barron</i>	Date:	09/19/2019
City Attorney:		Date:	
HRCC :		Date:	09/20/2019

MINUTES
HOME RULE CHARTER COMMISSION (HRCC) MEETING

June 25, 2019

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 p.m. and noted there was a quorum. Alternate Terry Lynch stepped in to replace Commissioner Z Marshall due to his absence.

HOME RULE CHARTER COMMISSION MEMBERS AND ALTERNATES

HRCC Members

- ✓ 1. Scott Douglas Levine (Chair)
- X 2. Z Marshall
- ✓ 3. James A. "Andy" Redmond
- ✓ 4. Billy Barron (Secretary)
- ✓ 5. David Gilmore
- ✓ 6. Tom Macduff (Vice Chair)
- ✓ 7. Randy Kercho
- ✓ 8. Homer Adams II
- ✓ 9. Scott Livesay

HRCC Alternates

- X 1. Todd Fecht
- ✓ 2. Terry M. Lynch (Replacing Commissioner Z Marshall for this meeting)

Staff/Others Present:

- ✓ City Attorney Brandon S. Shelby
- ✓ City Administrator Luke B. Olson
- ✓ ACA/CS Patti Scott Grey

- ✓ [Redacted] Police Captain Kenneth Price
- ✓ [Redacted] Mayor Lee Pettle
- X [Redacted] Mayor Pro Tem Ed Standridge
- ✓ [Redacted] Councilmember Cindy Meyer

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Lee Pettle led the pledge.

TEXAS PLEDGE: Luke Olson led the pledge.

PUBLIC COMMENTS

No Comments

INDIVIDUAL CONSIDERATION ITEMS

1. CONSIDERATION AND APPROVAL OF MEETING MINUTES FOR MAY 13, 2019. [SCOTT GREY]

MOTION: Commissioner MacDuff moved to approve the May 13, 2019 Minutes. Commissioner Adams seconded with Commissioners Adams, Barron, Gilmore, Kercho, Livesay, Lynch, Macduff and Redmond voting for. Motion carried 8-0.

2. CONSIDERATION AND APPROVAL OF MEETING MINUTES FOR JUNE 10, 2019. [BARRON]

Discussion of who voted for motions, a grammar issue and correcting that Livesay seconded the first motion made.

MOTION: Commissioner MacDuff moved to table the approval of these minutes to have Commissioner Barron to make corrections and bring back the corrected copy for approval at the next meeting. Commissioner Redmond seconded with Commissioners Adams, Barron, Gilmore, Kercho, Livesay, Lynch, Macduff and Redmond voting for. Motion carried 8-0.

3. WORK SESSION. [LEVINE/SHELBY]

City Attorney Shelby confirmed that 5 members are needed for a quorum. He also stated that when City Council set up the commission it was decided that Alternates in order will become voting members for that meeting only when a Commissioner is absent.

He discussed that there are 4 broad categories of items in a charter:

- Form of Government
- Function of Government
- Powers of the Government
- Powers of the People

The decision made for the Form affects the decisions made in the other categories. Therefore, it is recommended that Form be the first item for the Commission to work on. There are 4 forms of government that are used: Mayor-Council, Council-Manager, Commission, and Town Hall.

Function of Government covers items such as duties of the City Attorney, Boards, Finances, and staff.

In Powers of Governments, it is typical that a Charter wrestle all the power it can away from the state. This includes taxation, annexation, and franchising.

Powers to the People include Referendum, Recall, and Initiative.

It is typical that Charters have some General Provisions but these are almost always the same on all charters.

In the Council-Manager form, the city manager is like a CEO, the council the board, and the mayor the chairperson of the board. In Mayor-Council, the mayor is the CEO and the council is the board.

Chairperson Levine stated that in Mayor-Council, the mayor lives in the city, is elected, and not necessarily trained in operating a city. In Council-Manager, the manager is not elected, but typically a trained expert is hired.

City Attorney Shelby gave a brief description of the Commission and Town Hall forms of government. Discussion was that very few cities uses these forms and they do not seem to fit Parker so the Commission will focus on the other possible forms.

ROUTINE ITEMS

4. FUTURE AGENDA ITEMS

At the July 22th meeting, City Attorney Shelby will give a presentation on both Mayor-Council and Council-Manager forms of government. This meeting will be educational and the selection of a form would not start until the meeting following that.

5. ADJOURN

Chairperson Levine adjourned the meeting at 7:47 p.m.

Minutes Approved on 22nd day of July, 2019.

Chairperson Scott Douglas Levine

Commission Secretary Billy Barron

Attest:

City Secretary Patti Scott Grey

Exhibit(s):

None

Tabled - 2019 0722, later found to be OK



Council Agenda Item

Item 2
C'Sec Use Only

Budget Account Code:	Meeting Date: September 23, 2019
Budgeted Amount:	Requestor: HRCC
Fund Balance-before expenditure:	Prepared by: HRCC Secretary Barron
Estimated Cost:	Date Prepared: September 19, 2019
Exhibits:	Proposed Minutes

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR JULY 22, 2019. [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 prior to the Home Rule Charter Commission meeting.

POSSIBLE ACTION

HRCC may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
HRCC Secretary:	<i>Billy Barron</i>	Date:	09/19/2019
City Attorney:		Date:	
HRCC :		Date:	09/20/2019

MINUTES
HOME RULE CHARTER COMMISSION (HRCC) MEETING

July 22, 2019

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. Mr. Levine said HRCC Secretary Billy Barron was out tonight and City Secretary Patti Scott Grey would assist with the meeting minute preparation in his absence. Commissioner Fecht replaced HRCC Secretary Barron as a voting member for this meeting.

HOME RULE CHARTER COMMISSION MEMBERS AND ALTERNATES

HRCC Members

- ✓ 1. Scott Douglas Levine (Chair)
- ✓ 2. Z Marshall
- ✓ 3. James A. "Andy" Redmond
- X 4. Billy Barron (Secretary)
- ✓ 5. David Gilmore
- ✓ 6. Tom Macduff (Vice Chair)
- ✓ 7. Randy Kercho
- ✓ 8. Homer Adams II
- ✓ 9. Scott Livesay

HRCC Alternates

- ✓ 1. Todd Fecht
- ✓ 2. Terry M. Lynch

Staff/Others Present:

- ✓ City Attorney Brandon S. Shelby
- ✓ City Administrator Luke B. Olson

- ✓ ACA/CS Patti Scott Grey
- X Police Chief Richard D. Brooks

- ✓ Mayor Lee Pettie
- ✓ Councilmember Cindy Meyer
- ✓ Councilmember Edwin Smith

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: City Attorney Brandon S. Shelby led the pledge.

TEXAS PLEDGE: Home Rule Charter Commissioner Terry Lynch led the pledge.

PUBLIC COMMENTS

No Comments

INDIVIDUAL CONSIDERATION ITEMS

1. CONSIDERATION AND APPROVAL OF MEETING MINUTES FOR JUNE 10, 2019. [BARRON] [TABLED – 06252019]

MOTION: Commissioner Marshall moved to approve the June 10, 2019 HRCC meeting minutes as presented. Commissioner Adams seconded with the Commissioners voting unanimously for the item.

2. CONSIDERATION AND APPROVAL OF MEETING MINUTES FOR JUNE 25, 2019. [BARRON]

Commissioner Redmond requested a correction to the minutes. Chairperson Levine asked for a motion to table the item, requested Commissioner Redmond work with HRCC Secretary Barron and City Secretary Scott Grey to red line the correction for clarity for the next meeting packet, and finally asked the HRCC members work with the secretaries in the future to get corrections prior to the meeting whenever possible.

The June 25, 2019 HRCC meeting minutes were tabled unanimously.

3. WORK SESSION [LEVINE/SHELBY]

- a) PRESENTATION – REVIEWING BOTH THE MAYOR – COUNCIL AND COUNCIL – MANAGER FORMS OF GOVERNMENT

➤ Links provided by City Attorney Shelby:

- <https://www.tml.org/DocumentCenter/View/66/2017-Handbook-Mayors-Council-Members-PDF> (Pages 14-15)
- <https://www.tml.org/DocumentCenter/View/64/A-Guide-to-Becoming-a-City-Official-2017-PDF> (Page 9)

➤

- Note: TML later changed the above link to: <https://www.tml.org/DocumentCenter/View/1249/FINAL-2019-A-Guide-to-Becoming-a-City-Official> with the material on Page 7

<http://www.austintexas.gov/edims/document.cfm?id=291786> (Pages 25-27)

- <https://www.nlc.org/forms-of-municipal-government>

- <http://www.austintexas.gov/edims/document.cfm?id=224455>

City Attorney Shelby discussed and reviewed various aspects of the Mayor – Council and Council – Manager forms of government, stating the Mayor – Council form was the oldest form and like the federal government, while the Council – Manager form was conducted more like a business. In the Council – Manager the manager reports to Council and is not elected. Mr. Shelby presented simplified organizational charts to help explain. [See Exhibit 1 – City Attorney Brandon S. Shelby handout, dated July 22, 2019.]

After the presentation, a question and answer session ensued and some of the things that came out of the discussion were a charter may be reviewed and changed every two (2) years; Charter revisions must be approved by the voters; the Charter can spell out various things, such as the form of government; terms of elected officials; duties officials; duties of a city manager; chain of command; zoning regulations, etc.

Although it was first suggested to create a subcommittee, consisting of Commissioners Macduff, Kercho, Redmond, and Fecht, to assemble talking points and locate cities of both Mayor – Council and Council – Manager forms of government, similar size and demographics, who possibly had recently gone through the Home Rule process and might be able to give us good feedback. The Commission decided that all commissioners should submit questions/talking point, locate cities and submit the information to Chairperson Levine who would confer with City Attorney Shelby. The information would then be assembled for distribution.

b) CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON SELECTION OF A FORM OF GOVERNMENT.

Chairperson Levine asked the HRCC Members if they were ready to select a form of government. The Commissioners unanimously said no. No action was taken on this item.

ROUTINE ITEMS

4. FUTURE AGENDA ITEMS

Chairperson Levine asked if there were any items to be added to the future agenda. The Commissioners decided they needed to read and digest the material provided. Also, they hoped to have officials from a couple of cities (e.g., Lucas, Fairview, Sunnyvale, etc.), who have recently undergone the Home Rule process, to share their experiences, problems, concerns, reasons, choices, etc. with the process to hopefully help them avoid some of the pitfalls.

Mr. Levine also announced the next HRCC meeting would be Monday, August 26, 2019, at 7:00 p.m.

5. ADJOURN

Chairperson Levine adjourned the meeting at 8:43 p.m.

Minutes Approved on 26th day of August, 2019.

Chairperson Scott Douglas Levine

Commission Secretary Billy Barron

Attest:

City Secretary Patti Scott Grey

Exhibit(s):

- 1 - City Attorney Brandon S. Shelby handout, dated July 22, 2019