



AGENDA
CITY COUNCIL MEETING
APRIL 4, 2017 @ 7:00 P.M.

Notice is hereby given the City Council for the City of Parker will meet in a Regular Meeting on Tuesday, April 4, 2017 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. APPROVAL OF MEETING MINUTES FOR MARCH 13, 2017. [SCOTT GREY]
2. CANCEL APRIL 18, 2017 REGULAR MEETING DUE TO PARKER WOMEN'S CLUB (PWC) CANDIDATES NIGHT FORUM AND SET SPECIAL MEETING FOR APRIL 17, 2017. [MARSHALL]
3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 533, THE CITY OF PARKER, TEXAS SUSPENDING THE APRIL 21, 2017, EFFECTIVE DATE OF ONCOR ELECTRIC DELIVERY COMPANY'S REQUESTED RATE CHANGE. [SHELBY]

INDIVIDUAL CONSIDERATION ITEMS

4. PUBLIC HEARING FOR CITIZEN INPUT REGARDING A SPECIAL USE PERMIT FOR AN ACCESSORY BUILDING AT 1708 DUBLIN ROAD FOR MARY TEMPLETON. [FLANIGAN/SHELBY]

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 745 APPROVING A SPECIAL USE PERMIT FOR AN ACCESSORY BUILDING AT 1708 DUBLIN ROAD FOR MARY TEMPLETON. [FLANIGAN/SHELBY]
6. PUBLIC HEARING FOR RESERVE AT SOUTHRIDGE ANNEXATION. [SHELBY]
7. PUBLIC HEARING FOR WATER IMPACT FEES. [FLANIGAN/BIRKHOFF]
8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 746, ADOPTING THE WATER IMPACT FEE. [FLANIGAN/BIRKHOFF]

ROUTINE ITEMS

9. FUTURE AGENDA ITEMS

UPDATE(S):

- PROJECTED 2017 TAX RATE PLANNING CALENDAR
- 2017 MAY EARLY VOTING PERIOD AND ELECTION DAY INFORMATION

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Apr 23	Apr 24 Early Voting 8am to 5pm	Apr 25 Early Voting 8am to 5pm	Apr 26 Early Voting 8am to 5pm	Apr 27 Early Voting 8am to 7pm	Apr. 28 Early Voting 8am to 5pm	Apr. 29 Early Voting 8am to 5pm
Apr 30	May 1 Early Voting 7am to 7pm	May 2 Early Voting 7am to 7pm	May 3	May 4	May 5	May 6 Election Day 7am to 7pm

10. 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 March 31, 2017 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: April 4, 2017
Budgeted Amount:	Department/ Requestor: City Secretary
Fund Balance-before expenditure:	Prepared by: City Secretary Scott Grey
Estimated Cost:	Date Prepared: March 23, 2017
Exhibits:	Proposed Minutes

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR MARCH 13, 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 prior to the City Council meeting.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter - Office Use			
Approved by:			
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date: <i>PG</i>	03/31/2017
City Attorney:		Date:	
City Administrator:	<i>Jeff Flanigan</i>	Date: <i>JF</i>	03/31/2017

MINUTES
CITY COUNCIL MEETING
MARCH 13, 2017

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 Z Marshall called the meeting to order at 6:30 p.m. Councilmembers Scott Levine, Lee Pettie, Cleburne Raney, Ed Standridge, and Patrick Taylor were present.

Staff Present: City Administrator Jeff Flanigan, Finance/H.R. Manager Johnna Boyd, City Secretary Patti Scott Grey, City Attorney Brandon Shelby, Police Captain Kenneth Price, and Developer/Capital Improvement Advisory Committee (CIAC) Member Stephen "Steve" L. Sallman

EXECUTIVE SESSION 6:30 P.M. TO 7:00 P.M. – Pursuant to the provisions of Chapter 551, Texas Government Code the City Council may hold a closed meeting.

1. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:
 - a. Texas Government Code Sec. 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
2. RECONVENE REGULAR MEETING.
3. ANY APPROPRIATE DELIBERATION AND/OR ACTION ON ANY OF THE EXECUTIVE SESSION SUBJECTS LISTED ABOVE.

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Edwin Smith led the pledge.

TEXAS PLEDGE: Phil Steiman led the pledge.

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

No comments

4. APPROVAL OF MEETING MINUTES FOR FEBRUARY 27, 2017. [SCOTT GREY]
5. DEPARTMENT REPORTS-ANIMAL CONTROL, BUILDING, COURT, FIRE, POLICE AND WEBSITE

MOTION: Councilmember Pettie moved to approve consent agenda items 4 and 5 as presented. Councilmember Raney seconded with Councilmembers Levine, Pettie, Raney, Standridge, and Taylor voting for the motion. Motion carried 5-0.

INDIVIDUAL CONSIDERATION ITEMS

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 744, THE WHITESTONE ESTATES (FORMERLY DONIHOO FARMS) ANNEXATION. [SHELBY]

City Attorney Shelby reviewed the Whitestone Estates annexation process briefly, commenting the two (2) required public hearings were held on February 7 and 21, 2017 in accordance with Texas State Law and Ordinance No. 744 was prepared for this annexation.

Mayor Marshall asked Developer Steve Sallman if he had any additional comments. Mr. Sallman said he had no additional comments.

MOTION: Councilmember Taylor moved to approve Ordinance No. 744, annexing Whitestone Estates, formerly known as Donihoo Farms. Councilmember Standridge seconded with Councilmembers Levine, Pettie, Raney, Standridge, and Taylor voting for the motion. Motion carried 5-0.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON SCHEDULING ANNEXATION PUBLIC HEARING DATES FOR RESERVE AT SOUTHRIDGE. [FLANIGAN]

City Administrator Flanigan said Reserve at Southridge, located south of Curtis Drive and west of the Southridge Estates Subdivision and subject to annexation prior to final plat approval, filed to be annexed into the city limits. City Council needs to set two (2) public hearing dates to start the process.

Mayor Marshall asked if there were suggested dates, in accordance with Texas State Law. Mr. Flanigan said the suggested dates were April 4 and April 18, 2017. Mayor Marshall said there may be a conflict with the Tuesday, April 18th date. Parker Women's Club (PWC) was considering that date for their Candidates Night Forum. The Mayor asked that the 2nd Public Hearing date be left open until a decision was made later this week.

MOTION: Councilmember Pettie moved to set the 1st public hearing date for April 4, 2017 and allow Mayor Marshall to schedule the 2nd public hearing within the time frame, as prescribed by state law. Councilmember Raney seconded with Councilmembers Levine, Pettie, Raney, Standridge, and Taylor voting for the motion. Motion carried 5-0.

8. DISCUSSION REGARDING HOME RULE [SHELBY/LEVINE]

City Attorney Shelby spoke briefly about home rule, stating the Texas Constitution allows General Law cities, whose population has reached 5,000 or would be by the date of the Home Rule election, to establish their own rules for municipal government by adopting a Home Rule Charter. General Law cities' powers were limited by the specific authority granted by Texas statutes, restricted to doing what state statutes direct or permit them to do. Home Rule cities with a population over 5,000 in which the citizens had adopted a home rule charter to define the structure, power, duties, and authority of their local government were the reverse. Rather than looking to state statutes to determine what they may do, as General Law cities must do, Home Rule cities look to their local Charters to determine what they may do. A Home Rule city may generally take any action not prohibited by the Texas Constitution or statutes as long as the authority was granted in that City's Charter.

Texas Local Government Code, Chapter 9 **Home-Rule Municipality**, provides the procedures for adoption of a Home Rule Charter, which includes: 1) selection of a Charter Commission; 2) the Charter Commission would prepare the proposed Home Rule Charter and submit the proposed Charter to the City Council for review; 3) after approval, the City Council would place the Charter on the proposed ballot for the next uniform election date, which would be May 5, 2018; 4) all registered voters of the City would receive a copy of the approved and proposed Charter by mail thirty (30) days prior to the election; and 5) the citizens vote whether or not to adopt the proposed Charter in that election. Adoption of the Charter would be by "majority of the qualified voters of the municipality who vote at an election held for that purpose".

The first step would be to establish a population of 5,000 and the Mayor or City Council selecting a Charter Commission to draft a Charter.

Mayor Marshall asked Mayor Pro Tem Levine, with the help of City Staff, to continue to take the lead in this effort. Mayor Pro Tem Levine suggested establishing the 5,000 population and working toward the selection of a Charter Commission in May 2017 for the following May 2018 uniform election day. City Attorney Shelby said the only requirement of the Charter Commission was that the commission would be representative of the demographics of the city. There was some discussion of population projections and certain multipliers, and the possibility that the city may have already reached the necessary 5,000 population.

Mayor Pro Tem Levine said he and City Attorney Shelby would work with the City Administrator, City Staff, and area independent school districts, to be comfortable with the multiplier. The next time the item came back to City Council it would be to appoint a charter commission.

Mayor Marshall said there would be no action on this item tonight. He asked that the item be added to future agenda items for the May/June timeframe.

Mr. Levine expressed his gratitude and appreciation for City Attorney Shelby's efforts, flying back from his vacation in Durango, Colorado, to be available for tonight's City Council meeting. Mayor Marshall said he and City Council echoed those comments.

Mayor Pro Tem Levine noted there were a couple of issues on tonight's agenda that needed counsel's attention and City Attorney Shelby had flown in from vacationing in Durango, Colorado, and would fly back tomorrow.

9. DISCUSSION REGARDING MUNICIPAL COMPLEX ARCHITECTS [FLANIGAN]

City Administrator Flanigan said this topic was discussed at the last planning session. Parker Police Department had been moved into a leased, temporary building. The first part of the new Municipal Complex process would be to find an architectural firm. Mr. Flanigan discussed the matter with City Attorney Shelby a couple weeks ago and he provided the Request for Qualifications (RFQ) for Architectural Services. (See Exhibit 1 – Request for Qualification (RFQ) for Architectural Services for new Municipal Complex, dated February 2017.) Mr. Flanigan said he then sent the report to City Engineer Birkhoff. He and Mr. Birkhoff added a few items and he thought City Council had a document that could be advertised for architects. Once we have a list of architects, City Council and City Staff would reduce the list to a reasonable number that City Council could interview at a public meeting to hire an architect for the project. Once City Council chooses an architect, based on qualifications, negotiations begin. If fees cannot be negotiated, we would move down the list. Mr. Flanigan said he was ready to proceed and requested support from the Mayor and City Council to move forward with advertising.

Mayor Marshall asked Finance/H.R. Manager Johnna Boyd if City Council had set aside funds for this line item. Ms. Boyd said yes, the funding was in the Council Contingency fund.

MOTION: Councilmember Standridge made a motion to have City Council and Staff move forward with identifying architectural services for a new municipal complex, advertising the RFQ, appointing the City Administrator for that task. Councilmember Pettie seconded. Councilmembers Levine, Pettie, Raney, Standridge, and Taylor voting for the motion. Motion carried 5-0.

Councilmember Standridge said he heard concerns, asking why the City needed to spend money to build a new municipal complex. The municipal buildings were getting older, becoming more difficult to maintain, and he noted there have already been issues with the new temporary building. It was time to get serious about a new facility. The City was growing and that needed to be reflected in our city offices.

Mayor Pro Tem Levine clarified, saying this was a RFQ. The City Council was not going out to bid for a new Municipal Complex. This was the process to solicit for qualifications for architectural services.

Councilmembers Levine, Pettie, Raney, Standridge, and Taylor voting for the motion.
Motion carried 5-0.

ROUTINE ITEMS

10. FUTURE AGENDA ITEMS

Mayor Marshall asked if there were any items to be added to the future agendas. He said the next regularly scheduled meeting would be Tuesday, April 4, 2017. City Administrator Flanigan said City Council would potentially have a Special Use Permit (SUP) for consideration on the April 4, 2017 meeting agenda and staff would add the Home Rule Charter for May/June timeframe. There were no other additions.

UPDATE(S):

- **ACCEPTANCE OF POLICE AND FIRE DONATIONS FOR RECORD**
As required by Resolution No. 2016-520, Mayor Marshall accepted John J. and Marilyn Van Bockel's \$50 donation to the Parker Volunteer Fire Department and \$50 donation to the Parker Police Department. The Mayor, City Council, and staff thanked the Van Bockels for their generous donation.
- **TRANSPORTATION [STANDRIDGE/FLANIGAN]**
Councilmember Standridge briefed City Council on transportation. He said the City of Parker was well represented at the meetings, which he thought was very helpful for the City of Parker. At the last transportation meeting, a new bond of \$350 to \$400 million was discussed for major thoroughfares and loops throughout Collin County, due to growth. Mr. Standridge commented although Parker Road had become more and more congested due to new housing additions in the area, he did not expect or foresee relief any time soon.
Mayor Marshall said he was on the Planning Board and most of the discussions were on transportation.
- **IMPACT FEES (Based on concerns from February 27, 2017 City Council Meeting) [SHELBY]**
City Attorney Shelby said his research indicated if the water impact fees were levied that would not keep the City from imposing other types of impact fees.
- **Racial Profiling Report 2016 as provided to City Council in February 2017 [PRICE]**
Parker Police Captain Price said the Racial Profiling Report was due by the March 1st. That report was provided to City Council in February and submitted to state and federal authorities electronically. Captain Price noted changes to the report have been rectified and he provided an updated report or addendum to City Council. (See Exhibit 2 – Parker Police Department Addendum – 2016 Racial Profiling Report, dated February 13, 2017 and original.)
Mayor Marshall thanked Captain Price for his service on behalf of the City Council.

11. ADJOURN

Mayor Marshall adjourned the meeting at 7:39 p.m.

APPROVED:

Mayor Z Marshall

ATTESTED:

Patti Scott Grey, City Secretary

Approved on the 4th day
of April, 2017.

PROPOSED



**REQUEST FOR QUALIFICATIONS (RFQ)
FOR ARCHITECTURAL SERVICES
FOR NEW MUNICIPAL COMPLEX**

CITY OF PARKER, TEXAS

FEBRUARY 2017

**REQUEST FOR QUALIFICATIONS (RFQ)
FOR ARCHITECTURAL SERVICES
FOR NEW MUNICIPAL COMPLEX**

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**CITY OF PARKER, TEXAS
REQUEST FOR QUALIFICATIONS (RFQ)
FOR ARCHITECTURAL SERVICES
FOR NEW MUNICIPAL COMPLEX**

The City of Parker invites the submittal of responses to this RFQ from qualified firms interested in providing architectural services in connection with the planning for a new Municipal Complex. Responses are solicited for this service in accordance with the terms, conditions, and instructions set forth in the RFQ guidelines.

The City will receive responses to this RFQ at Parker City Hall, 5700 East Parker Road, Parker, Texas 75002 until **2:00 pm on _____**. The Request for Qualifications documents may be obtained from Jeff Flanigan at the same location. Request for Qualifications documents will be mailed upon request; however, the City is not responsible to ensure timely delivery of mailed Request for Qualification documents.

Receipt of responses does not bind the City to any contract for said services, nor does it guarantee that a contract for the Project will be awarded.

**REQUEST FOR QUALIFICATIONS (RFQ)
FOR ARCHITECTURAL SERVICES
FOR NEW MUNICIPAL COMPLEX**

I. PURPOSE OF RFQ

The Parker, Texas (City) invites the submittal of responses to this Request for Qualifications (RFQ) from qualified firm(s) interested in providing architectural services in connection with a New Municipal Complex as herein outlined.

II. LOCATION

The City is proceeding with planning (as herein outlined) for a new Municipal Complex to include city administrative offices, council chambers, a police department and municipal courts facilities to be located in the City of Parker.

III. OBJECTIVES

The City proposes to retain a highly qualified, capable firm(s) to act as the Architect during the planning of the Project for a fixed price. Those firm(s) who participate in this RFQ process are sometimes referred to as “Respondents” and “Architects.” The City will give prime consideration to the Architect with significant, current experience in the development, design, and construction of municipal buildings, public meeting places and facilities, police departments, and municipal court facilities. The City reserves the right to negotiate with one or more parties and is not obligated to enter into any contract with any Respondent on any terms or conditions.

IV. SCOPE OF WORK

- A. The selected Architect(s) will be required to perform the basic architectural and engineering services to be specified more fully in a contract agreement to be negotiated after selection. The contract agreement will provide for payment for phases of work completed with options to proceed through all phases or to discontinue work as the circumstances may dictate. Upon selection of a Respondent with whom negotiations will proceed, a Scope of Work will be developed. The City anticipates a contract which will include site review & recommendations, programming, schematic design, production of computer generated renderings, and cost estimation; however, the City reserves the right to include additional project elements in the initial or subsequent professional services agreements as the City may (in its sole discretion) deem appropriate. The Architect will be required to retain and be responsible for all basic engineering disciplines such as mechanical, electrical, plumbing, fire

protection, landscape architecture, civil engineering, and structural engineering for the Scope of Work negotiated. The Architect is also required to identify and select the appropriate sub-consultants; however, the City reserves the right to approve proposed sub-consultants that will be associated with the Project.

- B. The City may use the services of a Construction Manager-at-Risk. The Construction Manager-at-Risk, if any, will serve as an integral team member from the inception of the programming and design efforts. Furthermore, the Construction Manager-at-Risk may be used, in conjunction with the design team, as the cost estimator, project scheduler, and the implication of phasing alternatives for the projects upon completion of plans sufficient to estimate the project. The Architect will coordinate and cooperate fully with the Construction Manager-at-Risk. Initial planning phase cost estimates will be provided by the Architect.

V. PROJECT FUNDING

Funding for the work described herein will be provided from various funding sources available to the City to be determined upon approval by the City Council. Funding sources for design beyond the services described herein have not yet been finalized.

VI. SELECTION PROCESS

Selection of firms will follow the proposal-interview process.

From a review of the statements of qualification received, the City intends to invite several firms to be interviewed before making a final selection of a firm for this project. If the City desires to interview a firm, that firm will receive notification of the date and time of the interview.

The City will use a Staff Evaluation Panel to initially evaluate the submittals. The statements of qualifications received will be one part of the selection process utilized by the City, together with the interviews, to determine if a consulting contract should be pursued. The Staff Evaluation Panel will recommend a short list to the City Council for their consideration. The Council may request that presentations be made in a City Council meeting to assist them in their decision.

The selected respondent then will negotiate with the City on fee and contract conditions. If a reasonable fee cannot be achieved with the respondent of choice, in the opinion of the City, negotiations will proceed with the second choice respondent until a mutually agreed contract can be negotiated.

VII. EVALUATION CRITERIA

The Preliminary Evaluation Team may consist of: City Staff Representatives, Representatives of the Construction Manager if retained by the City at the time the Architect is selected.

The criteria used to evaluate the RFQ responses will include, but not be limited to, the following (items listed below are not listed in order of importance):

A. Qualifications of Firm

Qualifications of firm, specifically as they relate to this Project.

B. Firm Experience on Similar Projects

Related project experience of the firm(s) and the individuals who would be assigned to this Project.

C. Available Resources to Complete Project

This criterion would include the analytical, design tools, personnel, resources or methodologies commonly used by the firm that may be applicable to the project categories.

D. Responsiveness to the RFQ

This would include any documents submitted such as concept plans, space planning, and design concepts and other related items.

E. Professional References

VIII. ADDITIONAL INSTRUCTIONS, NOTIFICATIONS AND INFORMATION

- A. No Gratuities** – Respondents will not offer any gratuities, favors, or anything of monetary value to any official or employee of the City for the purpose of influencing this selection. Any attempt by a Respondent to influence the selection process by any means, other than disclosure of qualifications and credentials through the proper channels, will be grounds for exclusion from the selection process. Accordingly, contacts with members of the Staff Evaluation Team, which are outside of the established process, should not be initiated.
- B. All Information True** – By submitting a response, Respondents represent and warrant to the City that all information provided in the response submitted shall be true, correct and complete. Respondents who provide false, misleading or incomplete information, whether intentional or not, in any of the documents presented to the City of Parker for consideration in the selection process may be excluded.
- C. Interviews** – After the initial evaluation of the statements of qualifications, Respondents will be notified of their status in the selection process. Respondents who are “short- listed” should expect and anticipate subsequent interviews which will most likely focus not only on the Respondent’s program approach but also on an appraisal of the design professionals who would be directly involved in the Project. “Short listed” respondents may be asked to make a presentation to the City Council. If a presentation to the Council

is requested, it will be necessary that additional RFQ response submittals be provided by the “short listed” respondent.

- D. Inquiries** – Do not contact the Mayor and City Council or the Staff Evaluation Team to make inquiries about the progress of this selection process. Respondents will be contacted when it is appropriate to do so. Process inquiries may be directed to Mr. Jeff Flanigan, City Administrator for the City.
- E. Cost of Responses** – The City will not be responsible for the costs incurred by anyone in the submittal of responses.
- F. Contract Negotiations** – This RFQ is not to be construed as a contract or as a commitment of any kind. If this RFQ results in a contract offer by the City the specific scope of work, associated fees, and other contractual matters will be determined during contract negotiations.
- G. No Obligation** – The City reserves the right to: (1) evaluate the responses submitted; (2) waive any irregularities therein; (3) select candidates for the submittal of more detailed or alternate proposals; (4) accept any submittal or portion of submittal; (5) reject any or all Respondents submitting responses, should it be deemed in the City’s best interest; or (6) cancel the entire process.
- H. Professional Liability Insurance** – The Respondent shall have the appropriate liability insurance written by an insurer authorized to transact insurance in the State of Texas. A minimum of 2,000,000. Per Occurrence

IX. SUBMITTAL INSTRUCTIONS

Sealed submittals are required. Submittals must be delivered to The City of Parker, Texas, at the address set forth below at or before **2:00 pm on** _____. All submittals must be labeled on the outside with the Respondent’s name, the name of the Project – “Parker, Texas Municipal Center Project 2017”. Late submittals shall not be considered.

Five (5) copies of the response are to be addressed to:

City Administrator
City of Parker
5700 East Parker Road
Parker, TX 75002

To enable the City to efficiently evaluate the responses, it is important that Respondents follow the required format in preparing their responses.

**RESPONSES THAT DO NOT CONFORM TO THE PRESCRIBED FORMAT MAY
NOT BE EVALUATED.**

Each copy of the response shall be bound using a semi-permanent binding method, to ensure that pages are not lost. Pages shall be no larger than letter size (8 ½” by 11”) or, if folded to that dimension, twice letter size (11” by 17”) each section (defined below) shall be separated by a tabbed divider. Elaborate covers and permanent binders are not required. Five copies are required and font size shall be 12.

X. CONTENT OF SUBMITTAL

Each response shall be submitted as outlined in this section. Please include an outside cover and/or first page, containing the name of the Project.

A table of contents should be next, followed by dividers separating each of the following sections:

- **Divider #1: Letters**

The first page following the divider shall be a letter transmitting the response to the City and stating that the proposal set forth in it remains effective for a period of 60 calendar days. At least one copy of the transmittal letter shall contain the original signature of a partner, principal, or officer of the Respondent. Cover letter shall state why your firm stands out over other firms.

- **Divider #2: Firm Information**

- a. Firm name, addresses, and telephone numbers of all firm offices.
- b. Structure of firm, i.e., sole proprietorship, partnership, corporation, and size of firm.
- c. Years firm has been in business.
- d. Names of principals in firm.
- e. Primary contact.
- f. Organizational description.
- g. Description of firm’s philosophy.

- **Divider #3: General Company History/Qualifications**

- a. A brief history of the Architect and the services routinely provided in-house on municipal (or related) building projects.
- b. An organization chart that explains team member responsibilities.
- c. The resumes of all persons to be assigned to the project with their prospective roles identified.
- d. Documentation that the firms on the Architect’s team (architects and engineers) are registered in the State of Texas.

- **Divider #4: Financial and Legal Status**

- a. Describe the general financial capability of the Respondent. If requested during the selection or negotiation process a financial statement and balance sheet may be required.

- b. List any actions taken by any regulatory agency against or involving the firm or its agents or employees with respect to any work performed, in the past 5 years.
- c. List all litigation against or involving the firm or its agents or employees with respect to any work performed, in the past 5 years.
- d. Provide certificate of insurance.

- **Divider #5: Experience and References**

- a. Discussion of Architect's experience in working with Government Agencies.
- b. List of five representative Municipal (and Governmental) projects completed in the last five years, whether ongoing or completed, including references. Please begin with projects in Texas. For each, please provide:
 - i. Project name and location
 - ii. Year completed
 - iii. One page description of project
 - iv. Names, addresses, and phone numbers of owner and contact person tasked with daily responsibilities of project.
 - v. Names, addresses and telephone numbers of general contractor and engineer
 - vi. Construction cost and whether or not it was within the project budget.
 - vii. Construction time and whether or not it was completed on time.
 - viii. List of references
- c. List of all projects currently under contract, and percentage of completion for each project

- **Divider #6: Management and Organizational Approach** – on two pages or less, please describe your management and organization approach to the project. The following should be addressed within this description:

- a. Please describe your firm's understanding of the project.
- b. Describe how the firm will organize to perform the services.
- c. Describe how the firm will solicit in the programming and design phases the interested stakeholders. This includes community residents, city council, staff and users.
- d. Provide procedures for assisting in the development of project scheduling, coordination of consultants, quality and cost control.
- e. Describe the architectural team's approach to communication with the City and Construction Manager, and if architectural group can provide CMAR.
- f. Description of Architect's approach to code analysis and jurisdictional approvals.
- g. Provide project schedule
- h. Team's LEED experience on similar type projects.

*In the event that two or more architectural firms are collaborating, dividers 2-6 must be filled out for each company, with responsibilities clearly delineated between firms.



Parker Police Department

Memorandum



Exhibit 2

TO: Richard D. Brooks
Chief of Police

FROM: Kenneth Price
Police Captain

SUBJECT: Addendum - 2016 Racial Profiling Report

DATE: 02/13/2017

Chief,

As you are aware, the 2016 Racial Profiling Report for the Parker Police Department is due on March 1st of this year. Together with Administrative Assistant Monica Williamson, Court Clerk Lori Newton and myself, we had researched the data and compiled a report for your review and submission.

Upon your approval, I then attempted to report this information to TCOLE using a format previously allowed. However, when this information was being uploaded to the states digital reporting system, it was determined the state no longer allows racial reporting categories for individuals under Unknown or Other.

This required further research of 30 separate recorded stops listed in those two categories to determine in which these 30 individuals should have been categorized. Lori Newton and myself re-reviewed each citation and made a determination as to the appropriate category they were to be affixed.

I have updated the attached submission form, with the corrected data, to reflect how the state requires these figures be reported. This corrected submission form will need to be forwarded to the Council to accurately record the racial profiling report. Brazos Technologies, our citation software company, was also contacted and their system was updated to reflect the authorized reporting categories. This should allow for smoother and more accurate reporting in the future.

During review of all information available, it appears your Police Department is **still** in compliance with Departmental Policies and Procedures, as well as applicable State and Federal laws regarding our contacts with individuals.

Respectfully,


Kenneth Price
Police Captain

Cc: 2016 Racial Profiling File

RECEIVED 02/13/2017
Richard Brooks

2016 Racial Profiling Report

TCOLE Submission

Parker Police Department

Number of Motor Vehicle Stops

1. 589 Citations only
2. 7 Arrest only
3. 6 Citations and Arrests

4. 602 Total

Race or Ethnicity

5. 78 African
6. 30 Asian
7. 266 Caucasian
8. 159 Hispanic
9. 69 Middle Eastern
10. 0 Native American
- 10.a 0 Other
- 10.b 0 Unknown

11. 602 Total

Race or Ethnicity known prior to stop?

12. 15 Yes
13. 587 No

14. 602 Total

Search conducted?

15. 7 Yes
16. 595 No

17. 602 Total

Was search consented?

18. 1 Yes
19. 6 No

20. 7 Total



Parker Police Department



Memorandum

TO: Honorable Mayor
Honorable Mayor Pro Tem
Distinguished Council Members

FROM: Richard D. Brooks, Chief of Police

SUBJECT: Racial Profiling Report 2016

DATE: February 13, 2017

Honorable Mayor and Distinguished Members of the Parker City Council,

Attached is the Parker Police Department Racial Profiling Report for 2016. As you are aware, the Texas Code of Criminal Procedures prohibits racial profiling and requires the collection of data related to motor vehicle stops. It further requires the development and adoption of a policy to clearly define and strictly prohibit racial profiling. The law also requires a process for public education relating to complaint processes and to allow individuals to file a complaint if it is believed racial profiling has occurred.

As required by the Texas Code of Criminal Procedures, the Parker Police Department has adopted Special Order 500, titled "Racial Profiling", which fulfills the requirements of that procedure. In addition, the Police Department developed Special Order 300 that specifies a process on "How to file a complaint against a Police Officer". The Department will collect data and review video related to motor vehicle stops occurring in the City of Parker. The purpose of the data collection and these reviews is to identify trends, identify training issues, and identify safety concerns as well as racial profiling violations. Any complaints or concerns regarding racial profiling allegations will be fully investigated.

The Parker Police Department is required to report these findings to the City Council on an annual basis. Specific data contained in this report is also required to be reported to the Texas Commission on Law Enforcement (TCOLE) on or before March 1st of every year.

The required information to be reported to TCOLE includes the number of motor vehicle stops, race or ethnicity, was the race known prior to the stop, was a search conducted, was the search consented and if the individual was a resident or not of the reporting agency city.



Parker Police Department

Memorandum

Police Officers conduct motor vehicle stops as part of their duties. Departmental vehicles used to perform those stops are equipped with video and audio recording equipment. Since all vehicles routinely used for traffic enforcement are equipped with audio/video equipment, a partial reporting exemption is claimed. The partial exemption is known as a Tier 1 exemption.

Due to the Tier 1 reporting requirements, motor vehicle stop data is reviewed on a monthly basis, for the purpose of monitoring officer compliance. Random video reviews of officer contacts are done to ensure compliance with applicable laws and for any evidence of racial profiling. As part of Special Order 500, we have mandated a review process (PPD-009) by Patrol Division Personnel, as well as a monthly review, as a part of the Internal Affairs function that is recorded on PPD-(009A), which assures quality control of the processes are being met.

Data regarding motor vehicle stops was compiled throughout the year using Brazos Technology/Crime Star software and a count of any handwritten citations issued by the officers. A review of the data began in January 2017 and during review of all information available, the Parker Police Department is in compliance with Departmental policies and procedures, as well as applicable State and Federal laws regarding our contacts with individuals.

There are no new reporting law requirements for the 2016 reporting period. All personnel were trained on Departmental policy specific to racial profiling. There were no complaints of racial profiling received by the Parker Police Department during the 2016 calendar year.

During the preparation for this report it was determined that the Parker Police Department had failed to review officer videos in 2016, a clear violation of our own policy. We immediately compiled the necessary videos and began the review process. The 2016 reviews as well as the missing reviews for 2017 were completed on February 10, 2017. An evaluation was conducted as to why we failed to follow this policy. I concluded that the change in Chief's, the multiple moves and my new administration caused this review process to fail and those responsible simply forgot to perform the reviews. The Department has implemented a check and balance system for this procedure and moving forward we will ensure that our policy is followed. Should we determine that the procedure needs modification we will change our policy accordingly. I intend to make these video reviews and important part of our goal to make ourselves better and improve what we do.

Mayor, by reporting this information to you, the Council and TCOLE this will fulfill the totality of our obligation as required by the Texas Code of Criminal Procedures.

Should you or the Council have any questions, suggestions or are in need of any clarification, please contact me.



Parker Police Department

Memorandum



In your service,

A handwritten signature in blue ink, appearing to read 'Richard Brooks'.

Richard D. Brooks
Chief of Police

cc: Jeff Flanagan
Patty Scott-Grey



Parker Police Department



Memorandum

TO: Richard D. Brooks
Chief of Police

FROM: Kenneth Price
Police Captain

SUBJECT: 2016 Racial Profiling Report

DATE: 02/10/2017

Chief,

As you are aware, the 2016 Racial Profiling Report for the Parker Police Department is due on March 1st of this year. Data regarding motor vehicle stops was compiled throughout the year and a review of the data began in January 2017 and included any handwritten citation issued by our Officers.

Together with Administrative Assistant Monica Williamson, Court Clerk Lori Newton and myself, we have researched the data and have compiled the following report for your review and submission.

As you are aware, during this reporting period, the Police Department fell behind in the video review process due to issues faced by its members. Those issues included employee health related issues, mold in the walls of the old police building that was remediated, the hiring of a new Police Chief and several new staff members along with the move of Police Operations twice in this same year.

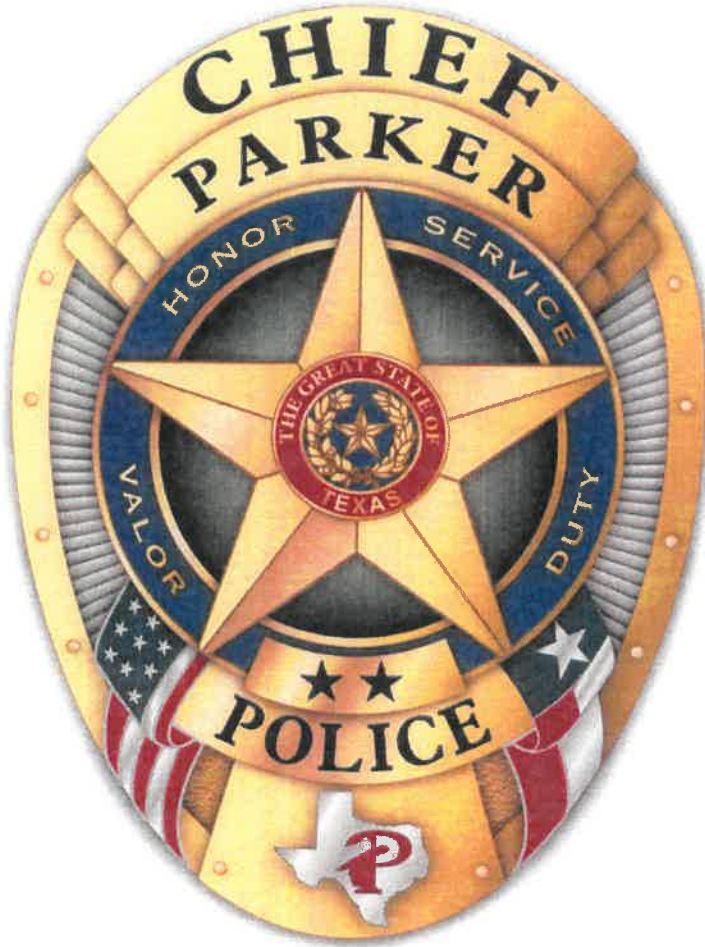
We were however, able to go back over the 2016 reporting year and review videos of our staff members for indications of Racial Profiling, in compliance with Special Order 500. I will ensure that moving forward; this process will be completed on a weekly and monthly basis in accordance with applicable policies and procedures.

During review of all information available, it appears your Police Department is now in compliance with Departmental Policies and Procedures, as well as applicable State and Federal laws regarding our contacts with individuals.

Respectfully,


Kenneth Price
Police Captain

Cc: 2016 Racial Profiling File



Parker Police Department

Racial Profiling Report

2016

February 10, 2017

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Article 2.131-2.132

- Prohibits racial profiling by police officers
- Requires implementation of a process by which complaints may be made for racial profiling
- Requires collection of data related to motor vehicle stops resulting in citations and/or arrests:
 - Race of the individual
 - Whether a search was conducted
 - Whether the search was consensual
 - Whether the officer knew the race of the individual being stopped prior to the stop
- Requires the Chief of Police to submit an annual report to the Texas Commission on Law Enforcement and the Parker City Council

Art. 2.131. Racial Profiling Prohibited.

A peace officer may not engage in racial profiling.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING.

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provide public education relating to the agency's complaint process;
- (5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:

- (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
- (7) require the Chief Administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
- (A) the Texas Commission on Law Enforcement; and
 - (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.
- (c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.
- (d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.
- (e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).
- (f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

- (g) On a finding by the Texas Commission on Law Enforcement that the Chief Administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the Chief Administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by: Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 25, eff. September 1, 2009.

Texas Code of Criminal Procedure

Article 2.133-2.136

- Requires law enforcement agencies to submit a yearly report of the information collected to the governing body of the municipality
- Reports required for motor vehicle stops
- Compilation of data
- Analysis of data is not required
- Parker Police Department is exempt from Tier 2 reporting due to use of video cameras in police vehicles

Art. 2.133. Reports Required for Motor Vehicle Stops

- (a) In this article, "race or ethnicity" has the meaning assigned by Article 2.132(a).
- (b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:
 - (1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:
 - (A) the person's gender; and
 - (B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;
 - (2) the initial reason for the stop;
 - (3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;
 - (4) whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;
 - (5) the reason for the search, including whether:
 - (A) any contraband or other evidence was in plain view;
 - (B) any probable cause or reasonable suspicion existed to perform the search; or
 - (C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;
 - (6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;
 - (7) the street address or approximate location of the stop; and
 - (8) whether the officer issued a written warning or a citation as a result of the stop.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by: Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 26, eff. September 1, 2009.

Art. 2.134. Compilation and Analysis of Information Collected

(a) In this article:

(1) "Motor vehicle stop" has the meaning assigned by Article 2.132(a).

(2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each law enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Texas Commission on Law Enforcement and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.

(c) A report required under Subsection (b) must be submitted by the Chief Administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; and

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about

an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

- (e) The Texas Commission on Law Enforcement, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.
- (f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.
- (g) On a finding by the Texas Commission on Law Enforcement that the Chief Administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the Chief Administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 27, eff. September 1, 2009.

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT.

- (a) A peace officer is exempt from the reporting requirement under Article 2.133 and the Chief Administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:
 - (1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:
 - (A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make motor vehicle stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle stops is equipped with transmitter-activated equipment; and
 - (B) each motor vehicle stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

- (2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.
- (b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each motor vehicle stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a motor vehicle stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.
- (c) This article does not affect the collection or reporting requirements under Article 2.132.
- (d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by: Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 28, eff. September 1, 2009.
 Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

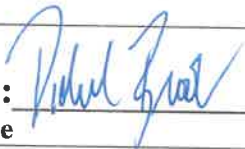
Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Parker Police Department

Special Order 500 (Revised 06/01/2016)

- States purpose
- Establishes policy
- Prohibits discriminatory practices
- Establishes complaint process
- Establishes disciplinary and corrective actions
- Establishes public education
- Provides for training
- Establishes guidelines for data collection
- Use of video/audio equipment and review

Parker Police Department		Special Orders	
Subject: Racial Profiling		Number: 500	
Effective Date: 06/01/2016		Review Date: 03/10/2017	
Amends/Supersedes : Any order issued previously		Approved:  Chief of Police	
Best Practice Standards: 2.01			

Note: This Special Order is for internal use only and does not enhance an Officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Special Order, if proven, can only form the basis of a complaint by this department and only in a non-judicial, administrative setting.

INDEX WORDS:

Audio and Video Recording
 Collection of Information
 Complaint
 Ethnicity
 Race

Racial Profiling
 Reporting
 Review
 Training

I. PURPOSE

- A. The purpose of this order is to reaffirm the City of Parker Police Department's commitment to unbiased policing in all its encounters with any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of departmental policy and the law.

II. POLICY

- A. It is the policy of this department to police in a proactive manner and to aggressively investigate suspected violations of the law. Officers shall actively enforce local, state and federal laws in a responsible and professional manner without regard to race, ethnicity, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. Officers are strictly prohibited from engaging in racial profiling as defined in this policy. Racial profiling is an unacceptable police tactic and will not be condoned.
- B. This Special Order is adopted in compliance with the requirements of Articles 2.131 through 2.136, Texas Code of Criminal Procedure, which prohibits Texas peace officers from engaging in racial profiling.

III. DEFINITIONS

- A. Racial Profiling - a law enforcement-initiated action based on an individual's race, ethnicity, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants, persons needing assistance, or other citizen contacts.
- B. Race or Ethnicity - persons of a particular descent, including Caucasian, African, Hispanic, Asian, Middle Eastern or Native American descent.
- C. Acts Constituting Racial Profiling - acts initiating law enforcement action, such as a traffic stop, a detention, a search, issuance of a citation, or an arrest based solely upon an individual's race, ethnicity, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group rather than upon the individual's behavior, information identifying the individual as having possibly engaged in criminal activity, or other lawful reasons for the law enforcement action.
- D. Motor Vehicle Stop – means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

IV. PROHIBITION

- A. Officers of the Parker Police Department are strictly prohibited from engaging in racial profiling. The prohibition against racial profiling does not preclude the use of race, ethnicity or national origin as factors in a detention decision by an officer. Race, ethnicity or national origin may be legitimate factors in such a decision when used as part of a description of a suspect or witness for whom an officer is searching.

V. COMPLAINT PROCESS

- A. No person shall be discouraged, intimidated or coerced from filing a complaint, or be discriminated against because they have filed a complaint.
- B. Any person who believes that a peace officer employed by the Parker Police Department has engaged in racial profiling with respect to that person, may file a complaint in accordance with the provisions of Special Order 300, Discipline/Complaints against Police Personnel.
 - 1. An employee who is contacted regarding a complaint against an officer shall follow the procedures set forth in Special Order 300, Section X, Investigation of Externally Originated Complaints.
 - 2. Citizens who appear in person wishing to file a complaint shall be directed to the Internal Affairs Investigator and provided with a departmental brochure, "How to File a Complaint." Brochures are maintained in the Parker Police Department lobby, and at Parker City Hall. Citizens may also be directed to the Departmental website to file a complaint.
- C. Any Officer or Investigator who becomes aware of an alleged or suspected violation of this Special Order shall report the alleged violation in accordance with Special Order 300, Discipline, Section XI. Investigation of Internally Originated Complaints.
- D. Complaints of racial profiling shall be classified as a Level I complaint, and shall be investigated by the Office of the Chief of Police or the Internal Affairs Investigator as directed by the Chief of Police. A log of all Racial Profiling Complaints will be maintained by the Internal Affairs Unit.

VI. DISCIPLINARY AND CORRECTIVE ACTIONS

- A. Any officer of this Department who is found, after investigation, to have engaged in racial profiling in violation of this Special Order may be subject to disciplinary action, up to and including termination. Disciplinary or corrective actions may include diversity, sensitivity or other appropriate training or counseling, as determined by the Chief of Police.

VII. PUBLIC EDUCATION

- A. This Department shall provide education to the public concerning the racial profiling complaint process. The primary method of public education shall be through a brochure, "How to File a Complaint" which are maintained in the lobby of the Parker Police Department, and at the Parker City Hall. These brochures are available in both English and Spanish versions. Other education methods may be utilized to inform the public, including news media, civic presentations, the Internet, and/or public meetings.

VIII. COLLECTION OF INFORMATION AND ANNUAL REPORT WHEN CITATION ISSUED OR ARREST MADE

- A. For each motor vehicle stop in which a citation is issued and for each arrest resulting from a motor vehicle stop, an officer involved in the stop shall collect the following information:

1. Information identifying the race or ethnicity of the individual detained. The following codes will be used to identify the individual's race:

B = Black / African
A = Asian
I = Native American / American Indian
H = Hispanic
W = White / Caucasian
M = Middle Eastern
O = Other
U = Unknown

Note: Officers may not ask the individual to identify their race. If the officer is unable to determine the race or ethnicity of the person

- contacted, then the race shall be entered as "Other" on the citation(s) issued.
2. Whether a search was conducted and if so, whether the individual detained consented to the search; and
 3. Whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
 4. If the person contacted is a resident of the City of Parker, this shall be reflected in the Racial Profiling module in the Brazos ticket writing program.
- B. The information collected shall be entered in to the Racial Profiling module in the Brazos ticket writing program by the officer in a timely manner. All stops requiring Racial Profiling data collection must be entered.
- C. The Internal Affairs Investigator shall ensure all Racial Profiling Data is collected and reported to the Chief of Police. The data collected shall be compiled in an annual report covering the period January 1 through December 31 of each year, and shall be submitted to the governing body of the City of Parker no later than March 1 of the following year. The report will include:
1. A breakdown of citations by race or ethnicity;
 2. Number of citations that resulted in a search;
 3. Number of searches that were consensual;
 4. Number of citations that resulted in custodial arrest; and
 5. Public education efforts concerning the racial profiling complaint process.
- C. The annual report shall not include identifying information about any individual stopped or arrested, and shall not include identifying information about any peace officer involved in a stop or arrest.
- D. Racial Profiling Data will also be reported to the Texas Commission on Law Enforcement (TCOLE) by March 1 of each year, following the Commission's prescribed format.

IX. AUDIO AND VIDEO EQUIPMENT

- A. Each motor vehicle regularly used by this department to make motor vehicle stops shall be equipped with a mobile video camera system capable of recording video and audio.
- B. Each motor vehicle stop made by an officer of this department capable of being recorded by video and audio, shall be recorded.
- C. Investigators and Officers shall ensure that mobile video camera equipment, and/or audio equipment, is properly functioning prior to commencing their tour of duty. Police units with malfunctioning or inoperable mobile video camera equipment shall not be utilized under normal circumstances.
- D. Field Operations Officer shall have the authority to assign units with malfunctioning or inoperable mobile video equipment when situations dictate. Officers assigned to such units shall collect and document the information listed below for each motor vehicle stop (PPD-008). All documentation must be submitted to the Internal Affairs Investigator prior to ending that tour of duty. Documentation shall include but is not limited to Field Interview Forms, Traffic Citations and Warning Tickets.
 - 1. A physical description of any person operating the motor vehicle, who is detained as a result of the stop, including:
 - a. the person's gender; and
 - b. the person's race or ethnicity, as stated by the person, or if the person does not state, the person's race or ethnicity, as determined by the officer to the best of his or her ability. Officers will not ask the individual to identify their race or ethnicity;
 - 2. Whether the officer knew the race or ethnicity of the individual detained before detaining that individual;
 - 3. The initial reason for the stop;
 - 4. Whether the officer conducted a search as a result of the stop, and, if so, whether or not the person detained consented to the search, signing the form (PPD-020);

5. Whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;
6. The reason for the search, including whether:
 - a. Any contraband or other evidence was in plain view;
 - b. Any probable cause or reasonable suspicion existed to perform the search; or
 - c. The search was performed as a result of the impound of the motor vehicle or the arrest of any person in the motor vehicle
7. Whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of Penal Code, a violation of traffic law or ordinance or an outstanding warrant and a statement of the offense charged.
8. The street address or approximate location of the stop;
9. Whether the officer issued a citation or a written warning as a result of the stop; and
10. Whether the person contacted is a resident or non-resident of the City of Parker. This shall be reflected on each citation issued, using an (R) for residents or an (NR) for non-resident.

XI. REVIEW OF VIDEO AND AUDIO DOCUMENTATION

- A. Each audio and video recording shall be retained for a minimum period of one hundred eighty (180) days, unless a complaint is filed alleging that an officer has engaged in racial profiling with respect to a motor vehicle stop. The Internal Affairs Investigator shall ensure that all audio and recordings are properly stored and retained in accordance with applicable laws and this Special Order.
- B. If a complaint is received alleging that an officer has engaged in racial profiling, the audio / video recording shall be forwarded to the Office of the Chief of Police who shall retain the video until final disposition of the complaint has been made.
- C. The Internal Affairs Investigator or his designee shall review a randomly selected sampling of video and audio recordings, made recently by

officers employed by the Department, in order to determine if patterns of racial profiling exist. These reviews shall be conducted monthly and documented on the appropriate form (PPD-009)

1. Written documentation shall include:
 - a. the names of the officers whose stops were reviewed;
 - b. the date(s) of the videos reviewed;
 - c. the date the actual review was conducted; and
 - d. the name of the person conducting the review.
 2. The Internal Affairs Investigator shall forward the required documentation to the Office of the Chief of Police.
 3. The Internal Affairs Investigator shall maintain a file of all video review documentation performed, in compliance with this Special Order.
- D. In reviewing audio and video recordings, the Internal Affairs Investigator or his designee, shall seek to determine if the officer(s) reviewed have engaged in a pattern of racial profiling, that includes multiple acts constituting racial profiling for which there is no reasonable, credible explanation based on established police and law enforcement procedures.

XII. TRAINING

- A. Each peace officer employed by the department shall complete the comprehensive education and training program on racial profiling established by the Texas Commission on Law Enforcement (TCOLE) not later than the second anniversary of the date the officer was licensed, or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. A person who on September 1, 2001, held a TCOLE intermediate proficiency certificate, or who had held a peace officer license issued by TCOLE for at least two years, shall complete a TCOLE training and education program on racial profiling.
- B. The Chief of Police shall, in completing the training required by Section 96.641, Texas Education Code, complete the program on racial profiling established by the Bill Blackwood Law Enforcement Management Institute of Texas (LEMIT).

XIII. EFFECTIVE DATE

- A. Any previous directive, rule, order or regulation that pertains to this subject matter and its amendments shall remain in full force and effect for any violation(s) which occur prior to the effective date of this Special Order.
- B. If any section, sentence, clause or phrase of this Special Order is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this Special Order.
- C. All training on this Special Order will be in accordance with Special Order 100, Written Directive System, Chapter VIII, Training.
- D. The effective date is stated in the header block of this Special Order.



CITY OF PARKER

PARKER POLICE DEPARTMENT

5700 E. PARKER ROAD

PARKER, TEXAS 75002

(972) 442-6999

(972) 429-7013

Richard D. Brooks
CHIEF OF POLICE

Your Police Department is made up of individuals who are dedicated to serving you and our community with Professional and Ethical Law Enforcement Services. The Police Department will take action should an employee be found derelict in their duties or sustained in wrongdoings. Equally, we encourage you to tell the Employee(s), a Police Supervisor or the Chief of Police of any outstanding performances that you observed.

CITY OF PARKER

POLICE DEPARTMENT

PERSONNEL COMPLAINT PROCESS



How to File a Complaint

PPD-013

The Parker Police Department is dedicated to providing the best Police Services possible to the residents and visitors of the City. Police Employees are carefully selected and given the best training available in order to provide Professional Services. However, you may have occasion to lodge a complaint in reference to the actions of a member of the Parker Police Department. In Order to be responsive to you, we are providing the following guidelines on how complaints should be made, how they are investigated and their results.

HOW ARE COMPLAINTS MADE?

Any person wishing to make a complaint may do so by coming to the Parker Police Department located at 5700 E. Parker Rd Parker, Texas 75002 or by visiting the department's website at www.ParkerTexas.us. Complaints can be reported 24-hours a day to any member of the department or from 8:00am—5:00pm weekdays to the Chief of Police or members of the Internal Affairs Unit.

TEXAS STATE LAW (Government Code §14.022) requires that all complaints against Police Officers be in writing and signed by the person making the complaint. Just as Citizens who are arrested must be notified of the charges against them, Police Officers must be given copies of the complaints before any disciplinary action may be taken. The person who claims to be aggrieved must make the complaint. Other persons involved in the incident may give statement as witnesses.

Traffic Tickets issued or differences of opinion between Police Officers and Citizens over the issuance of Traffic Tickets for the guilt or innocence of persons arrested will not be investigated unless there are specific allegations of misconduct against members of the department.

The Parker Police Department prohibits its Officers from engaging in Racial Profiling. A person wishing to make a complaint in reference to alleged Racial Profiling by a Parker Police Officer should follow the complaint process outlined in this document.

People who intentionally make false complaints or allegations against Police Officers violate Chapter 37 of the Texas Penal Code. Texas law provides punishment for an individual adjudged guilty of committing an offense if, with intent to deceive and with knowledge of the statement meaning, he / she makes a false statement under oath or swears to the truth of the statement previously made; and the statement is required or authorized by law to be made under oath.

A person who commits an offense under this section can be charged with offenses ranging from a Class B Misdemeanor to a Felon of the Third Degree. Punishments can range from confinement to 180 days in jail to 10 years of imprisonment and a fine not to exceed \$10,000.

WHAT HAPPENS WHEN A COMPLAINT IS FOUND TO BE TRUE?

When the investigation of a complaint reveals that the charges are true, and should be sustained against a Police Employee, the Chief of Police notifies the employee and may take one of the following actions, depending on the nature of the violation:

- Reprimand the employee;
- Suspend the employee without pay;
- Demote the employee; or
- Discharge the employee

WHAT HAPPENS IF THE COMPLAINT IS NOT TRUE?

Police employees must be afforded certain rights the same as with all citizens and complaints must be supported by sufficient evidence. If there is not sufficient evidence to sustain the complaint, the Officer is notified and continues on duty. If he / she were removed from duty during the investigation, the employee will be paid for that period.

OFFICERS CAN APPEAL THE DECISION

Just as citizens charged with criminal offenses can appeal a court's decision, Police Employees are afforded the right to appeal the actions taken against them. The City of Parker has established procedures for employees to follow in their appeals, just as the Police Department has established procedures for ensuring that complaints by citizens against Police Employees are thoroughly and impartially investigated.

WHAT IF YOU ARE NOT SATISFIED WITH THE DECISION?

If you are not satisfied with the results of the investigation, by Internal Affairs, you may appeal to:

- The Office of the Chief of Police, located at the Parker Police Department;
- The Collin County District Attorney located at the Collin County Courthouse 2000 Bloomdale Suite 100 McKinney, Texas 75071 (972) 548-4323, or
- The office of the Federal Bureau of Investigation located at 2801 Network Boulevard Suite 710 Frisco, Texas 75034 (214) 705-7000

The Parker Police Department is vitally concerned with the welfare of all residents and visitors of Parker. The Police Department will take action where employees have been proven derelict in their duties or are guilty of wrongdoing.

Likewise, if you see an employee doing an outstanding job, tell the employee or the Chief of Police. Your Parker Police Department is made up of individuals who are dedicated to serving you and our community.



**CIUDAD DE PARKER
DEPARTAMENTO DE POLICÍA PARKER**

**5700 E. PARKER ROAD
PARKER, TEXAS 75002
(972) 442-6999
(972) 429-7013**

**Richard D. Brooks
JEFE DE LA POLICÍA**

El Departamento de Policía está compuesta de personas que se dedican a usted y a nuestra comunidad de profesionales y éticos servicios encargados de hacer cumplir la ley. El Departamento de Policía tomará medidas si un empleado se encuentran abandonados en sus funciones o en actos indebidos. Igualmente, le animamos a que se avise al empleado(s), un policía Supervisor o jefe de la policía de los espectáculos que se ha observado.

**CIUDAD DE PARKER
DEPARTAMENTO DE POLICÍA**

PROCESO DE QUEJA PERSONAL



Cómo presentar una queja

PPD-013A

El Departamento de Policía Parker se dedica a proveer los mejores servicios de policía posible a los residentes y visitantes de la ciudad. Los agentes de policía son cuidadosamente seleccionados y con la mejor formación disponible con el fin de proporcionar servicios profesionales. Sin embargo, usted puede presentar una queja con referencia a la acción de un miembro del Departamento de Policía Parker. Con el fin de responder a usted, estamos ofreciendo los siguientes directrices sobre cómo quejas deben ser hechas, cómo éstos son investigados y sus resultados.

¿CÓMO SON LAS QUEJAS?

Cualquier persona que desee presentar una denuncia puede hacerlo al llegar a la Policía Parker Departamento ubicado en 5700 E. Parker Rd Parker, Texas 75002 o visitando el sitio en la red del departamento de www.ParkerTexas.us. Las quejas pueden ser informado 24 horas del día para cualquier miembro del departamento o de 8:00am-5pm en la semana al Jefe de la policía o los miembros de la Unidad de Asuntos Internos.

LEY ESTATAL DE TEXAS (Código de Gobierno 614.022) requiere que todas las denuncias contra agentes de la Policía que por escrito y firmado por la persona que hace la denuncia. Al igual que los ciudadanos que sean detenidos deben ser notificados de los cargos contra ellos. Los oficiales de la policía se le da copia de las quejas que se presentan ante cualquier medida disciplinaria puede ser tomado. La persona que afirma ser agraviado debe hacer la denuncia. Otras personas involucradas en el incidente puede dar declaración en calidad de testigos.

Multas de tráfico o las diferencias de opinión entre los policías y los ciudadanos respecto de la emisión de multas de tráfico para la culpabilidad o inocencia de las personas detenidas no se investigará si no hay denuncias concretas de conducta contra los miembros del departamento.

El Departamento de Policía Parker prohíbe a sus funcionarios de participar en perfiles raciales. Una persona que desean hacer compatible en referencia a las supuestas perfilado racial por un agente de la Policía Parker debe seguir el proceso de quejas expuestas en este documento.

Personas que intencionalmente falsas denuncias o acusaciones contra los policías violan el Capítulo 37 del Código Penal de Texas. El Senado aprobó un proyecto de ley prevé una sanción a una persona declarada culpable de cometer un delito si, con la intención de engañar y con el conocimiento de la declaración es decir, él / ella hace una declaración falsa bajo juramento o es adepta a la verdad de la declaración formulada anteriormente; y la declaración es requerido o autorizado por la ley para ser hecho bajo juramento.

La persona que comete un delito en virtud de esta sección puede ser acusado de delitos que van desde un delito Clase B a un delincuente en tercer grado. Las sanciones pueden ir desde su confinamiento en 180 días en prisión a 10 años de cárcel y una multa que no exceda los \$10,000 .

¿QUÉ SUCEDE CUANDO UNA RECLAMACIÓN SE ENCUENTRA PARA SER VERDAD?

- Cuando la investigación de una denuncia revela que las acusaciones son verdaderas, y es sostenido contra un agente de policía, el Jefe de la Policía notifica a los empleados y pueden adoptar una de las siguientes acciones, dependiendo de la naturaleza de la infracción:
 - Amonestación al empleado
 - Suspender el empleado sin pagar.
 - Degradar el empleado; o
 - Descarga del empleado

¿QUÉ SUCEDE SI LA DENUNCIA NO ES CIERTA?

Los empleados de la policía deben tener ciertos derechos al igual que con todos los ciudadanos y las quejas deben ser apoyada por pruebas suficientes. Si no hay suficiente evidencia para sustentar la denuncia, el funcionario se le notifica y continúa en el cumplimiento de su deber. Si él / ella se retiró de su cargo durante la investigación, el empleado será pagado por ese período.

LOS OFICIALES PUEDEN APELAR LA DECISIÓN

Al igual que los ciudadanos acusados de delitos penales pueden apelar una decisión de la corte, los empleados de la policía se les concede el derecho a apelar las medidas adoptadas contra ellos. La ciudad de Parker ha establecido procedimientos para que los empleados sigan en sus llamamientos, al igual que el Departamento de Policía ha establecido procedimientos para garantizar que las denuncias de los ciudadanos contra los agentes de policía son investigación exhaustiva e imparcial.

¿QUÉ PASA SI USTED NO ESTÁ SATISFECHO CON LA DECISIÓN?

Si usted no está satisfecho con los resultados de la investigación, llevada a cabo por Asuntos Internos, usted puede apelar a:

- La Oficina del Jefe de la Policía, situado en el Departamento de Policía Parker.
- El Condado de Collin Fiscal de Distrito ubicado en el Condado de Collin Bloomdale Courthouse 2100 Suite 100 McKinney, Texas 75071 (972) 548-4323; o
- La oficina de la Oficina Federal de Investigación en Red 2801 Boulevard Suite 710 Frisco, Texas 75034 (214) 705-7000

El Departamento de Policía Parker tiene un interés vital en el bienestar de todos los residentes y visitantes de Parker. El Departamento de Policía tomará medidas cuando los empleados han sido negligentes en el desempeño de sus funciones o culpables de haber cometido infracciones.

Del mismo modo, si usted ve un empleado haciendo un trabajo sobresaliente, dígame al empleado o el Jefe de la policía. El Departamento de Policía Parker se compone de personas que se dedican a usted y a nuestra comunidad.

2016 Data Composition

The Parker Police Department provides police services to the City of Parker. The data included in this report is from all traffic related contacts made by the Parker Police Department.

Parker Police Contacts	602
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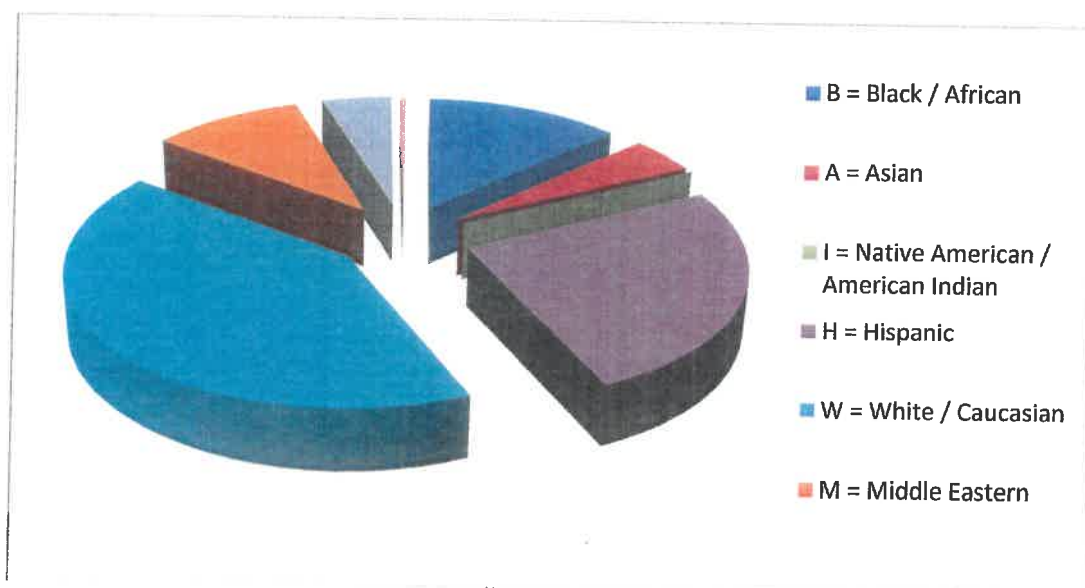
2016 Compliance

As required by the Texas Code of Criminal Procedures, the Parker Police Department has adopted Special Order 500, titled Racial Profiling, which fulfills the requirements of State House Bill 3389. In addition your Police Department developed Special Order 300 that specifies a process on “How to file a complaint against a Police Officer”, as well as collecting and reviewing data related to motor vehicle stops for the purpose of identifying and responding to complaints and/or concerns regarding Racial Profiling.

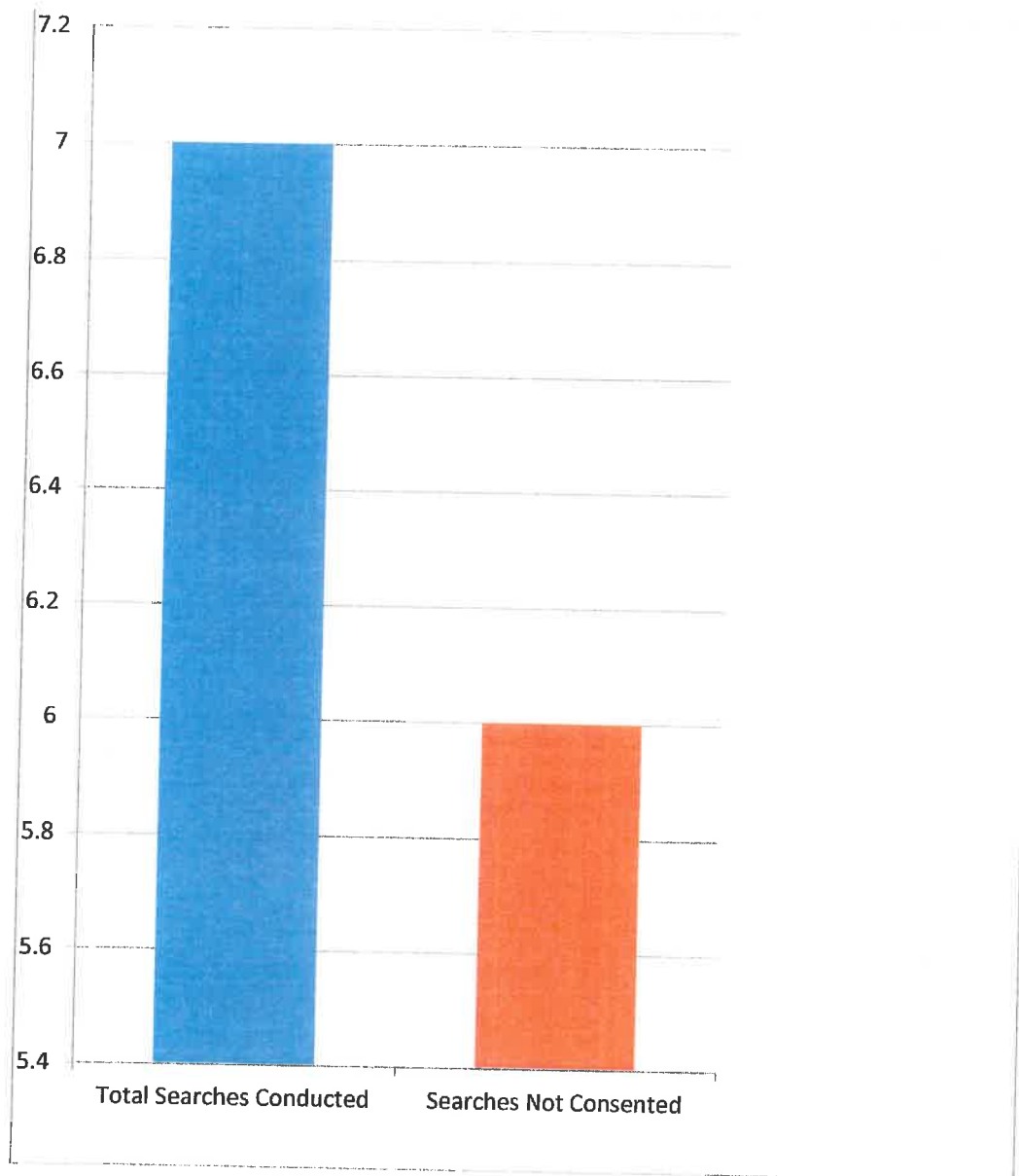
A review of the data began in January 2017 and during review of all information available, it appears the Parker Police Department is in compliance with Departmental Policies and Procedures, as well as applicable State and Federal laws regarding our contacts with individuals.

Race or Ethnicity

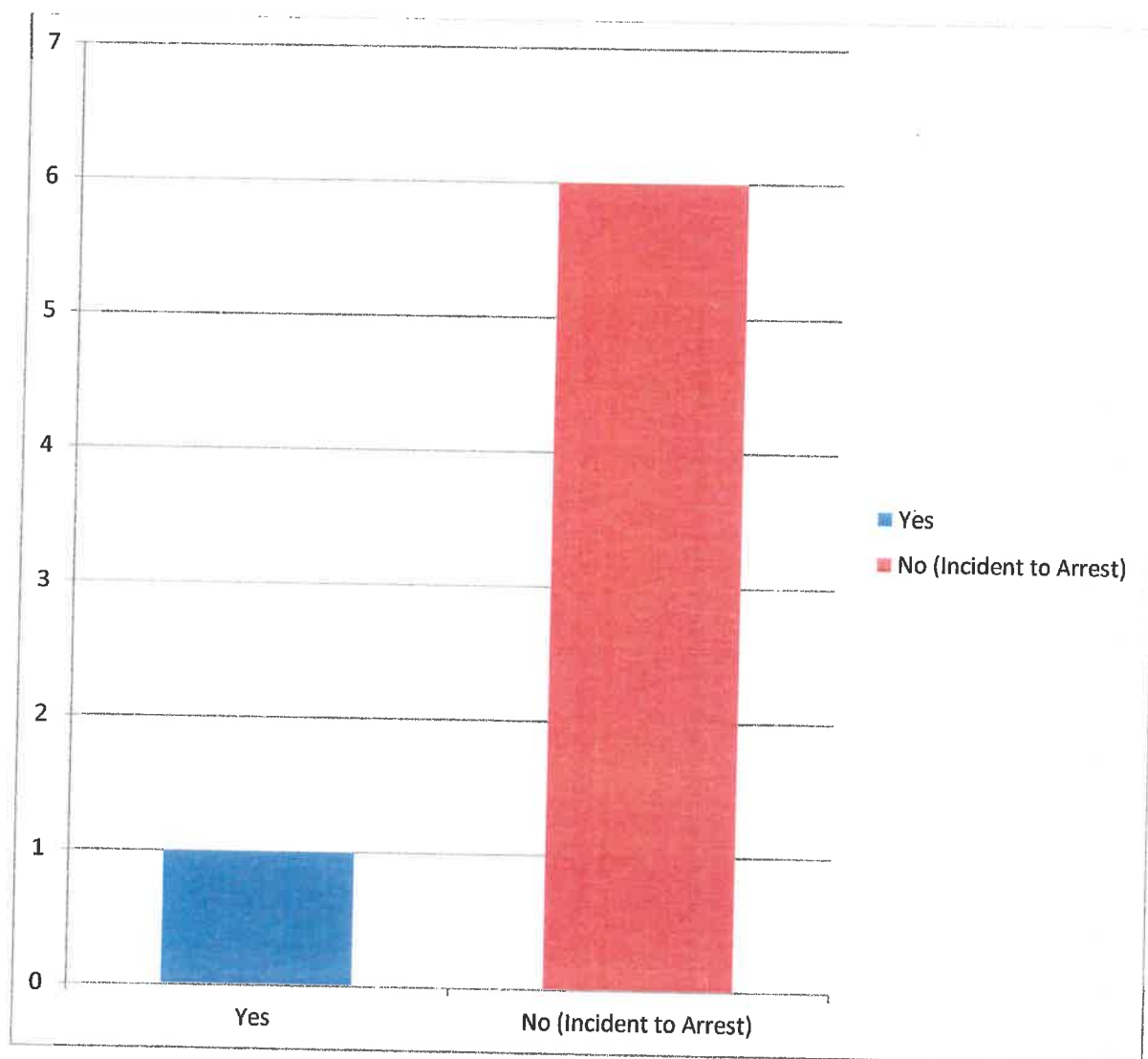
B = Black / African	78
A = Asian	27
I = Native American / American Indian	0
H = Hispanic	155
W = White / Caucasian	251
M = Middle Eastern	61
O = Other	28
U = Unknown	2
Total Contacts	602



Total Searches Conducted	7
Searches Not Consented	6

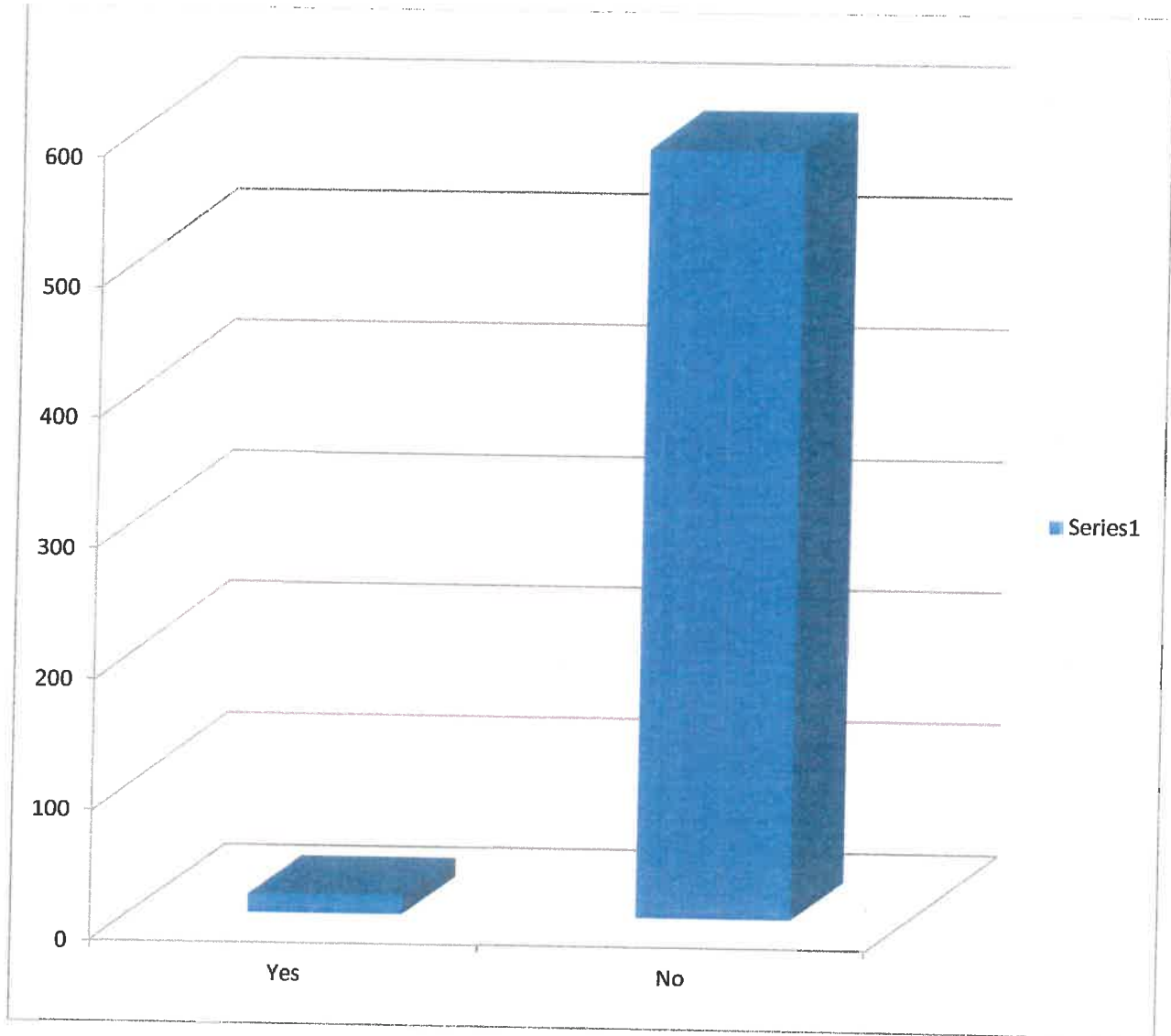


Total Searches	7
Consent Given	1
Incident to Arrest	6
No Consent Given	0



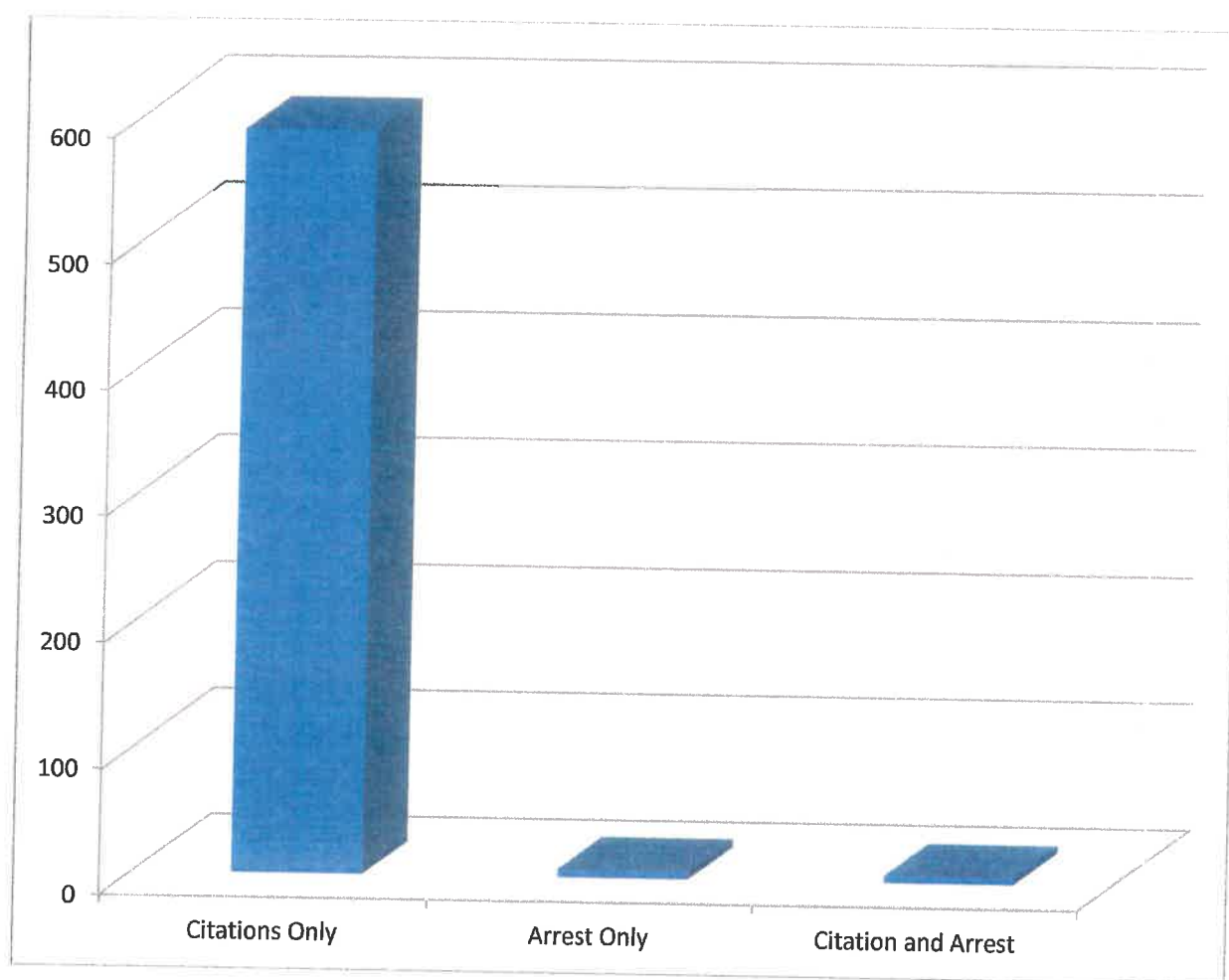
Race or Ethnicity Known Prior to Stop

Yes	15
No	587
Total	602



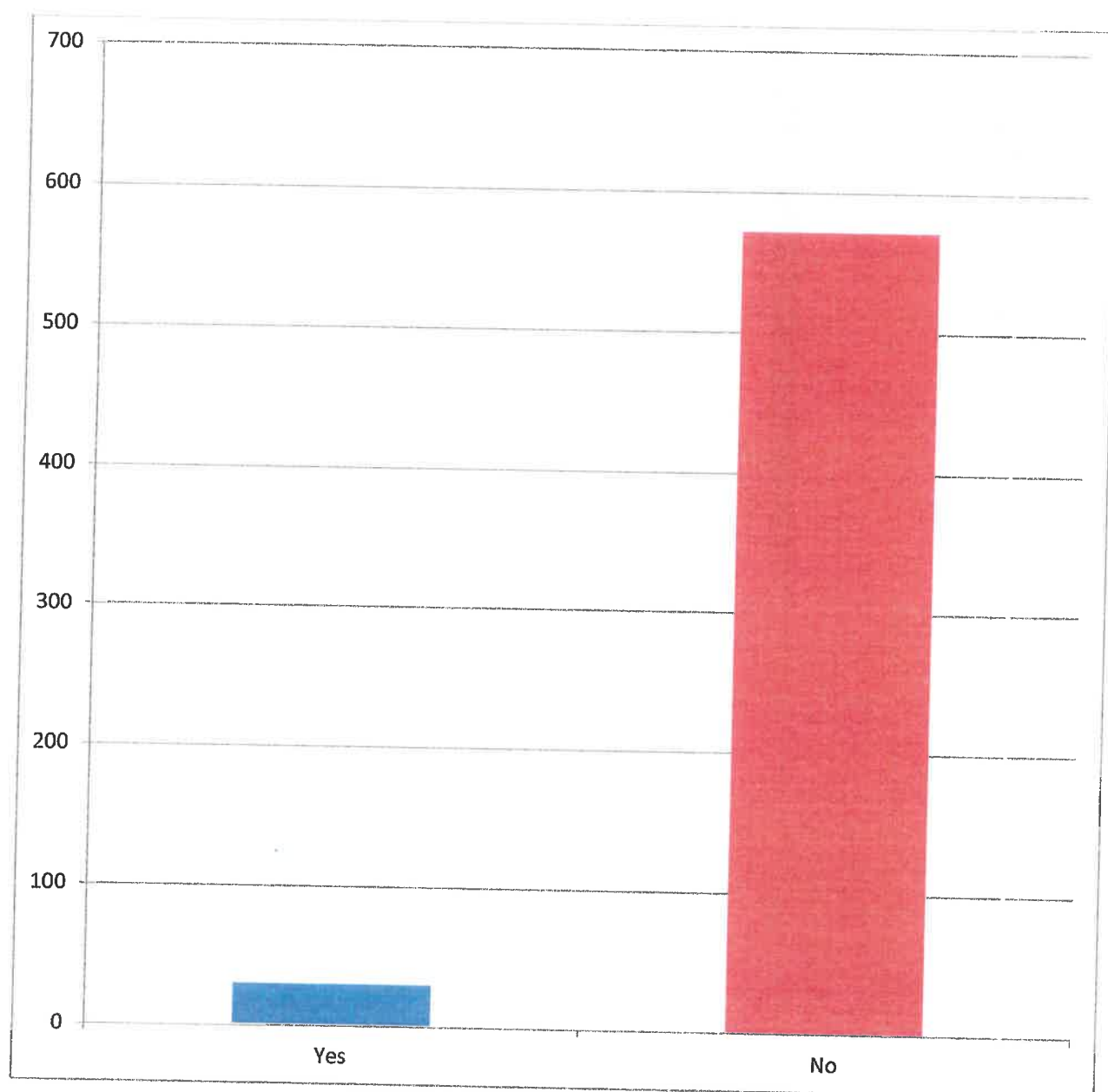
Number of Motor Vehicle Stops

Citations Only	589
Arrest Only	7
Citation and Arrest	6
Total	602



Resident Yes or No

Yes	30
No	572



2016 Racial Profiling Report

TCOLE Submission

Parker Police Department

Number of Motor Vehicle Stops

1.	589	Citations only
2.	7	Arrest only
3.	6	Citations and Arrests

4. **602** **Total**

Race or Ethnicity

5.	78	African
6.	27	Asian
7.	251	Caucasian
8.	155	Hispanic
9.	61	Middle Eastern
10.	0	Native American
10.a	28	Other
10.b	2	Unknown

11. **602** **Total**

Race or Ethnicity known prior to stop?

12.	15	Yes
13.	587	No

14. **602** **Total**

Search conducted?

15.	7	Yes
16.	595	No

17. **602** **Total**

Was search consented?

18.	1	Yes
19.	6	No

20. **7** **Total**



Parker Police Department



Video/Audio Review (Racial Profiling)

A randomly selected sampling of video and audio recordings, made recently by Officers employed by the Department, will be reviewed to determine if patterns of Racial Profiling exist.

In reviewing video and audio recordings, the Internal Affairs Investigator or his designee, shall seek to determine if the Officer(s) reviewed have engaged in a pattern of Racial Profiling as described in Special Order 500 XI (A-D).

These reviews shall be conducted weekly and documented below:

Date(s) of Video: From: _____ To: _____ **Unit Number:** _____

1) Name of Officer(s) reviewed:

A) _____

B) _____

C) _____

D) _____

2) Review By: _____ **Date Reviewed:** _____
Printed Name

3) Notes: (Any findings of Racial Profiling or Violations of Policy)

Reviewing Officer Signature

Date

Chief of Police

Date



Parker Police Department



Video/Audio Review (Racial Profiling)

A randomly selected sampling of video and audio recordings, made recently by Officers employed by the Department, will be reviewed to determine if patters of Racial Profiling exist.

In reviewing video and audio recordings, the Internal Affairs Investigator or his designee, shall seek to determine if the Officer(s) reviewed have engaged in a pattern of Racial Profiling as described in Special Order 500 XI (A-D).

These reviews shall be conducted monthly by Internal Affairs and documented below:

Date(s) of Video: From: _____ To: _____ **Unit Number:** _____

1) Name of Officer(s) reviewed:

A) _____ B) _____

C) _____ D) _____

2) Review By: _____ **Date Reviewed:** _____
Printed Name

3) Notes: (Any findings of Racial Profiling or Violations of Policy)

Reviewing Officer Signature

Date

Chief of Police

Date



Council Agenda Item

Item 2
C'Sec Use Only

Budget Account Code:	Meeting Date: April 4, 2017
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Administrator Flanigan
Estimated Cost:	Date Prepared: March 29, 2017
Exhibits:	None

AGENDA SUBJECT




CANCEL APRIL 18, 2017 REGULAR MEETING DUE TO PARKER WOMEN'S CLUB (PWC) CANDIDATES NIGHT FORUM AND SET SPECIAL MEETING FOR APRIL 17, 2017. [MARSHALL]

SUMMARY

At the March 13, 2017 City Council meeting, City Council set the 1st Reserve at Southridge annexation public hearing date for April 4, 2017 and allowed Mayor Marshall to schedule the 2nd public hearing date, due to the Parker Women's Club (PWC) Candidates Night Forum.


Please note the April 2017 calendar provided.

APRIL 2017						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

-  Regular City Council meeting dates
-  Special City Council meeting date
-  Canceled City Council meeting date – Candidates Night Forum

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:		Date:	
City Administrator:	<i>Jeff Flanigan</i>	 Date:	03/31/2017



Council Agenda Item

Item 3
C'Sec Use Only

Budget Account Code:	Meeting Date: April 4, 2017
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Attorney Shelby
Estimated Cost:	Date Prepared: March 24, 2017
Exhibits:	Proposed Resolution

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 533, THE CITY OF PARKER, TEXAS SUSPENDING THE APRIL 21, 2017, EFFECTIVE DATE OF ONCOR ELECTRIC DELIVERY COMPANY'S REQUESTED RATE CHANGE. [SHELBY]

SUMMARY

On March 17, 2017, Oncor Electric Delivery Company (Oncor) filed a rate case with all cities in its service area that retain original jurisdiction over distribution rates. The Company wants to raise rates by \$317 million annually. Unless the city takes action to suspend the April 21st effective date, the rate increase can be charged to all customers within the city's jurisdiction after April 21, 2017.

POSSIBLE ACTION

Council may direct staff to take appropriate action.

Inter -- Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:	<i>Brandon S. Shelby</i>	Date:	Via Email 03/23/2017
City Administrator:	<i>Jeff Flanigan</i>	Date:	03/31/2017

RESOLUTION NO. 533

RESOLUTION OF THE CITY OF PARKER, TEXAS SUSPENDING THE APRIL 21, 2017, EFFECTIVE DATE OF ONCOR ELECTRIC DELIVERY COMPANY'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; 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

WHEREAS, on or about March 17, 2017, Oncor Electric Delivery Company (Oncor), pursuant to PURA §§ 33.001 and 36.001 filed with the City of Parker, Texas a Statement of Intent to increase electric transmission and distribution rates in all municipalities exercising original jurisdiction within its service area effective April 21, 2017; and

WHEREAS, PURA § 36.108 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days after the date the rate change would otherwise be effective; and

WHEREAS, PURA § 33.023 provides that costs incurred by Cities in ratemaking proceedings are to be reimbursed by the regulated utility.

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

1. That the April 21, 2017 effective date of the rate request submitted by Oncor on or about March 17, 2017, be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.
2. That the City's reasonable rate case expenses shall be reimbursed by Oncor.
3. 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.
4. A copy of this Resolution shall be sent to Oncor, Care of Howard Fisher, Oncor Electric Delivery Company, LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202.

PASSED AND APPROVED this the 4th day of April, 2017.

APPROVED:

Z Marshall, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Brandon S. Shelby, City Attorney

Steve Elk
Area Manager
Customer Operations



Oncor
4600 State Highway 121
McKinney, Texas 75070
Tel: 972.569.1205
Cell: 469.261.2311
Fax: 972.569.1299
steven.elk@oncor.com

oncor.com

Stephen N. Ragland
Vice President
Regulatory

March 17, 2017

City of Parker
5700 E. Parker Road
Parker, TX 75002

To the Honorable Mayor for the City of Parker:

Attached for filing please find a Petition and Statement of Intent of Oncor Electric Delivery Company LLC ("Oncor") for Authority to Change Rates in accordance with PURA § 36.102. This rate request is identical to those being filed today with other regulatory authorities and affects all customers served by Oncor.

Enclosed is a single volume that contains the Petition and Statement of Intent filed with the Public Utility Commission of Texas ("Commission") (including a Summary of Proposed Rates by Customers and Rate Class), proposed tariffs, and summaries of testimony.

As a regulatory authority with jurisdiction over Oncor's rates, operations and services within your city limits, Oncor is requesting that the City take action with regard to this rate change request as expeditiously as possible. If the City does not act to either suspend the effective date for 90 days or take a final action prior to the effective date of April 21, 2017, the rates would be considered approved by operation of law. It is Oncor's intent to have system-wide rates in effect and towards that end intends to appeal to the Commission any action taken by the City, and request consolidation into one proceeding at the Commission. Once the appeal is granted, the City would have standing as a party to participate fully in the proceeding at the Commission.

Should you have any questions concerning this filing, or would like to request a copy of the full 13 volume rate filing package, please contact your Oncor local area manager.

Very truly yours,

A handwritten signature in black ink that reads "Stephen N. Ragland". The signature is written in a cursive, flowing style.

Oncor
1616 Woodall Rodgers Freeway
Dallas, Texas 75202
Tel: 214.486.5255
steve.ragland@oncor.com

Receipt Acknowledged by:

Patricia Scott Ly

Title: City Secretary

Date: 3/17/2017

City of Parker

Petition and Statement of Intent of Oncor Electric Delivery Company LLC for Authority
to Change Rates



Council Agenda Item

Item 4
C'Sec Use Only

Budget Account Code:	Meeting Date: April 4, 2017
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Administrator Flanigan
Estimated Cost:	Date Prepared: March 24, 2017
Exhibits:	None

AGENDA SUBJECT

PUBLIC HEARING FOR CITIZEN INPUT REGARDING A SPECIAL USE PERMIT FOR AN ACCESSORY BUILDING AT 1708 DUBLIN ROAD FOR MARY TEMPLETON. [FLANIGAN/SHELBY]

SUMMARY

On March 23, 2017, the Planning and Zoning (P&Z) Commissioner Leamy moved to recommend approval of a Special Use Permit (SUP) for an accessory building at 1708 Dublin Road for Mary Templeton. Commissioner Sutaria seconded with Commissioners Wright, Lozano, Jeang, Leamy, and Sutaria voting for the motion. Motion carried 5-0. A public hearing is needed to receive citizen input.

POSSIBLE ACTION

Council may direct staff to take appropriate action.

Inter - Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:	<i>Brandon S. Shelby</i>	Date:	Via Email 03/29/2017, 9:44 am
City Administrator:	<i>Jeff Flanigan</i>	Date:	03/31/2017



Council Agenda Item

Item 5
C'Sec Use Only

Budget Account Code:	Meeting Date: April 4, 2017
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Administrator Flanigan
Estimated Cost:	Date Prepared: March 24, 2017
Exhibits:	Proposed Ordinance

AGENDA SUBJECT


CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 745 APPROVING A SPECIAL USE PERMIT FOR AN ACCESSORY BUILDING AT 1708 DUBLIN ROAD FOR MARY TEMPLETON. [FLANIGAN/SHELBY]

SUMMARY

After the public hearing to receive citizen input, regarding the special use permit is completed. City Council is asked to consider the proposed ordinance prepared City Attorney Brandon S. Shelby.

POSSIBLE ACTION

Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:	<i>Brandon S. Shelby</i>	Date:	Via Email 03/29/2017, 9:44 am
City Administrator:	<i>Jeff Flanigan</i>	Date: 	03/31/2017

ORDINANCE NO. 745

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS, GRANTING A SPECIAL USE PERMIT UNDER ORDINANCE NO. 483 SO AS TO ALLOW AN ACCESSORY BUILDING OF APPROXIMATELY 6,800 SQUARE FEET, WHICH IS IN EXCESS OF 2,500 SQUARE FEET, BUT LESS THAN 3% OF THE TOTAL SQUARE FOOTAGE OF THE PROPERTY IN A SF (SINGLE FAMILY RESIDENTIAL) DISTRICT AT 1708 DUBLIN ROAD, PECAN PANORAMA ESTATES, (MARY TEMPLETON, dba DUBLIN 07, OWNER); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Parker, have given the required notices and have held the required public hearings regarding this Special Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this special use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, Mary Templeton, dba Dublin 07 (Owner), is granted a Special Use Permit to allow an approximately 6,800 square foot accessory building in a SF (Single Family Residential) District at 1708 Dublin Road, and that Ordinance No. 483 is hereby amended so as to hereafter include the following described property:

BEING all of Pecan Panorama Estates, as depicted in Exhibit "A," attached.

SECTION 2: That this specific use permit is granted on the following conditions:

Zoning:

1. All aspects of the SF (Single Family Residential) District must be followed.
2. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
3. Shall comply with all EPA, City, Federal and State regulations for this use.
4. Review the zoning and development ordinance for additional requirements.
5. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

6. New Drive approaches shall conform to City of Parker standards and a permit is required.

Planning and Zoning Commission:

7. Per the site plan presented to the Planning and Zoning Commission on March 23, 2017.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Ordinance No. 483.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. 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.

INTRODUCED on this the _____ day of _____, 2017.

ADOPTED on this the _____ day of _____, 2017.

EFFECTIVE DATE on this the _____ day of _____, 2017.

CITY OF PARKER, TEXAS

BY: _____

Z MARSHALL, MAYOR

ATTEST:

BY: _____

PATTI SCOTT GREY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____

**BRANDON S. SHELBY,
CITY ATTORNEY**



Council Agenda Item

Item 6
C Sec Use Only

Budget Account Code:	Meeting Date: April 4, 2017
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Administrator Flanigan
Estimated Cost:	Date Prepared: March 23, 2017
Exhibits:	<ol style="list-style-type: none">1. Application2. Survey/Map3. "Revised" Annexation Schedule Plan – Reserve at Southridge4. "Revised" 2 Notices to be published in Dallas Morning News (DMN)

AGENDA SUBJECT

PUBLIC HEARING FOR RESERVE AT SOUTHRIDGE ANNEXATION. [SHELBY]

SUMMARY

Diyar Parker LP filed an Annexation Petition for Council's consideration. The property will be developed pursuant to a comprehensive development agreement.

The City Council is required by law to follow the annexation process. City Council set 1st public hearing for April 4 and later decided on April 17 for the 2nd public hearing date. Please see City Attorney Brandon Shelby's Annexation Schedule Plan and note a special/called meeting is needed May 8-12 to consider adoption of the proposed annexation.

POSSIBLE ACTION

Council may direct staff to take appropriate action.

Inter -- Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:	<i>Brandon S. Shelby</i>	Date:	03/08/2017
City Administrator:	<i>Jeff Flanigan</i>	Date:	03/31/2017



RECEIVED

FEB 23 2017

Page 1

CITY OF PARKER

ZONING BOUNDARY CHANGE APPLICATION FORM
ANNEXATION REQUEST FORM

1. Requesting:

Permanent Zoning _____
Re-Zoning _____ (See Note*)
Annexation X _____

*Note: If requesting re-zoning, please attach a letter stating nature of re-zoning request; i.e. state present zoning and type of zoning change requested

Applicant/Company Name: Diyar Parker LP

Company Address: 2504 Glacier Street, Irving TX. 75062

Company Phone Number: 972-814-6248

Company Email: _____

Contact Name: Ahmed Hussein

Contact Phone Number: 972-814-6248

Contact Email: ahmed0516@hotmail.com

2. Description and Location of Property:

- a. Survey and abstract: Martin Hearn Survey, Abstract No. 425
- b. Lot and block: _____
- c. Total number of acres: 45.493 Ac.
- d. Location further described: Property South of Curtis Drive, West of Southridge Estates Subdivision

3. Attach 8 copies of the preliminary plat or survey that contains:

- a. North point, scale, and date
- b. Name and address of:
 - i. Applicant
 - ii. Engineer or surveyor responsible for survey of plat
- c. Survey and abstract with tract designation
- d. Location of major and/or secondary thoroughfares located with or adjacent to the property
- e. Location of existing or platted streets within and adjacent to the existing property
- f. Location of all existing rights of way, utility, and/or drainage easements

4. Fees (Non-Refundable): See Attached Fee Schedule

All fees are due and payable at the time of application. No hearing will be scheduled nor will any reviews be made until payment of required filing fees has been accomplished. Fees are non-refundable regardless of outcome of request.

All the requirements and fees of this application are submitted to the City of Parker requesting a hearing date for a Public Hearing before the Planning and Zoning Commission and/or the City Council as may be required. Hearing dates will be scheduled in accordance with provisions of the City of Parker's Comprehensive Zoning Ordinance.

Applicant:  _____ Date: 02/18/2017

Accepted: _____ Date: _____

REQUEST FOR ZONING BOUNDARY CHANGE:

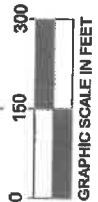
You are requested to supply the names and addresses of all property owners within 200 feet of the subject property, IN ALL DIRECTIONS.

1. Kasser & Ammira Akil - 6000 Southridge Pkwy. Parker, TX. 75002
2. Praveen Madidi & Pesser Keertana - 6002 Southridge Pkwy. Parker, TX. 75002
3. David & Sabrina Butler - 6004 Southridge Pkwy. Parker, TX. 75002
4. Vincent & Tammy Turner - 6006 Southridge Pkwy. Parker, TX. 75002
5. Matthew & Kim Barr - 4607 Ravensthorpe Dr. Parker, TX. 75002
6. Carolyn Hollins - 4605 Ravensthorpe Dr. Parker, TX. 75002
7. Sylvia & M.A. Grotowski - 4604 Ravensthorpe Dr. Parker, TX. 75002
8. Cheri & Vaclav Sydney - 5000 Englenook Dr. Parker, TX. 75002
9. Richard & Jennifer Oldner - 4905 Englenook Dr. Parker, TX. 75002
10. Wyndell & Janette Caviness - 5001 Englenook Dr. Parker, TX. 75002
11. Joe Curtis - 5903 Curtis Dr. Parker, TX. 75002
12. MSC Partnership - 5855 Curtis Dr. Parker, TX. 75002
13. Louise Shanley - 4508 Dillehay Dr. Parker, TX. 75002
14. Zai Mei Chen - 6001 Southridge Pkwy. Parker, TX. 75002
15. Eman Randy - Dillehay Dr. Parker, TX. 75002

List others on reverse side, if necessary.

FAILURE TO COMPLETE AND SUBMIT THIS INFORMATION WILL RESULT IN THE REJECTION OF THE APPLICATION.

Thank you.
City of Parker
5700 E Parker Road
Parker, Texas 75002



AREA OF ANNEXATION

NO.	DELTA	RADIUS	LENGTH	CHECKED BEARING	CHORD
C1	47°05'4"	940.07	67.79	N47°05'50"W	67.77
C2	22°23'05"	1509.87	626.17	N11°30'25"W	626.17

ANNEXATION EXHIBIT OF RESERVE AT SOUTHRIDGE 45.493 ACRES 31 RESIDENTIAL LOTS MARTIN HEARN SURVEY, ABSTRACT NO. 425 CITY OF PARKER ETJ COLLIN COUNTY, TEXAS

Kimley»Horn

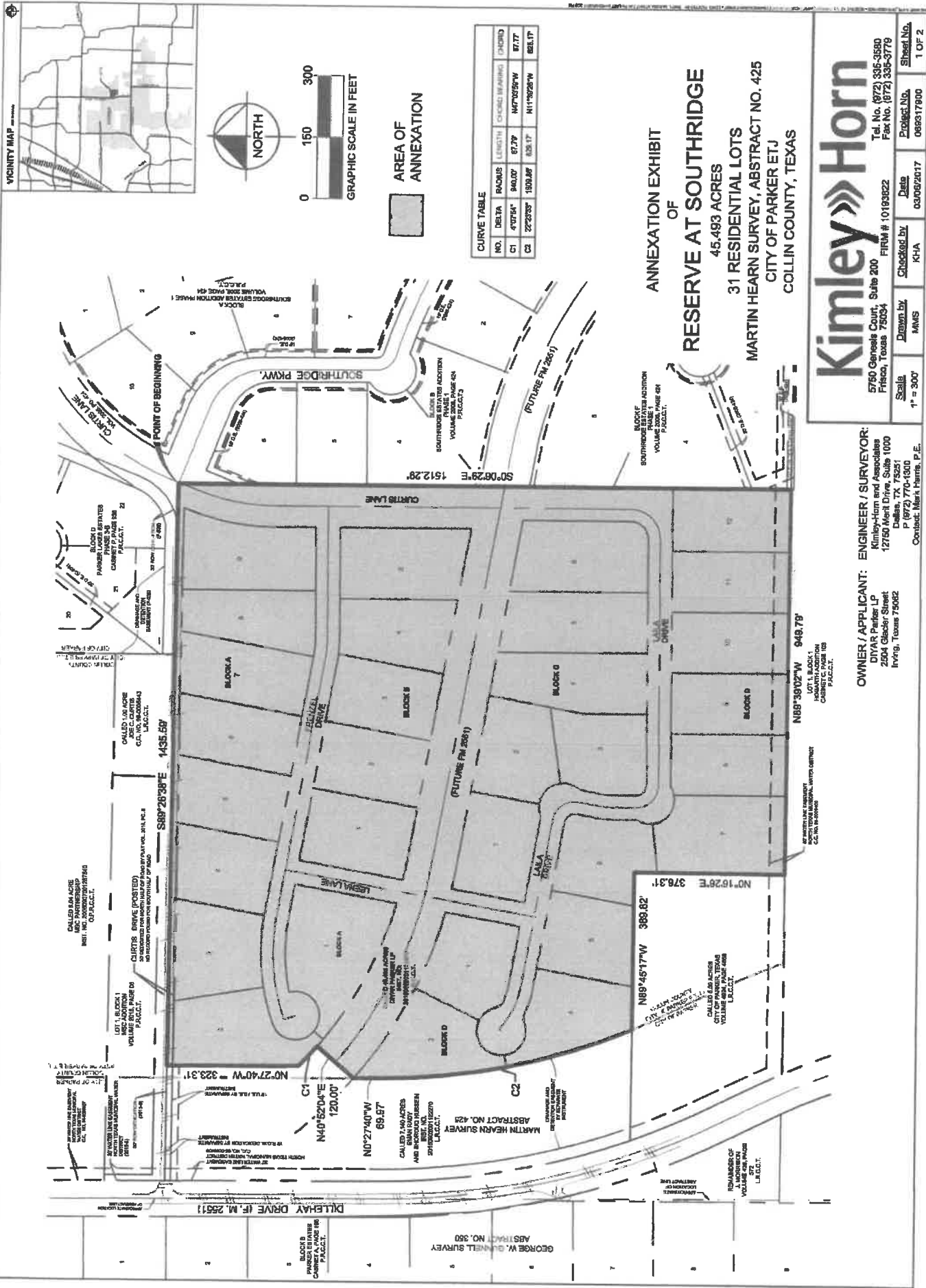
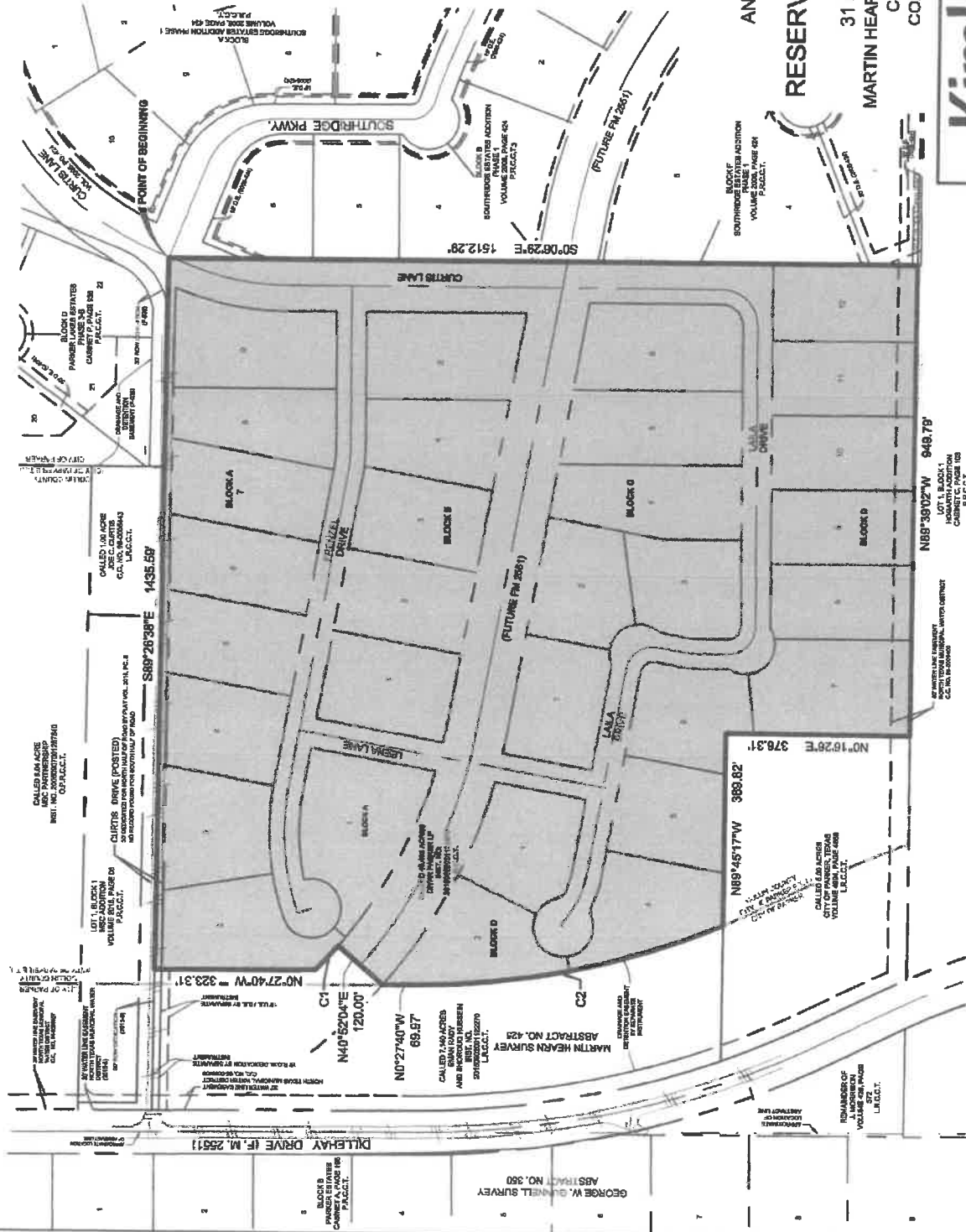
5780 Genevieve Court, Suite 200
Frisco, Texas 75034
Tel. No. (872) 335-3590
Fax No. (872) 335-3779

Project No. 068317900
Date 03/06/2017
Checked by KHA
Drawn by MMS

Scale 1" = 300'
FIRM # 10193522

OWNER / APPLICANT:
DIYAR PARKER LP
2504 Glacier Street
Irving, Texas 75062
Contact: Mark Harris, P.E.

ENGINEER / SURVEYOR:
Kimley-Horn and Associates
12750 Merit Drive, Suite 1000
Dallas, TX 75221
P (972) 770-1300
Contact: Mark Harris, P.E.



OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

WHEREAS DIYAR PARKER, LP, is the owner of all of that tract of land situated in the Martin Hearn Survey, Abstract No. 425, Collin County, Texas, and being all of a called 45.493 acre tract of land described in the deed recorded under Instrument No. 20150803001122870, Official Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an 'X' found scribed in concrete for the northeast corner of said 45.493 acre tract, common to a re-entrant corner on the westerly line of Southridge Estates Addition Phase 1, an addition to the City of Parker according to the plat thereof recorded in Volume 2006, Page 424, Plat Records of Collin County, Texas, and from which the centerline intersection of Curtis Lane and Southridge Parkway bears South 68°38'12" East, a distance of 2.37 feet;

THENCE South 0°05'29" East, along the easterly line of said 45.493 acre tract, and along the westerly line of said Southridge Estates Addition Phase 1, a distance of 1512.29 feet to a 5/8-inch iron rod with plastic cap stamped "PETITT RPLS 4087" found for the southeast corner of said 45.493 acre tract, and on the northerly line of Lot 1, Block 1 of Hogarth Addition, an addition to the City of Parker according to the plat thereof recorded in Cabinet C, Page 103, said Plat Records, and from which a 5/8-inch iron rod with plastic cap stamped "PETITT RPLS 4087" bears South 00°06'29" East, a distance of 7.32 feet;

THENCE North 89°39'02" West, along the southerly line of said 45.493 acre tract, and along the northerly line of said Hogarth Addition, a distance of 949.79 feet to a 1/2-inch iron rod with plastic cap stamped "ROOME" found for the southerly-most southwest corner of said 45.493 acre tract, common to the southeast corner of a called 5.00 acre tract of land described in the deed to City of Parker, Texas, recorded in Volume 4994, Page 4663, Land Records of Collin County, Texas, and from which a 5/8-inch iron rod with plastic cap stamped "PETITT RPLS 4087" bears North 11°59' East, a distance of 0.9 feet;

THENCE North 0°19'26" East, along the westerly line of said 45.493 acre tract, and along the easterly line of said 6.00 acre tract, a distance of 376.31 feet to a 5/8-inch iron rod with plastic cap stamped "PETITT RPLS 4087" found for the northeast corner of said 6.00 acre tract, common to a re-entrant corner on the westerly line of said 45.493 acre tract;

THENCE North 89°45'17" West, along a southerly line of said 45.493 acre tract, and along the northerly line of said 6.00 acre tract, a distance of 389.82 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the westerly-most southwest corner of said 45.493 acre tract, common to the southeast corner of a called 7.140 acre tract of land described in the deed to Eman Raddy and Shorouq Hussein, recorded in Instrument No. 20150902001122270, said Land Records, and at the beginning of a non-tangent curve to the right having a central angle of 22°23'33", a radius of 1605.86 feet, a chord bearing and distance of North 11°38'28" West, 625.17 feet;

THENCE departing the northerly line of said 5.00 acre tract, along the westerly line of said 45.493 acre tract, and along the easterly line of said 7.140 acre tract, the following five (5) courses:

1. In a northwesterly direction, with said curve to the right, an arc distance of 623.17 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner at the end of said curve;
2. North 0°27'40" West, a distance of 69.97 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;
3. North 40°52'04" East, a distance of 120.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner at the beginning of a non-tangent curve to the right having a central angle of 4°07'54", a radius of 940.00 feet, a chord bearing and distance of North 47°03'59" West, 67.77 feet;
4. In a northwesterly direction, with said curve to the right, an arc distance of 67.79 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner at the end of said curve;
5. North 0°27'40" West, a distance of 323.31 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said 45.493 acre tract, common to the northeast corner of said 7.140 acre tract, and on the southerly line of the MSC Addition, an addition to the City of Parker according to the plat thereof recorded in Volume 2015, Page 6, said Plat Records, and in Curtis Road, an asphalt roadway under apparent public use (no record found);

THENCE South 89°26'38" East, along the northerly line of said 45.493 acre tract, and along the southerly line of said MSC Addition, and along the southerly line of a called 1.00 acre tract of land described in the deed to Joe C. Curlls, recorded in County Clerk's File No. 98-0005443, said Land Records, and along the southerly line of Parker Lakes Estates Phase 3-B, an addition to the City of Parker according to the plat thereof recorded in Cabinet P, Page 838, said Plat Records, and along a southerly line of aforesaid Southridge Estates Addition Phase 1, a distance of 1435.59 feet to the **POINT OF BEGINNING** and containing 45.493 acres (1,981,864 square feet) of land, more or less.

ANNEXATION EXHIBIT
OF
RESERVE AT SOUTHBRIDGE
45.493 ACRES
31 RESIDENTIAL LOTS
MARTIN HEARN SURVEY, ABSTRACT NO. 425
CITY OF PARKER ETJ
COLLIN COUNTY, TEXAS

Kimley»»Horn

Tel. No. (972) 335-3580
Fax No. (972) 335-3779

FRM # 10193622

3750 Gensels Court, Suite 200
Frisco, Texas 75034

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 300'	MMS	KHA	03/06/2017	069317900	2 OF 2

OWNER / APPLICANT:

DIYAR PARKER LP
2304 Gleider Street
Irving, Texas 75062

ENGINEER / SURVEYOR:

Kimley-Horn and Associates
12750 Merit Drive, Suite 1000
Dallas, TX 75251
P (972) 770-1300
Contact: Mark Harris, P.E.

ANNEXATION SCHEDULING PLAN

Annexation of Approximately 45.493 Acres of Land Adjacent to the City Limit on

Thursday, March 23, 2017.....	Send written notice to property owners in the area to be annexed, public or private entities that provide services in that area, and any railroads with a right of way in the area to be annexed. The Department of Engineering Services will prepare a service plan that details the specific Municipal Services that will be provided to the area after it is annexed.
Friday, March 24, 2017.....	Post notice on City's website, newspaper and City Hall for City Council's 1 st Public Hearing on intent to annex. Send written notice to each public school district in the area to be annexed. Send by certified mail a second written notice to any railroads with a right of way in the area to be annexed. Obtain required affidavit of publication from newspaper.
Friday, March 31, 2017.....	Post notice of 1 st Public Hearing under the Open Meetings Act.
Tuesday, April 4, 2017.....	City Council's 1 st Public Hearing on intent to annex and service plan.* (Regular Council Meeting)
Friday, April 7, 2017	Post notice on City's website, newspaper and City Hall for City Council's 2 nd Public Hearing on intent to annex. Obtain required affidavit of publication from newspaper.
Friday, April 14, 2017.....	Post notice of 2 nd Public Hearing under the Open Meetings Act.
Monday, April 17, 2017.....	City Council's 2 nd Public Hearing on intent to annex and service plan.* (Regular Council Meeting)
_____, May ___, 2017.....	Post notice on City's website, newspaper and City Hall for introduction of annexation ordinance and adoption of the ordinance. Posting will also be in compliance with the Open Meetings Act.
May 8 to May 14, 2017.....	City Council Public Hearing for introduction and consideration of adoption of annexation ordinance. (Called Council Meeting**)

* If more than twenty (20) adults who are residents of the area to be annexed protest within ten (10) days of the notice by publication, then one (1) of the public hearings must be held in the area to be annexed.

** Called council meeting to meet statutory requirement that the two public hearings be held no more than 40 days and no less than 20 days prior to adoption of Ordinance

LEGAL NOTICE FOR PUBLICATION ON
RESERVE AT SOUTHRIDGE

LEGAL NOTICE

The City of Parker will hold a Public Hearing on Tuesday, April 4, 2017, at 7 p.m. in City Hall, 5700 E. Parker Rd, Parker, TX 75002, to consider annexation of property, extending the city limits of the City of Parker, and reviewing the service plan on the following described property:

PARCEL DESCRIPTION

Annexation of approximately 45.5 +/- acres of land in the Martin Hearn Survey, Abstract No. 425, City of Parker ETJ, Collin County, Texas, generally located east of FM 2551 (Dillehay Drive) and south of Curtis Drive.

By direction of the City Council of the City of Parker, Texas.

Patti Grey
City Secretary

LEGAL NOTICE FOR PUBLICATION ON
RESERVE AT SOUTHRIDGE

LEGAL NOTICE

The City of Parker will hold a Public Hearing on Monday, April 17, 2017, at 7 p.m. in City Hall, 5700 E. Parker Rd, Parker, TX 75002, to consider annexation of property, extending the city limits of the City of Parker, and reviewing the service plan on the following described property:

PARCEL DESCRIPTION

Annexation of approximately 45.5 +/- acres of land in the Martin Hearn Survey, Abstract No. 425, City of Parker ETJ, Collin County, Texas, generally located east of FM 2551 (Dillehay Drive) and south of Curtis Drive.

By direction of the City Council of the City of Parker, Texas.

Patti Grey
City Secretary



Council Agenda Item

Item 7
C'Sec Use Only

Budget Account Code:	Meeting Date: April 4, 2017
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Administrator Flanigan
Estimated Cost:	Date Prepared: March 24, 2017
Exhibits:	1. Water and Impact Fee Advisory Committee Recommendation Letter 2. Water Impact Fee Report 2016-2016 3. Notice of Public Hearing

AGENDA SUBJECT

PUBLIC HEARING DATE FOR WATER IMPACT FEES. [FLANIGAN/BIRKHOFF]

SUMMARY

On February 23, the Water and Impact Fee Advisory Committee reviewed the 2016-2026 Water Impact Fee Report that included the maximum water impact fee, prepared by Birkhoff, Hendricks & Carter, L.L.P., Professional Engineers and found the maximum water impact fee presented in the 2016-2026 Water Impact Fee Report was in general conformance with the requirements of Texas Local Government Code Chapter 395. The Impact Fee Advisory Committee offered no objections.

On February 27, 2017, City Council set the public hearing date, April 4, 2017, in accordance with Subchapter C, Section 395.049 of the Texas Local Government Code to allow public input and consideration of the proposed Ordinance for adoption of the Water Impact Fees.

The Notice of Public Hearing was published in the Dallas Morning News (DMN) Thursday, March 2nd and the Water Impact Fee Report was made available for public review.

POSSIBLE ACTION

Council may direct staff to take appropriate action.

Inter - Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:		Date:	
City Administrator:	Jeff Flanigan	Date:	03/31/2017



City of Parker, Texas
Impact Fee Advisory Committee
5700 E. Parker Road
Parker, Texas 75002

February 23, 2017

Re: Water Impact Fee
Impact Fee Advisory Committee Recommendation

Honorable Mayor Z Marshall and the City of Parker City Council:

The City of Parker Impact Fee 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 2016 Water Impact Fee.

The Impact Fee Advisory Committee reviewed the 2016-2026 Water Impact Fee Report that includes the maximum water impact fee, prepared by Birkhoff, Hendricks & Carter, L.L.P., Professional Engineers.

On behalf of the Advisory Committee, we find the maximum water impact fee presented in the 2016-2026 Water Impact Fee Report is in general conformance with the requirements of Texas Local Government Code Chapter 395. The Impact Fee Advisory Committee offers no objections.

Sincerely

A handwritten signature in black ink, appearing to read 'Joe Lozano'.

Joe Lozano
Vice Chairman, Impact Fee
Advisory Committee



WATER IMPACT FEE REPORT 2016 - 2026



Submitted To The City Of



Submitted By



BIRKHOFF, HENDRICKS & CARTER, L.L.P.
***SPECIALIZING IN CIVIL ENGINEERING FOR
MUNICIPALITIES AND GOVERNMENTAL AGENCIES***



February 2017

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

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Fax (214) 461-8390

Phone (214) 361-7900

JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E.
JOE R. CARTER, P.E.
MATT HICKEY, P.E.
ANDREW MATA, JR., P.E.
JOSEPH T. GRAJEWSKI, III, P.E.
DEREK B. CHANEY, P.E.
CRAIG M. KERKHOFF, P.E.

February 16, 2017

Mr. Jeff Flanigan
City Administrator
City of Parker
5700 East Parker Road
Parker, Texas 75002

Re: Water Impact Fee Study
2016 - 2026

Dear Mr. Flanigan:

This report presents the results of the City of Parker's Water Impact Fee Study for the planning years 2016 through 2026. This report includes the updated land use assumptions (prepared by the City's Capital Improvements Advisory Committee), the impact fee Capital Improvements Plan, and the Maximum Impact Fees by meter size for new water accounts. The maximum allowable fee per service unit (for a 1-inch water meter), adjusted to fifty percent (50%) of the calculated maximum are:

Maximum Allowable Water Impact Fee per Service Unit \$ 3,938.95

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.



Sincerely,


Andrew Mata Jr., P.E.

**CITY OF PARKER, TEXAS
WATER IMPACT FEE STUDY
2016 TO 2026**

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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
2016 to 2026**

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 or 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 City of Parker's current water Certificate of Convenient and Necessity (CCN) is CCN No. 10207. The Water Service Area extends to the Extra Territorial Jurisdiction (ETJ) and includes some area located within the City of Wylie. However, the portion of the area located in the City of Wylie was determined by the City's Impact Fee Advisory Committee to be built out and no additional infrastructure would be needed to support additional growth. 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. That step has been completed and provided by the City's Impact Fee Advisory Committee in the Land Use Assumptions Report, dated August 29, 2016. 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. The following section describes the Water Impact Fee.

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 and part by the Developer.
- 3) Interest and other finance charges on bonds issued by the City to cover its portion of the cost.

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 construct 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 2016 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 2016 as the base year. The engineering analysis of the water system is based on established land use in the year 2016, projected land use patterns through the year 2026, and on proposed infrastructure.

The engineering analysis portion of the City of Parker's 2016 Impact Fee determines utilized capacity cost of the water distribution system master plan between the years 2016 and 2026.

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. Roadway facility means any freeway, expressway, principal or minor arterial or collector roadways designated in the City's adopted Thoroughfare Plan, as may be amended from time to time. It can include any roadway designated as a numbered highway on the official

Federal or Texas highway system. It includes but is not limited to the establishment of curbs, gutters, sidewalks, drainage appurtenances, street lights and right-of-ways.

19. Roadway capital improvements plan means the adopted plan, as may be amended from time to time, which identifies the roadway facilities or roadway expansions and their costs for each road service area, which are necessitated by and which are attributable to new development, for a period not to exceed 10 years.
20. Roadway facility expansion means the expansion of the capacity of an existing roadway in the City to serve new development. It does not include the repair, maintenance, modernization, or expansion of an existing roadway to better serve existing development.
21. 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.
22. 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.
23. 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.
24. 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.
25. Wastewater facility means a wastewater interceptor or main, lift station or other facility included within and comprising an integral component of the City's collection system for

wastewater. Wastewater facility includes land, easements or structure associated with such facilities. Wastewater facility excludes site-related facilities.

26. Wastewater facility expansion means the expansion of the capacity of any existing wastewater improvement for the purpose of serving new development, but does not include the repair, maintenance, modernization, or expansion of an existing sewer facility to serve existing development.
27. Wastewater capital improvements plan means the adopted plan, as may be amended from time to time, which identifies the wastewater facilities or wastewater expansions and their associated costs which are necessitated by and which are attributable to new development, for a period not to exceed 10 years.
28. 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.
29. 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.
30. 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.
31. 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.

The Land Use Assumptions used in this impact fee process were prepared by the City of Parker’s Impact Fee Advisory Committee, and are presented in the following document, titled “Land Use Assumptions Report of the Capital Improvements Advisory Committee of the City of Parker”.



Land Use Assumptions Report of the Capital Improvements Advisory Committee of the City of Parker

Revision C - August 29, 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 Sutarla	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 its 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 sample¹ 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.

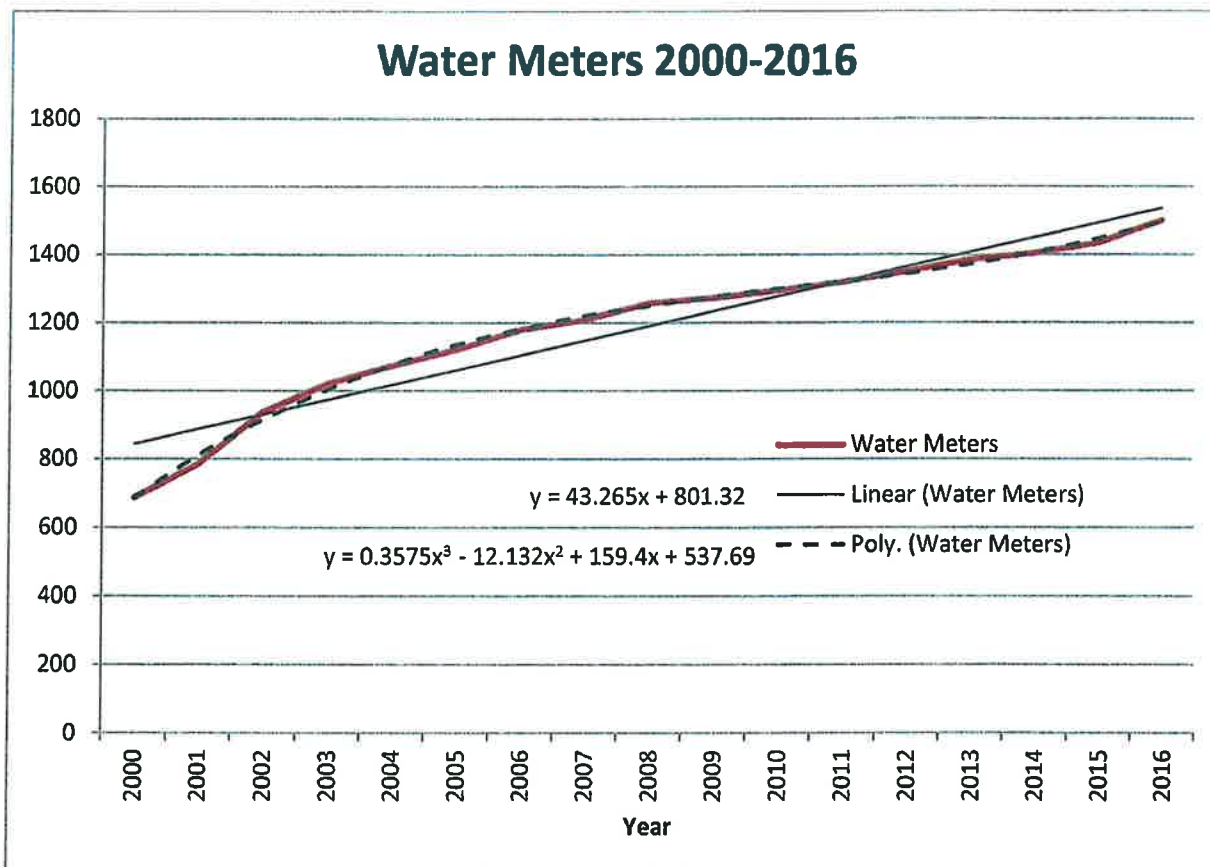


Figure 1 - Water Meter Graph

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.

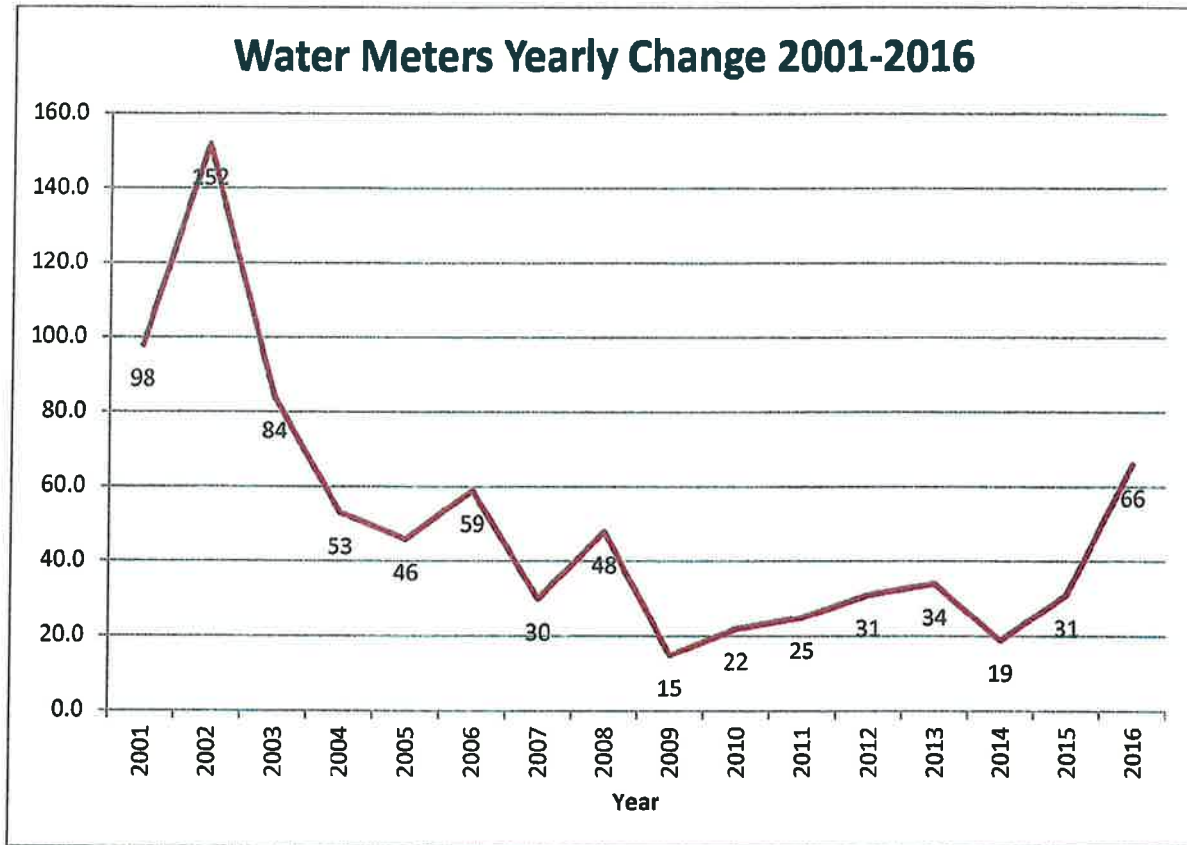


Figure 2 - Water Meters Delta from Prior Year

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 0.9² is used to allow for those areas dedicated for roads, rights-of-way and other unusable areas.

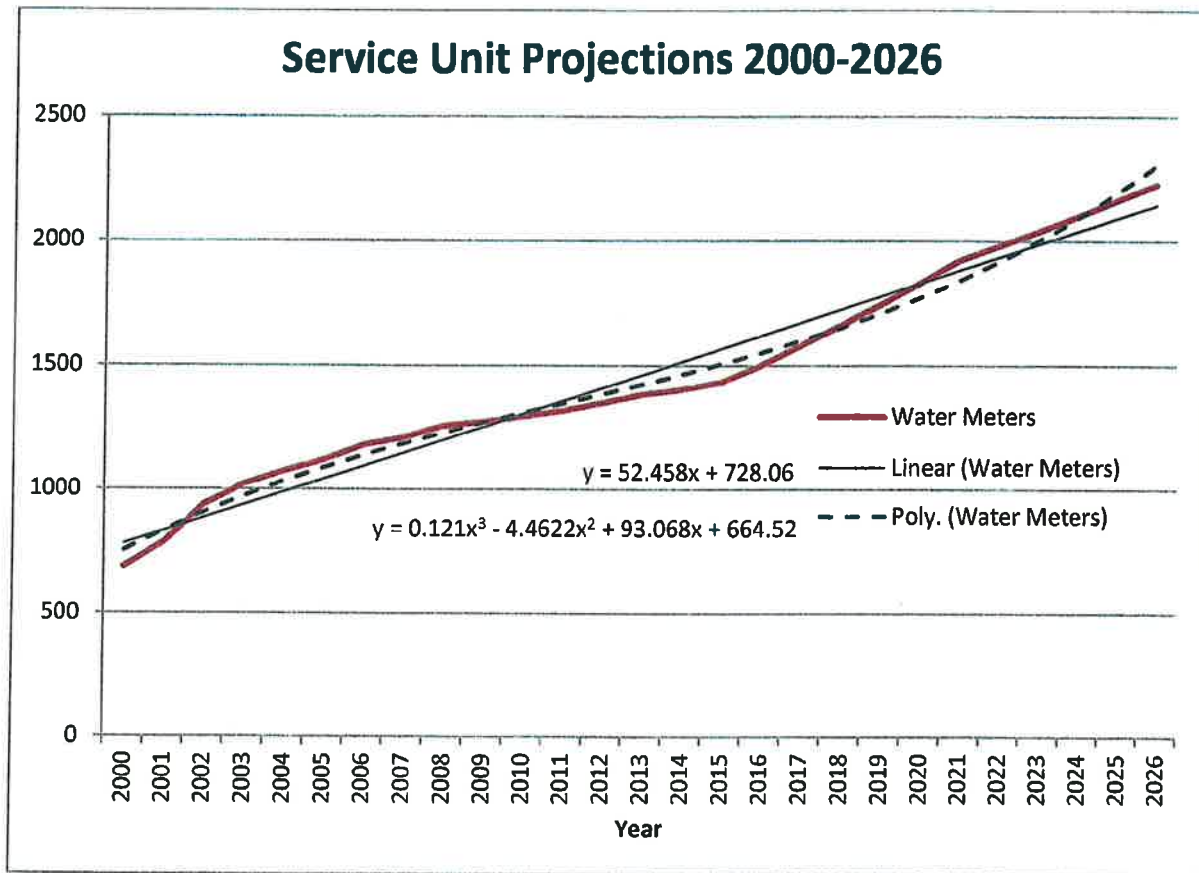
² Formula used: Number of acres * Lots/Acre * 0.9

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 Area³	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'd Housing	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 12,000⁵ 75 manufactured houses, 75 houses in CCN (not in City) is a wash

EXHIBIT 1

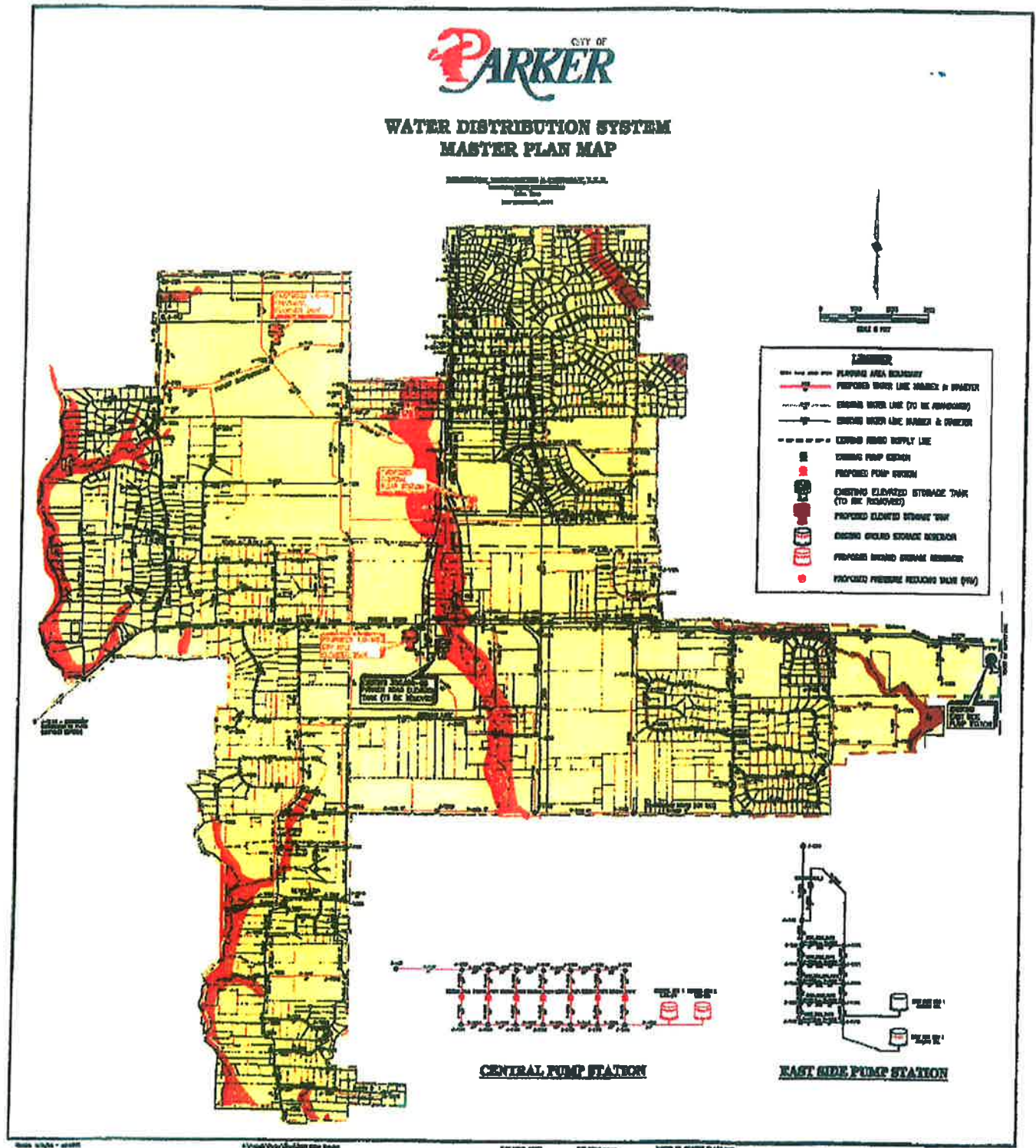
Year	January Water Meters	x 3 per household
2000	688	2064
2001	786	2358
2002	938	2814
2003	1022	3066
2004	1073	3225
2005	1121	3363
2006	1180	3540
2007	1210	3630
2008	1258	3774
2009	1273	3819
2010	1295	3885
2011	1320	3960
2012	1351	4053
2013	1385	4155
2014	1404	4212
2015	1435	4305
2016	1501	4503







EXHIBIT 5



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 and sewer impact fee amount for each water meter size.

TABLE NO. 1
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 2016-2026

The City of Parker provided the existing water meter count by size category as of August 2016. In total, there are 1,501 water meters serving the existing population of 4,503 residents and businesses 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 1,129.

TABLE NO. 2
WATER LIVING UNIT EQUIVALENTS BY METER SIZE

Meter Size	2016			2026				New Living Units During Impact Fee Period
	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	
5/8" x 3/4"	500	1.0	500	1"	742	1.0	742	242
1"	725	1.0	725	1"	1,076	1.0	1,076	351
2"	276	4.0	1,104	2"	410	4.0	1,640	536
Totals	1,501		2,329		2,228		3,458	1,129

G. WATER DISTRIBUTION SYSTEM

Computer models for the years 2016 and 2026 were prepared based on the City's Water Distribution System Master Plan. The models were developed from residential population projections as provided in the Land Use Assumptions Report, prepared by the City of Parker's Impact Fee Advisory Committee. The land areas follow closely to the construction of major facilities in the system as outlined in the Water Distribution Report. These facilities include major distribution lines, pressure reducing valves, pump stations, 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. 3 and Table No. 4 below.

TABLE NO. 3
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	3.60	2	0.5
Total:	4	3.60	2	0.5

TABLE NO. 4
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 a pumping station, ground storage facilities, elevated storage facility 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 (2016-2026) 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. The growth projections were obtained from the Land Use Assumptions Report for the Water Impact Fee prepared by the City of Parker Impact Fee Advisory Committee, dated August 29, 2016.

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 2016 residential population is approximately 4,503 residents. In year 2026 the City projects the residential population to grow to approximately 6,969 residents. The City of Parker updated the Water Distribution System Master Plan in February 2016. The Master Plan reports that based on information provided by the City, the residential per capita water usage rate for maximum daily demand is 571 gallons per capita per day (gpcd). Table No. 5 illustrates the water demand rates used to calculate the water demands for the projected population.

TABLE NO. 5
2016 DESIGN WATER DEMAND RATES

Land Use	Maximum Daily Demand Rate	Maximum Hourly Demand Rate
Residential	571 g.p.c.d.	1,091 g.p.c.d.
Commercial	1,500 g.p.a.d.	1,950 g.p.a.d.

g.p.c.d. – gallons per capita per day

g.p.a.d. – gallons per acre per day

residential peaking factor 1.91

Table No. 6 summarizes the calculated water demands for year 2016 and 2026, within the City's planning area.

TABLE NO. 6
WATER DEMANDS

Water Demand Capacities	Maximum Daily Demand (MGD)	Maximum Hourly Demand (MGD)
2016 Water Demands	3.334	5.521
2026 Water Demands	4.742	8.209
Additional Capacity Required:	1.408	2.688

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. 7 summarizes the maximum day supply capacity requirements at each delivery point within the next ten year impact fee period.

TABLE NO. 7
WATER SUPPLY

Water Supply Capacities	East Side Supply (MGD)	Central Supply (MGD)
2016 NTMWD Supply	3.50	0.00
2026 NTMWD Supply	3.50	1.75
Additional Supply Capacity Required:	0.00	1.75

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 H2O NET 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. The 72-hour EPS model was utilized with the use of a diurnal curve obtained from the 2016 Master Plan Update model for the 2016 and 2026 hydraulic models. Table No. 8 summarizes the maximum hourly demands that the proposed distribution system will need to support.

TABLE NO. 8
WATER LINE DEMANDS

Waterline Capacities	Maximum Hourly Demand (MGD)
2016 Waterline Demands	5.521
2026 Waterline Demands	8.209
Addition Waterline Capacity Required:	2.688

H.3.5 High Service Pump Stations

The City currently meets its pumping system demand requirements with the existing East Side Pump Station. This pump station has a firm pumping capacity of 3.60 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 1.75 MGD will be required to be in service by year 2020 to meet the additional maximum daily demands. Table No. 9 summarizes the pump station capacities.

TABLE NO. 9
PUMP STATIONS

Pump Station Capacities	East Side Pump Station (MGD)	Central Pump Station (MGD)
2016 Pumping Capacity	3.50	0.00
2026 Pumping Capacity	0.00	1.75
Additional Pumping Capacity Required:	0.00	1.75

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. 10 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. 10
GROUND STORAGE RESERVOIR REQUIREMENTS

Ground Storage Capacities	Ground Storage Added (MG)	Ground Storage Available (MG)
2016 Ground Storage Capacity	0.00	0.50
2026 Ground Storage Capacity	0.75	0.75
Reservoir Capacity Required:	0.75	1.25

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. 11 summarizes the elevated storage requirements to meet maximum hourly demand rates within the 10-year study period.

TABLE NO. 11
ELEVATED STORAGE TANK REQUIREMENTS

Elevated Storage Capacities	Elevated Storage Added (MG)	Elevated Storage Available (MG)
2016 Elevated Storage Capacities	0.00	1.00
2026 Elevated Storage Capacities	0.00	1.00
Elevated Storage Capacity Required:	0.00	1.00

H.4 Facilities – Utilized Capacity

Utilized capacity for the water distribution system was calculated based on the size of water line required for each model year (2016, 2026 and build-out). Master planning of the water distribution system is based on the 72-hour extended period simulation (EPS). The pump stations' capacities are generally based on the maximum daily system demand while transmission and distribution facilities are sized based on either the maximum hourly demand or the minimum hourly 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 hourly demand. The minimum hourly flows are usually higher in those lines which are used to refill elevated storage. Table No. 12 below shows the unit flows used for analysis of each element of the distribution system.

TABLE NO. 12
WATER DISTRIBUTION SYSTEM ANALYSIS
BASIS OF DEMAND CALCULATION

Type of Facilities	Demand Type	Impact Fee Per Capita Use
Pumping	Maximum Day	571 gallons/day
Distribution System	Maximum Hour	1091 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 2016 and the 2026 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 2016 percent utilized and the year 2026 percent utilized. The utilized capacity for each water distribution facility, both existing and proposed, is presented in detail in the Impact Fee Capacity Calculation Tables. Table No. 14 on page 27 summarizes the project cost and utilized cost over the impact fee period of 2016 - 2026 for each element of the Water Distribution System.

H.4.1 General

This section of the report discusses the water distribution system utilized facilities that are eligible to be included in the Impact Fee Capital Improvements Plan and are also eligible in the calculation of the impact fee. The Capital Improvements Plan makes improvements the water distribution system in order to meet and support the additional water demands created by the projected growth during the 10-year impact fee period. Only the infrastructure and facility projects identified in the Capital Improvements Plan can be eligible for impact fee funding.

H.4.2 Water Supply

The City will continue to receive water supply from the North Texas Municipal Water District. The new delivery point will be the Central Pump Station delivery point. For the year 2016, the utilized capacity is 0% since it is not constructed yet. For the year 2026, the utilized capacity was calculated by dividing the 2026 maximum daily demand by the buildout maximum daily demand, then subtracting the utilized capacities (2026-2016). Its utilized capacity during the 10-year period is approximately 62.0%.

$$2016 \text{ Utilized Capacity} = 0.0\%$$

$$2026 \text{ Utilized Capacity} = 2026 \text{ Max Daily Demand} / \text{Buildout Max Daily Demand}$$

$$\begin{aligned} 2026 \text{ Utilized Capacity} &= 4.742 \text{ MGD} / 7.645 \text{ MGD} \times 100\% \\ &= 62.0\% \end{aligned}$$

$$\text{Utilized Capacity during Capital Recovery Fee (CRF) Period} = 62.0\% - 0.0\% = 62.0\%$$

H.4.3 Water Distribution System

The utilized capacity of the water distribution system water lines is associated with waterlines that are 8-inches in diameter or larger. The water distribution system was modeled in the hydraulic modeling software for the existing year 2016 water model, the 10-year 2026 water model, and the buildout water model. The utilized capacity for the new waterlines was obtained by comparing the maximum hourly flows in the new pipes, between the three water models. For the year 2016, the utilized capacity

of the new pipes was 0.0% since they are not serviced yet. For the year 2026, the utilized capacity was calculated by dividing the year 2026 pipe flow with the buildout pipe flow, both obtained from the hydraulic water model pipe line flows. The following are the proposed distribution lines that are shown on the Capital Improvement Plan Map in report.

- 1) **Dillehay Drive 18-Inch Water Line:** This waterline project consists of approximately 2,490 linear feet of 18-inch waterline beginning at the new Central Pump station, bearing south along Dillehay Drive and terminating at Parker Road by connecting to an existing 12-inch waterline. **Its utilized capacity during CRF period was calculated to be 100%.**

Dillehay Drive 18-Inch Water Line: This waterline project consists of approximately 1,635 linear feet of 18-inch waterline beginning at the new Central Pump station, bearing north along Dillehay Drive and terminating just north of Curtis Road by connecting to the existing 16-inch waterline. **Its utilized capacity during the CFR period was calculated to be 71.0%.**

- 2) **Chaparral Elevated Storage Tank Waterline:** This waterline project consists of approximately 385 linear feet of 16-inch waterline from the new elevated tank to connect to the existing 16-inch waterline. **Its utilized capacity during the CFR period was calculated to be 62.0%.**

- 3) **Bois-D-Arc Lane 8-inch Waterline:** This waterline project consists of approximately 1,670 linear feet of 8-inch waterline required along Bois-O-Arc Road for the new pressure reducing valve vault to be in place and operational within the next 10 years. **Its utilized capacity during the CFR period was calculated to be 62.0% utilized by the year 2026.**

H.4.4 High Service Pump Stations

The new Central Pump Station will have an initial firm pumping capacity of 1.75 MGD to meet the additional water demands within the next ten-year period. For the year 2016, the utilized capacity is 0.0% since it is not constructed yet. For the year 2026 the utilized capacity was calculated by dividing the 2026 maximum daily

demand by the buildout maximum daily demand, then subtracting the utilized capacities (2026-2016). Its utilized capacity during the 10-year period is approximately 62.0%.

$$2016 \text{ Utilized Capacity} = 0.0\%$$

$$2026 \text{ Utilized Capacity} = 2026 \text{ Max Daily Demand} / \text{Buildout Max Daily Demand}$$

$$\begin{aligned} 2026 \text{ Utilized Capacity} &= 4.742 \text{ MGD} / 7.645 \text{ MGD} \times 100\% \\ &= 62.0\% \end{aligned}$$

$$\text{Utilized Capacity during Capital Recovery Fee (CRF) Period} = 62.0\% - 0.0\% = 62.0\%$$

H.4.5 Ground Storage Reservoirs

The new Central delivery point and pump station will required additional ground storage to meet TCEQ regulations and to provide a dependable supply for the Central Pump Station. The utilized capacity for the Central Ground Storage Reservoir was calculated the same as for the pump station utilized capacity above which is based on the maximum daily demands and calculating the differences between the 10-year period, then subtracting the utilized capacities (2026-2016). Its utilized capacity during the 10-year period is approximately 62.0%.

$$2016 \text{ Utilized Capacity} = 0.0\%$$

$$2026 \text{ Utilized Capacity} = 2026 \text{ Max Daily Demand} / \text{Buildout Max Daily Demand}$$

$$\begin{aligned} 2026 \text{ Utilized Capacity} &= 4.742 \text{ MGD} / 7.645 \text{ MGD} \times 100\% \\ &= 62.0\% \end{aligned}$$

$$\text{Utilized Capacity during Capital Recovery Fee (CRF) Period} = 62.0\% - 0.0\% = 62.0\%$$

H.4.6 Elevated Storage Tanks

The existing 1.0 MG Elevated Tank has the capacity to support maximum hourly demands imposed by the projected growth within the next ten years. The utilized capacity for the elevated tank was calculated based on the maximum hourly demands and finding the differences between the 10-year periods. For the year (2016 and

2026) the utilized capacity of the elevated storage tank was calculated by subtracting the max hour demand from the max day demand and dividing the difference by 4 (4 is a constant rate 4-MGD/1-MG) to convert from rate to volume. The 2026 required volume was then divided by the buildout volume required to obtain the utilized capacity. Its utilized capacity during the 10-year period is approximately 32.0%.

$$\begin{aligned}
 \text{2016 Utilized Capacity} &= (\text{2016 Max Hour Demand} - \text{Max Day Demand}) / 4 \\
 &= (5.521 \text{ MGD} - 3.334 \text{ MGD}) / 4 \\
 &= 2.190 \text{ MGD} / 4 \\
 &= 0.55 \text{ MG}
 \end{aligned}$$

$$\begin{aligned}
 \text{2016 Utilized Capacity} &= \text{2016 Required Volume} / \text{Available Volume} \\
 &= 0.55 \text{ MG} / 1.0 \text{ MG} \times 100\% \\
 &= 55\%
 \end{aligned}$$

$$\begin{aligned}
 \text{2026 Utilized Capacity} &= (\text{2026 Max Hour Demand} - \text{Max Day Demand}) / 4 \\
 \text{2026 Utilized Capacity} &= (8.209 \text{ MGD} - 4.742 \text{ MGD}) / 4 \\
 &= 3.467 / 4 \\
 &= 0.87 \text{ MG}
 \end{aligned}$$

$$\begin{aligned}
 \text{2026 Utilized Capacity} &= \text{2026 Required Volume} / \text{Available Volume} \\
 \text{2026 Utilized Capacity} &= 0.87 \text{ MG} / 1.0 \text{ MG} \times 100\% \\
 &= 87\%
 \end{aligned}$$

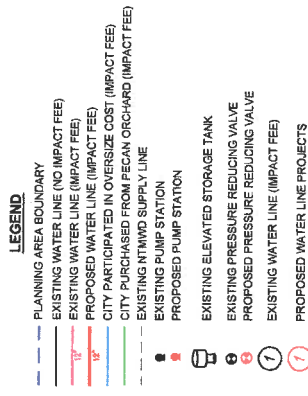
Utilized Capacity during Capital Recovery Fee (CRF) Period = 32%

H.4.7 Capital Improvement Plan Map

The Capital Improvements required within the 10-year period to support the City's projected growth are shown in Figure No. 1 on the following page.

H.5 Capital Improvement Plan Map

See Attached Map.



REVISION: 2/13/17 -- JWP K:\Programs\WQSWater\Water\101813\ Water Impact File\Map\2018-2028 Water CIP Map.dwg
PLOT SCALE: 1:2
PLOT STYLE: ----
PLOTTED BY: JWP ON 2/15/2017

H.6 Capital Improvement Plan Schedule

The following table No. 13 illustrates the projected Capital Improvement Plan schedule. This schedule correlated to the projected growth in the Land Use Assumptions report. The City will need to evaluate the yearly growth projections to determine if the schedule below needs to be revised accordingly to development growth.

TABLE NO. 13
CAPITAL IMPROVEMENTS PLAN SCHEDULE

Facility	Start Design	Start Construction	In Service
Central Pump Station	Mid 2017	Mid 2018	2020
Water Supply and Distribution Lines	Early 2017	Mid 2018	2020
Central 0.75 MG Ground Storage No. 1	Mid 2017	Mid 2018	2020
NTMWD Metered Station	Mid 2017	Mid 2028	2020

H.7 Capital Improvement Plan Cost

In order to meet the demands of the anticipated growth over the next 10-years, as provided in the Land Use Assumption Report, certain water distribution system improvements are required. These recommended improvements form the basis for the Water Distribution System Impact Fee Calculation and totals \$6,542,700. Adding the cost of financing brings the total 10-year Water Distribution System Capital Improvement cost to \$10,468,611. Table No. 15 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. 14.

TABLE No. 14
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	\$ 349,302	\$ 926,802
2	Chaparral Elevated Storage Tank 16-Inch Water Line	16"	\$ 46,200	\$ 27,944	\$ 74,144
3	Bois-D-Arc Lane 8-Inch Water Line	8"	\$ 167,000	\$ 101,010	\$ 268,010
Subtotal: Proposed Water Lines			\$ 790,700	\$ 478,256	\$ 1,268,956

SUPPLY, PUMPING, STORAGE FACILITIES AND FACILITY IMPROVEMENTS

Project No. ⁽⁴⁾	Project	Capacity	Opinion of Project Cost ⁽¹⁾	Debt Service ⁽²⁾	Total Project Cost
4		0 1.75 MGD	\$ 3,150,000	\$ 1,905,283	\$ 5,055,283
5		0 0.75 MG	\$ 990,000	\$ 598,803	\$ 1,588,803
6		0 5 MGD	\$ 1,320,000	\$ 798,404	\$ 2,118,404
7		0 -----	\$ 240,000	\$ 145,164	\$ 385,164
Subtotal, Supply, Pumping and Storage Facilities:			\$ 5,700,000	\$ 3,447,655	\$ 9,147,655

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:		\$ 6,542,700	\$ 3,925,911	\$ 10,468,611

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
- (4) * - City Initiated Construction

H.8 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	\$ 635,007
Existing Water Facilities	\$ 3,494,971	\$ 5,511,919	\$ 1,503,201
Existing Water System Subtotal:	\$ 5,754,413	\$ 9,092,613	\$ 2,138,208
Proposed Water Lines	\$ 790,700	\$ 1,268,956	\$ 1,032,405
Proposed Water Facilities	\$ 5,700,000	\$ 9,147,655	\$ 5,671,546
Master Plan & Impact Fee Expenses	\$ 52,000	\$ 52,000	\$ 52,000
Proposed Water System Subtotal:	\$ 6,542,700	\$ 10,468,611	\$ 6,755,951
TOTAL:	\$ 12,297,113	\$ 19,561,224	\$ 8,894,160

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.

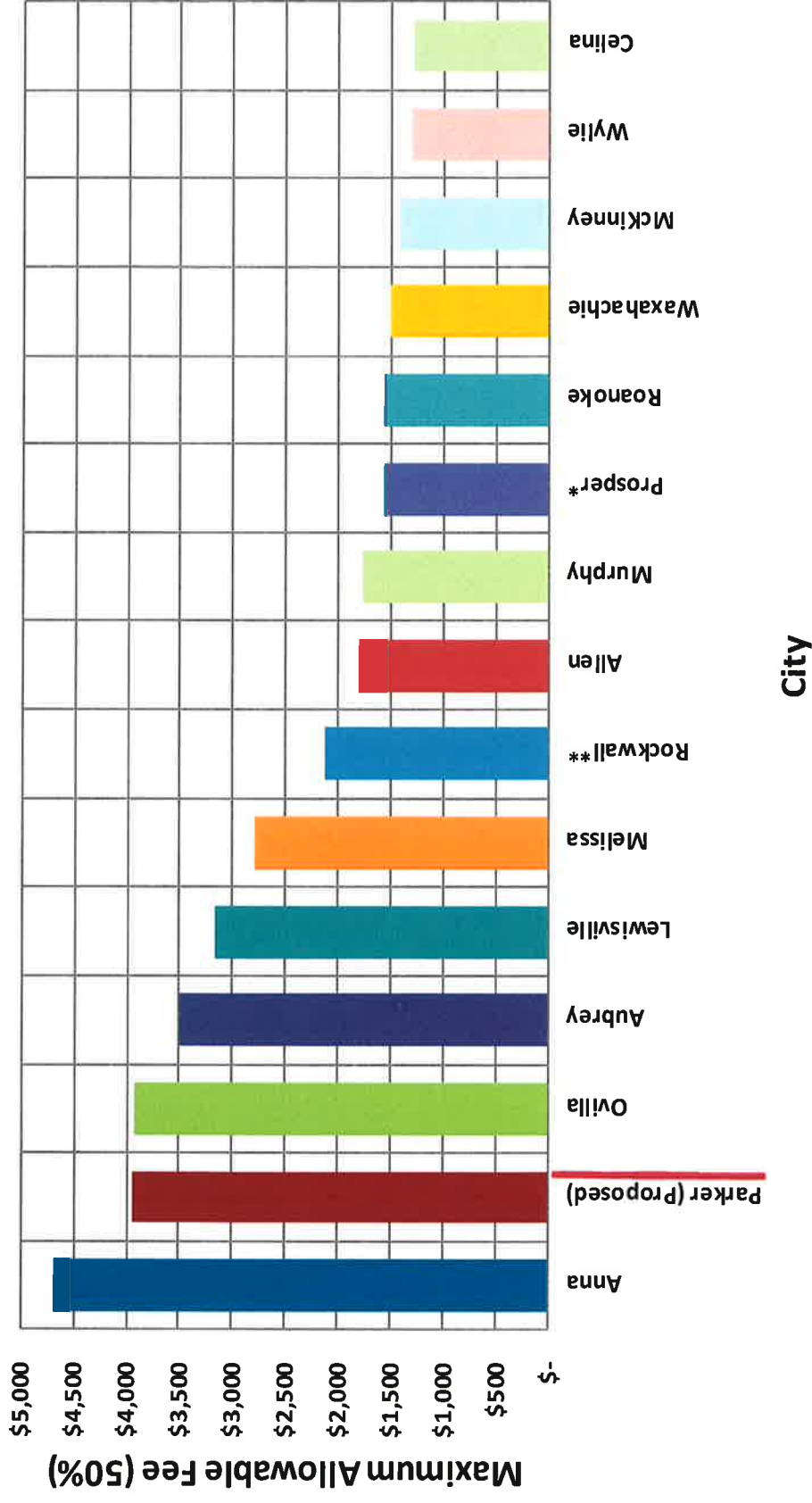
TABLE NO. 16
MAXIMUM ALLOWABLE WATER IMPACT FEE

Maximum Water Impact Fee = $\frac{\text{Eligible Existing Utilized Cost} + \text{Eligible Proposed Utilized Cost}}{\text{Number of New Living Unit Equivalent over the Next 10 Years}}$			
=	\$2,138,208	+	\$6,755,951
		1,129	\$8,894,160
			1,129
Maximum Impact Fee =	<u>\$7,877.91</u>		
Allowable Maximum Water Impact Fee: (Max Impact Fee x 50%)* =			<u>\$3,938.95</u>
* Maximum allowable impact fee is 50% of the maximum calculated impact fee per Chapter 395 LGC			

Figure No. 2 is a comparison graph of maximum water impact fees calculated for cities in North Central Texas compared to the City of Parker.

Based on the Maximum Impact Fee Calculation for Water, Table No. 17 calculates the maximum impact fee for the various sizes of water meters.

Water Impact Fee Comparison



*Impact fee based on 5/8" meter.

**Impact fee based on 1" meter.

FIGURE NO. 2

TABLE NO. 17
ALLOWABLE MAXIMUM FEE PER LIVING UNIT EQUIVALENT
AND
PER METER SIZE AND TYPE

50% Max . Water Impact fee /LUE **\$ 3,938.95**

Typical Land Use	Meter Type	Meter Size	LUE	Maximum Water	
				Impact Fee	
Single Family Residential	Simple	1"	1	\$	3,938.95
Single Family Residential	Simple	2"	4	\$	15,755.82

***APPENDIX
WATER IMPACT FEE UTILIZED
CAPACITY TABLES***

TABLE NO. 18
CITY OF PARKER, TEXAS
2016 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		
								2016	2026	During Fee Period	2016	2026	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	100%	100%	0%	\$35,498	\$35,498	\$0
P-1084	2,615	12	0	\$61.79	\$161,569	\$97,726	\$259,295	100%	100%	0%	\$259,295	\$259,295	\$0
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				\$1,283,882	\$1,283,882	\$0
2 - F.M. 2551 8-Inch Water Line													
P-1035	3,315	8	0	\$77.08	\$255,515	\$154,549	\$410,063	57%	100%	43%	\$233,736	\$410,063	\$176,327
Subtotal:	3,315				\$255,515	\$154,549	\$410,063				\$233,736	\$410,063	\$176,327
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%	98%	2%	\$43,631	\$44,540	\$909
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	95%	100%	5%	\$88,138	\$92,776	\$4,639
Subtotal:	11,028				\$330,840	\$200,109	\$530,949				\$524,494	\$530,041	\$5,548
4 - Chaparral Elevated Storage Tank 16-Inch Water Line													
P-1260	2,956	16	0	\$33.83	\$100,000	\$60,485	\$160,485	6%	71%	65%	\$9,629	\$113,944	\$104,315
Subtotal:	2,956				\$100,000	\$60,485	\$160,485				\$9,629	\$113,944	\$104,315
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	34%	100%	66%	\$49,681	\$146,122	\$96,440
P-1171	1,890	12	0	\$30.00	\$56,700	\$34,295	\$90,995	37%	100%	63%	\$33,668	\$90,995	\$57,327
P-1176	325	12	0	\$30.00	\$9,750	\$5,897	\$15,647	67%	88%	21%	\$10,484	\$13,770	\$3,286
P-1280	1,570	12	0	\$30.00	\$47,100	\$28,489	\$75,589	0%	91%	91%	\$0	\$68,786	\$68,786
P-1317	3,350	12	0	\$30.00	\$100,500	\$60,788	\$161,288	64%	90%	26%	\$103,224	\$145,159	\$41,935
P-1319	320	12	0	\$30.00	\$9,600	\$5,807	\$15,407	60%	100%	40%	\$9,244	\$15,407	\$6,163
P-1321	990	12	0	\$30.00	\$29,700	\$17,964	\$47,664	61%	75%	14%	\$29,075	\$35,748	\$6,673
Subtotal:	14,260				\$427,800	\$258,756	\$686,556				\$369,221	\$649,832	\$280,610

TABLE NO. 18
CITY OF PARKER, TEXAS
2016 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		
								2016	2026	During Fee Period	2016	2026	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	54%	70%	16%	\$105,724	\$137,050	\$31,326
P-1254	2,940	12		\$50.43	\$148,271	\$89,682	\$237,953	71%	75%	4%	\$168,947	\$178,465	\$9,518
Subtotal:	5,359				\$270,267	\$163,471	\$433,738				\$274,671	\$315,515	\$40,844
7 - Church Road Waterline													
P-1080	3,124	12	2002	\$15.72	\$49,113	\$0	\$49,113	58%	100%	42%	\$28,485	\$49,113	\$20,627
P-1220	1,648	12		\$15.72	\$25,908	\$0	\$25,908	71%	97%	26%	\$18,395	\$25,131	\$6,736
Subtotal:	4,772				\$75,021	\$0	\$75,021				\$46,880	\$74,244	\$27,363
Total:	54,638				\$2,259,443	\$1,321,251	\$3,580,694				\$2,742,513	\$3,377,521	\$635,007

TABLE NO. 19
CITY OF PARKER, TEXAS
2016 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 (\$)	2016	In The CRF Period	2016	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	100%	100%	\$217,560	\$0
East Side Pump Station Improvements	2003	3.60	MGD	\$396,700	\$79,340	5%	\$287,934	\$763,974	93%	100%	\$710,495	\$53,478
City Hall Elevated Storage Tank	2011	1.0	MG	\$2,352,442	\$470,488	5%	\$1,707,455	\$4,530,385	55%	87%	\$2,491,712	\$1,449,723
Existing Facilities Total:				\$2,945,142	\$549,828		\$2,016,948	\$5,511,919			\$3,419,767	\$1,503,201

TABLE NO. 20
CITY OF PARKER, TEXAS
2016 WATER SYSTEM IMPACT FEE STUDY
PROPOSED WATER LINES

*** Average Unit costs are based in 2016 dollars unless otherwise indicated and includes 20% for engineering and easen*

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			(\$ Utilized Capacity		
							2016	2026	During Fee Period	2016	2026	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 approximately 1,500 feet south of Chapparral while the southern segment continues to just south of Lindsey Lane approximately 2,000 feet north of Parker Road.												
2 P-1252	2,490	18"	\$140.00	\$348,600	\$210,851	\$559,451	0.0%	100.0%	100.0%	\$0	\$559,451	\$559,451
2 P-1253	1,635	18"	\$140.00	\$228,900	\$138,451	\$367,351	0.0%	71.0%	71.0%	\$0	\$260,819	\$260,819
Subtotal:	4,125			\$577,500	\$349,302	\$926,802				\$0	\$820,270	\$820,270
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-11191	385	16"	\$120.00	\$46,200	\$27,944	\$74,144	0.0%	62.0%	62.0%	\$0	\$45,969	\$45,969
Subtotal:	385			\$46,200	\$27,944	\$74,144				\$0	\$45,969	\$45,969
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"	\$100.00	\$167,000	\$101,010	\$268,010	0.0%	62.0%	62.0%	\$0	\$166,166	\$166,166
Subtotal:	1,670			\$167,000	\$101,010	\$268,010				\$0	\$166,166	\$166,166
CIP Total:	6,180			\$790,700	\$478,256	\$1,268,956				\$0	\$1,032,405	\$1,032,405

1 - City Participate in Cost Oversize

2 - City Initiated & Funded

TABLE NO. 21
CITY OF PARKER, TEXAS
2016 WATER DISTRIBUTION IMPACT FEE STUDY
PROPOSED WATER FACILITIES

Facility Improvements	Year Const.	Projected Capacity	Units	Water Facilities Cost (\$)				Capacity Utilized (MGD)		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 (\$)	2016	2026	In The CRF Period	2016	2026	In The CRF Period
Proposed Pump Stations, Ground Storage, and Elevated Storage														
8. Central Pump Station - 1.75 MGD P.S.		1.75	MGD	\$2,625,000	\$525,000	\$3,150,000	\$1,905,283	\$5,055,283	0.0	0.6	62.0%	\$0	\$3,134,275	\$3,134,275
9. Central Pump Station - 0.75 MG G.S.R.		0.75	MG	\$825,000	\$165,000	\$990,000	\$598,803	\$1,588,803	0.0	0.6	62.0%	\$0	\$985,058	\$985,058
10. NTMWD Delivery Point No. 2		5.0	MGD	\$1,100,000	\$220,000	\$1,320,000	\$798,404	\$2,118,404	0.0	0.6	62.0%	\$0	\$1,313,411	\$1,313,411
11. Bois-D-Arc Lane 8-Inch Pressure Reducing Valve		-----	-----	\$200,000	\$40,000	\$240,000	\$145,164	\$385,164	0.0	0.6	62.0%	\$0	\$238,802	\$238,802
Proposed Facility Total:				\$4,750,000	\$950,000	\$5,700,000	\$3,447,655	\$9,147,655					\$5,671,546	\$5,671,546



2016 - 2026
WATER IMPACT FEE STUDY

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFFESIONAL ENGINEERS
DALLAS, TEXAS
(214) 361-7900
amata@bhcllp.com

February 2017

**NOTICE OF PUBLIC HEARING ON POSSIBLE ADOPTION OF THE WATER
IMPACT FEES**

Date: April 4, 2017
Time: 7:00 PM
Location: Parker City Council Chambers
5700 E. Parker Road
Parker, Texas 75002

In accordance with Subchapter C, Section 395.049 of the Texas Local Government Code, a public hearing is scheduled by the City of Parker to consider the adoption of the Water Impact Fees.

Any member of the public has the right to appear at the hearing and present evidence for or against the adoption of the Water Impact Fees.



Council Agenda Item

Item 8
C'Sec Use Only

Budget Account Code:	Meeting Date: April 4, 2017
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Administrator Flanigan
Estimated Cost:	Date Prepared: March 24, 2017
Exhibits:	Proposed Ordinance

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 746,
ADOPTING THE WATER IMPACT FEE. [FLANIGAN/BIRKHOFF]

SUMMARY

In accordance with Subchapter C, Section 395.049 of the Texas Local Government Code, City Council and Staff followed the necessary guidelines and procedures. Please consider the proposed Ordinance, adopting of the Water Impact Fees.

POSSIBLE ACTION

Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:	<i>Brandon S. Shelby</i>	Date:	Via Email 03/29/2017, 5:04 PM
City Administrator:	<i>Jeff Flanigan</i>	Date:	03/31/2017

ORDINANCE NO. 746

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS ADOPTING WATER IMPACT FEES; SETTING THE ACTUAL AND MAXIMUM IMPACT FEE RATES; PROVIDING FOR IMPACT FEE ACCOUNTS AND USE OF FUNDS; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING FOR PENALTIES.

WHEREAS, Chapter 395 of the Texas Local Government Code authorizes the City of Parker to adopt impact fees for water facilities; and

WHEREAS, The City Council designated the City's Capital Improvements Advisory Committee to advise the City Council concerning land use assumptions, a capital improvements plan and the amounts of impact fees for water and wastewater facilities; and

WHEREAS, A Water Impact Fee Report, which included Capital Improvement Plans and a Land Use Assumptions Report has been prepared for the City by the Birkhoff, Hendricks, and Carter, LLP; and

WHEREAS, The Capital Improvements Advisory Committee, recommended that the City Council approve the Land Use Assumptions Report and the CIP Report.; and

WHEREAS, The City Council, after a public hearing, approved the Land Use Assumptions Report and the CIP Report by resolution adopted on January 9, 2017; and

WHEREAS, The City Council on February 27, 2017 set April 4, 2017 as the date for a public hearing to discuss the adoption of water impact fees; and

WHEREAS, The City Council finds that the City has fully complied with Chapter 395 of the Texas Local Government Code, as amended, in the notice, adoption, promulgation and methodology necessary to adopt water impact fees; and

WHEREAS, This ordinance is intended to satisfy all statutory requirements for adopting water and fees;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS AS FOLLOWS:

SECTION 1. That the Code of Ordinances, City of Parker, Texas, is amended by adding Impact Fees, to Chapter 51, Water, to read as follows:

WATER IMPACT FEES

Division 1. General Provisions

Short title.

This article shall be known and cited as the City of Parker Water Impact Fee Ordinance.

Purpose.

The purpose of this article is to help ensure that adequate water facilities are available to serve new growth and development, and to provide for new growth and development to bear a proportionate share of the cost of water and wastewater facilities that serve the new growth and development.

Authority; implementing guidelines.

- (a) This article is adopted pursuant to V.T.C.A., Local Government Code Chapter 395.
- (b) Guidelines to implement and administer this article may be developed and approved by ordinance or resolution of the city council.

Definitions. In this article:

- (a) *Advisory committee* means the capital improvements advisory committee on impact fees in accordance with V.T.C.A., Local Government Code Chapter 395.
- (b) *Capital improvement* means a water facility with a life expectancy of three or more years that is owned and operated by or on behalf of the city, whether or not the facility is within the impact fee service area.
- (c) *Capital improvements plan* means the plan approved by the city council which describes the water capital improvements or facility expansions and their costs which are necessitated by and attributable to development in the impact fee service area based on the approved land use assumptions. The initial *capital improvements plan* is the Capital Improvements Plan and Report for Water Impact Fees prepared for the City by Birkhoff, Hendricks, and Carter, LLP, which was approved by the city council by resolution dated January 9, 2017.
- (d) *City* means the City of Parker, Texas.
- (e) *Development* means the subdivision of land, or 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 that may be used on the land or in conjunction with the structure. *Development* includes the conversion of an existing use from on-site water facilities to the use of city water facilities.
- (f) *Facility expansion* means an expansion of the capacity of any existing water facility for the

purpose of serving development; it does not include the repair, maintenance, modernization, or expansion of an existing water facility to the extent it serves existing development.

(g) *Impact fee* means a fee for water facilities imposed on development in order to generate revenue to fund or recoup the costs of capital improvements or facility expansions necessitated by and attributable to the development. *Impact fee* does not include:

- (1) The dedication of rights-of-way or easements for water facilities;
- (2) Construction or dedication of on-site or off-site water facilities under the city's subdivision or other regulations;
- (3) Fees placed in trust funds for the purpose of reimbursing developers for oversizing or constructing water facilities;
- (4) Pro rata fees for reimbursement of the costs for extending city water; or
- (5) Charges for water services to a wholesale customer such as a water district, political subdivision of the state, or other wholesale utility customer.

(h) *Impact fee rate* means the amount of the impact fee Living Unit .

(i) *Impact fee service area* means the area designated in the Water Impact Fee Report adopted by the City Council by Resolution on January 9, 2017 and adopted herein by reference within which impact fees will be collected in connection with development, and for which impact fees will be expended for capital improvements or facility expansions.

(j) *Land use assumptions* means a report describing the impact fee service area and projections of changes in land uses, densities, intensities, and population in the service area. The initial *land use assumptions* are contained in the report on Land Use Assumptions for the Implementation of Water Impact Fees prepared for the city by Birkhoff, Hendricks, and Carter, LLP, which was approved by the city council by resolution dated January 9, 2017.

(k) *Property owner* means any person, corporation, legal entity or agent thereof having a legal or equitable interest in the land for which an impact fee becomes due. *Property owner* includes the developer for a development.

(l) *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 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. .

(m) *Water facility* means water meter 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.

Water Impact fee service area; applicability of article.

- (a) The water impact fee service area is depicted on a map included in the Water Impact Fee Report prepared for the city by Birkhoff, Hendricks, and Carter, LLP. A copy of this map shall be retained on file at Parker City Hall.
- (b) This article applies to all development within the impact fee service area. The provisions of this article shall apply uniformly within the impact fee service area.

Land use assumptions and capital improvements plan.

- (a) The land use assumptions are incorporated by reference in this article.
- (b) The capital improvements plan is incorporated by reference in this article.

Impact fees in relation to other fees and development regulations.

- (a) Impact fees established by this article are in addition to water and wastewater meter, tap, or connection fees.
- (b) For each development to which impact fees apply, the payment of impact fees as described in this article will constitute a condition of plat, construction permit, utility connection and other development approvals.
- (c) This article shall not affect the permissible uses of property, the density of development, public improvement standards and requirements, or any other aspect of city development regulations.

Functions of advisory committee.

The advisory committee may perform the following functions:

- (1) Advise and assist the city council and city staff in reviewing, adopting and updating the land use assumptions and the capital improvements plan;
- (2) File written comments on the land use assumptions and the capital improvements plan;
- (3) Monitor and evaluate implementation of the capital improvements plan;
- (4) Advise the city of the need to update or revise the land use assumptions, capital improvements plan and impact fees; and
- (5) File periodic reports evaluating the progress of the capital improvements plan and identifying perceived inequities in implementing the plan or administering the impact fees.

Updates to plans and revision of fees.

- (a) The city shall update the land use assumptions and capital improvements plan at least every

ten years, and shall recalculate the maximum impact fee rates based on the update, unless the city council determines that an update is not needed under subsection (c). The initial ten-year period will run from the January 9, 2017 date of the city council's adoption of the capital improvements plan.

(b) The city may review its land use assumptions, impact fees, capital improvements plan and other factors such as market conditions more frequently than provided in subsection (a) to determine whether the land use assumptions and capital improvements plan should be updated and the maximum impact fee rates recalculated.

(c) If the city council determines that no changes to the land use assumptions, capital improvements plan or impact fee are needed at the time an update is required under subsection (a), the council will provide notice of this determination as described in V.T.C.A., Local Government Code §395.0575. If no person submits a timely request for an update of the land use assumptions, capital improvements plan or impact fee, no update will be necessary.

(d) The City Council may amend the actual impact fee rates herein at any time without revising the land use assumptions and capital improvements plan. The actual impact fee rates may not, however, exceed the maximum impact fee rates established herein.

Division 2. Water Impact Fees

Actual and maximum impact fee rates.

(a) The actual impact fee rate charged by the city for each category of capital improvements is set as follows:

(1) One Inch Meter: \$XXXXXX

(2) Two Inch Meter: \$XXXXXX

(b) The maximum water impact fee rate allowed by state law for capital improvements is calculated in the capital improvements plan to be as follows:

(1) Single Family Residential 1 inch meter (Living Unit Equivalent: 1) : \$3,938.95

(2) Single Family Residential 2 inch meter (Living Unit Equivalent: 4): \$15,755.82

Determination of impact fee rates.

(a) The impact fee rates will be those in effect at the time an application for a building permit, plumbing permit, or utility connection is submitted to the city, except as provided in subsection (b) below.

(b) For development on property platted or replatted after the original effective date of this article, the impact fee rates will be those in effect at the time the plat or replat of the property was recorded. The applicant for a building or plumbing permit shall submit evidence of the date of plat or replat recording with the application for a building or plumbing permit.

Refunds.

(a) At the written request of an owner of the property on which an impact fee has been paid, the political subdivision shall refund all or part of the impact fee, together with interest calculated from the date of collection to the date of refund, if any of the following apply:

(1) Existing facilities are available to serve the development and service is denied for any reason;

(2) Existing facilities were not available to serve the development when the fee was paid, and the city has failed to commence construction of facilities to provide service within two years of payment of the fee; or

(3) Existing facilities were not available to serve the development when the fee was paid, and the city has failed to make service available within a reasonable period considering the type of facilities to be constructed, but in no event later than five years from the date of payment.

(b) Upon written request of an owner of the property on which an impact fee has been paid, the portion of an impact fee which has not been expended within 10 years from the date of payment shall be refunded. The application for refund under this section shall be submitted within 60 days after the expiration of the ten-year period. Under this subsection, impact fees will be deemed expended on a first-in, first out basis. An impact fee collected under this article will be deemed expended if the total expenditures for capital improvements or facility expansions within 10 years after the date of payment exceeds the total amount of fees collected for the category of improvements or expansions (water or wastewater) during that period.

(c) If a refund is due under subsections (a) or (b), the city shall divide the difference between the amount of expenditures and the amount of the fees collected by the total number of service units identified in the land use assumptions for the service area to determine the refund due per service unit. The refund shall be calculated by multiplying the refund due per service unit by the number of service units for the development for which the fee was paid, and interest due shall be calculated on that amount. Refunds shall be made to the record owner of the property at the time of the refund.

Rebates.

If a building or plumbing permit or an approval of a utility application in a development expires after an impact fee has been paid, and no utility connection has been made under the permit or approval, and a modified or new application has not been filed within six months of the expiration, and the property owner submits a written request to the city within six months of the expiration, the city shall rebate the amount of the impact fee to the record owner of the property at the time of the refund. If no request for a rebate is submitted within this period, no rebate shall become due.

Division 3. Accounting and Use of Impact Fees

Accounting for impact fees.

(a) The city shall establish separate interest-bearing accounts for water system impact fees.

(b) Interest earned on each account shall be credited to that account, and shall be used solely for the purposes authorized in this article.

(c) The city shall establish and maintain financial and accounting controls to ensure that impact fees disbursed from an account are used solely for the purposes authorized in this article. Disbursement of funds shall be authorized by the city at such times as are reasonably necessary to carry out the purposes and intent of this article.

(d) The city shall maintain financial records for each account which show the source and disbursement of all funds. The records shall be open for public inspection during ordinary business hours.

Use of impact fee accounts.

(a) Impact fees collected under this article shall be used to pay or recoup the costs of constructing capital improvements or facility expansions identified in the capital improvements plan. Construction costs include the construction contract price, surveying and engineering costs, and land acquisition costs (including purchase price, court awards and costs, attorney's fees, and expert witness fees).

(b) Impact fees may be used to pay the principal and interest and other finance costs on bonds, notes or other obligations issued by or on behalf of the city to finance capital improvements or facility expansions identified in the capital improvements plan.

(c) Impact fees may be used to pay fees to an independent qualified engineer or financial consultant (i.e., an engineer or consultant who is not an employee of the city) for preparing or updating the capital improvements plan.

(d) Impact fees collected under this article shall not be used to pay for any of the following:

(1) Construction or acquisition of capital improvements or facility expansions other than those identified in the capital improvements plan;

(2) Repair, operation, or maintenance of existing or new capital improvements or facility expansions;

(3) Upgrade, expansion or replacement of existing capital improvements that serve existing uses in order to meet stricter safety, efficiency, environmental or regulatory standards;

(4) Upgrade, expansion, or replacement of existing capital improvements to provide better service to existing uses; or

(5) Administrative and operating costs of the city.

(e) The city may pledge impact fee revenues as security for the payment of debt service on a bond, note, or other obligation issued to finance a capital improvement or facility expansion identified in the capital improvements plan if the city council certifies in an ordinance or resolution that none of the

revenues will be used or expended for an improvement or expansion not identified in the plan.

Exceptions and exemptions.

- (a) Impact fees shall not be collected from any local taxing unit, as defined in the state Tax Code that is authorized to impose and is imposing ad valorem taxes on property.
- (b) No wastewater impact fee shall be charged for an irrigation meter.
- (c) No impact fee shall be charged for a fire line meter that serves only a fire suppression system.

SECTION 2. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 3. Any person violating any provision of this ordinance commits a misdemeanor and is subject to the penalty provided in the City of Parker Code of Ordinances upon conviction.

SECTION 4. This Ordinance will take effect on the date the requirements in Local Government Code Section 52.011 for publication of notice of its adoption are met. From and after this effective date, the City will compute and collect water and wastewater impact fees as described herein.

APPROVED THIS 4th DAY OF April, 2017.

APPROVED:

Z Marshall, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Brandon Shelby, City Attorney

CITY COUNCIL
FUTURE AGENDA ITEMS

MEETING DATE	ITEM DESCRIPTION	CONTACT	Notes
2017			
TBD	2017 City Fee Schedule	Flanigan	2015-16 Approved 2/29; added 2016-17 to FAI
TBD	Create a comprehensive zoning ordinance review committee (Fence Requirements, Alarm, Solicitors)	Council	discussion requested 3/16
TBD	Annual Codification Supplement	C'Sec	March
TBD	Staff Contract Policy	Shelby/Staff	10/18/2016 CC Mtg
			2016-10-18
Jan., Apr., July., Oct,	Republic Waste Report	Bernas	REQUIRED PER ORDINANCE AND AGREEMENT.
Jan., Apr., July., Oct,	Fire Dept. Report	Sheff/Barnaby	
April	Leg. Update	Marshall	20161206 Mayor meet w/Jodi and Report
April 17, 2017	Reserve at Southridge Annexation Adoption	Shelby	2nd P. H. for Resreve at Southridge
April	Moss Ridge Road Drainage Improvements	Flanigan/Birkhoff	Bid Opening 20170330
April	Springhill Estates Drive Culvert Repl.	Flanigan/Birkhoff	Bid Opening 20170330
May	ASSC Annual Membership Dues	Finance	Annual Membership Fee; Res2015-475; 2016-509
May 9, 2017	Reserve at Southridge Annexation Adoption	Shelby	Adoption of Reserve at Southridge Annexation
May 16, 2017	Canvass	C'Sec	Annual
May 16, 2017	Administer Oath of Office to Elected	Marshall	

CITY COUNCIL
FUTURE AGENDA ITEMS

MEETING DATE	ITEM DESCRIPTION	CONTACT	Notes
May 16, 2017	Appointment of the 2017-18 Mayor Pro Tem	Marshall	
May 16, 2017	2017-18 Chief Inv. Off. & Committee		
May 16, 2017	Cancellation of 6/6 CC Mtg - If Runoff Elections	C'Sec	If Runoff Elections
May/June	Home Rule	Shelby/MPT Levine	Verifying 5,000 population & moving forward
May-July	Advertise, Bid & Award Annual Street Maint.		

2017 PLANNING CALENDAR



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

PROJECTED 2017 TAX RATE PLANNING CALENDAR

NAME OF CITY: City of Parker, Texas

April - May	Mailing of "Notices of Appraised Value" by Chief Appraiser.
April 30	The Chief Appraiser prepares and certifies to the Tax Assessor for each county, municipality, and school district participating in the appraisal district an estimate of the taxable value.
May 15	Deadline for submitting Appraisal Records to ARB.
July 20 (Aug 30)	Deadline for ARB to approve Appraisal Records.
July 24, 2017	Deadline for Chief Appraiser to certify Appraisal Rolls to each Taxing Unit.
Aug	Certification of anticipated collection rate by collector.
	Calculation of Effective and Rollback Tax Rates.
	Submission of Effective and Rollback Tax Rates to governing body.
July 28, 2017	72 Hour Notice for Meeting (Open Meetings Notice).
Aug. 1, 2017	Meeting of Governing Body to Discuss Tax Rates. If proposed tax rate will exceed the Rollback Rate or the Effective Tax Rate (whichever is lower), take record vote and schedule two Public Hearings.
Aug. 7, 2017	Publish the "Notice of 2017 Property Tax Rates" by September 1. Notice must be published at least seven (7) days before first Public Hearing. Notice must also be posted on the municipality's website.
Aug. 11, 2017	72 Hour Notice for First Public Hearing (Open Meetings Notice).
Aug. 15, 2017	First Public Hearing At least 7 days after publication of "Notice of Property Tax Rates."
Aug. 25, 2017	72 Hour Notice for Second Public Hearing (Open Meetings Notice).
Aug. 29, 2017	Second Public Hearing May not be earlier than 3 days after first Public Hearing. Schedule and announce meeting to adopt tax rate three to fourteen (3 - 14) days from this date.
Sept. 1, 2017	72 Hour Notice for Meeting at which Governing Body will Adopt Tax Rate (Open Meetings Notice).
Sept. 5, 2017	Meeting to Adopt 2017 Tax Rate. Schedule meeting three to fourteen (3 to 14) days <u>after</u> second Public Hearing. Taxing Unit must adopt tax rate before September 30 or 60 days after receiving Certified Appraisal Roll, whichever is later.

Tax Code Section 81.06 directs that if a date falls on a weekend, the deadline is extended to the following regular business day.

Advice of taxing unit legal counsel should be sought to determine how to fulfill the requirements of Section 140.010 Local Code (SB 1510).

Please provide a copy of the Ordinance adopting the 2017 Tax Rate to the Collin County Tax Office by September 20, 2017.