



AGENDA

CITY COUNCIL MEETING

NOVEMBER 19, 2019 @ 6:00 P.M.

RECEPTION CEREMONY A brief reception ceremony.

Retirement

50th Anniversary

Tom Stone Dedication

REGULAR MEETING The Regular meeting will start following the Reception Ceremony

Notice is hereby given the City Council for the City of Parker will meet in a Regular Meeting on Tuesday, November 19, 2019 at 6:00 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.

ITEMS OF COMMUNITY INTEREST

- PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, NOVEMBER 20 AND WEDNESDAY, DECEMBER 11, 2019, 6 PM
- HOME RULE CHARTER COMMISSION (HRCC) –TUESDAY, DECEMBER 10, 2019, 7:00 PM

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

1. APPROVAL OF MEETING MINUTES FOR OCTOBER 15, 2019. [SCOTT GREY]
2. INVESTMENT QUARTERLY REPORT. [SAVAGE]
3. DEPARTMENT REPORTS- ANIMAL CONTROL (SEPT), COURT (OCT), FIRE (3RD QTR), POLICE (OCT) AND WEBSITE (OCT)

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON CANCELING THE DECEMBER 3 OR DECEMBER 17, 2019 REGULAR CITY COUNCIL MEETING. [PETTLE]

INDIVIDUAL CONSIDERATION ITEMS

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO 785, ESTABLISHING A STORMWATER ORDINANCE. [MACHADO/SHELBY]
6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 786, UPDATING ORDINANCE NO. 571 (NUISANCE – AMENDING ORD. NO. 553), REGARDING TREE HEIGHT. [MACHADO/SHELBY]
7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 787, AFFECTING PARTICIPATION OF CITY EMPLOYEES IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM GRANTING THE ADDITIONAL RIGHTS AUTHORIZED BY SECTION 854.202(g) OF TITLE 8, TEXAS GOVERNMENT CODE, AS AMENDED, AND PRESCRIBING THE EFFECTIVE DATE FOR THE ORDINANCE. [SAVAGE/SHELBY]
8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2019-621, MAKING APPOINTMENTS TO THE PLANNING AND ZONING (P&Z) COMMISSION. [PETTLE]
9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2019-622, MAKING APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENT (ZBA). [PETTLE]
10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2019-623, MAKING APPOINTMENTS TO THE TO THE PARKS AND RECREATION COMMISSION. [PETTLE]

ROUTINE ITEMS

11. FUTURE AGENDA ITEMS

UPDATE(S):

- HOME RULE CHARTER COMMISSION (HRCC) [SHELBY]
- TRANSPORTATION/FACILITY [STANDRIDGE]
- SPEEDING [BROOKS]

EXECUTIVE SESSION START TO FINISH – Pursuant to the provisions of Chapter 551, Texas Government Code the City Council may hold a closed meeting.

12. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:
 - a. Government Code Section 551.074 Personnel—To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
 - b. Government Code Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation

- c. Government Code Section 551.071(2) – Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly conflicts with this chapter (Open Meetings Act)

13. RECONVENE REGULAR MEETING.

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

15. 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 November 15, 2019 by 5:00 p.m. at the Parker City Hall, and as a courtesy, this Agenda is also posted to the City of Parker Website at www.parkertexas.us.

Date Notice Removed

Patti Scott Grey
City Secretary

The Parker City Hall is Wheelchair accessible. Sign interpretations or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972 442 6811.



Recognition

RECOGNIZING FORMER COUNCILMEMBER TOM STONE FOR HIS YEARS OF DEDICATED SERVICE TO THE CITY OF PARKER

WHEREAS, Tom Stone began his distinguished career with the U.S. Marine Corps; returned to college and graduated with a Bachelor of Science (B.S.) degree in Civil Engineering; became a registered professional engineer and land surveyor in Texas, Louisiana, and Maryland, having some forty (40) years of experiences in various businesses in the design and construction of railroads, pipelines, roadways, bridges, and aerial photogrammetric mapping; and

WHEREAS, Tom worked with the City of Richardson for some fifteen (15) years, as a Capital Projects Engineer on many city improvements and coordinated many joint projects, with County, State, and Federal funding with Dallas and Collin Counties, Texas Department of Transportation (TXDOT), Dallas Area Rapid Transit (DART), Kansas City Southern (KCS) and Southern Pacific (SP) Railroads, and the Corps of Engineers; and

WHEREAS, Tom and his wife, Annette, moved to the City of Parker in 2004; and he served on the Parker Planning and Zoning (P&Z) Commission from 2005 – 2013 and Parker City Council 2013-2016; and

WHEREAS, Tom has served on many different committees throughout Collin County and the Metroplex and has a variety of accomplishments and successes;

NOW, THEREFORE, I, Z Marshall, Mayor of the City of Parker, Texas, do hereby express our sincere appreciation and thanks to

TOM STONE

for his distinguished service to the community, and highly commend him for the manner in which he has carried out his duties and responsibilities.

PROCLAIMED, this 25th day of August, 2016.

Z Marshall, Mayor





Council Agenda Item

Item 1
C'Sec Use Only

Budget Account Code:	Meeting Date: November 19, 2019
Budgeted Amount:	Department/ Requestor: City Secretary
Fund Balance-before expenditure:	Prepared by: City Secretary Scott Grey
Estimated Cost:	Date Prepared: October 29, 2019
Exhibits:	Proposed Minutes

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR OCTOBER 15, 2019. [SCOTT GREY]

SUMMARY

Please review the attached minutes. If you have any questions, comments, and/or corrections, please contact the City Secretary at PGrey@parkertexas.us prior to the 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:	11/14/2019
City Attorney:		Date:	
Acting City Administrator:	<i>Luke B. Olson</i>	Date:	11/15/2019

MINUTES
CITY COUNCIL MEETING

OCTOBER 15, 2019

CALL TO ORDER – Roll Call and Determination of a Quorum

The Parker City Council met in a regular meeting on the above date at Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002.

Mayor Lee Pettle called the meeting to order at 7:00 p.m. Councilmembers Diana M. Abraham, Cindy Meyer, Ed Standridge and Patrick Taylor (arrived at 7:33 p.m.) were present. Councilmember Edwin Smith was absent.

Staff Present: City Administrator Luke Olson, Asst. City Administrator/City Secretary Patti Scott Grey, Finance/H.R. Manager Grant Savage, City Attorney Brandon Shelby, Public Works Director Gary Machado, Fire Chief Mike Sheff, and Police Chief Richard Brooks

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Melissa Lewis led the pledge.

TEXAS PLEDGE: Rick Debus 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.

Billy Barron, 6707 Overbrook Drive, asked City Council and Staff to consider requiring new construction to have cost efficient sprinkler heads on their irrigation system(s) for two (2) reasons, 1) for a cost savings to homeowners and 2) to conserve water. He noted cost efficient sprinkler heads/irrigation systems can save approximately thirty percent (30%).

Mayor Pettle read Cyndi Daugherty's email into the record. Ms. Daugherty, 3603 Hogge Drive, stated she wanted to report a noise disturbance issue with a Southfork Ranch event held Saturday, August 31, 2019. (See Exhibit 1 – Cyndi Daugherty's email, dated September 16 and October 2, 2019.)

Mayor Pettle read Andy Redmond's email into the record. Mr. Redmond, 7275 Moss Ridge Road, had questions and concerns about the "bond re-finance proposal". (See Exhibit 2 – Andy Redmond's email, dated October 15, 2019.)

ITEMS OF COMMUNITY INTEREST

- HOME RULE CHARTER COMMISSION (HRCC) – TUESDAY, OCTOBER 22, 2019, 7:00 PM
- HOUSEHOLD HAZARDOUS WASTE DISPOSAL SATURDAY, OCTOBER 26, 2019, 10:00 AM – 2:00 PM
- NATIONAL PRESCRIPTION DRUG TAKE BACK EVENT SATURDAY, OCTOBER 26, 2019, 10:00 AM – 2:00 PM
- 2019 NOV. EARLY VOTING PERIOD AND ELECTION DAY (NOV. 5) INFORMATION

• Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Oct 20	Oct 21 Early Voting 8am–5pm	Oct 22 Early Voting 8am–5pm	Oct 23 Early Voting 8am–5pm	Oct 24 Early Voting 8am–5pm	Oct 25 Early Voting 8am–5pm	Oct 26 Early Voting 7am–7pm
Oct 27 Early Voting 1pm–6pm	Oct 28 Early Voting 7am–7pm	Oct 29 Early Voting 7am–7pm	Oct 30 Early Voting 7am–7pm	Oct 31 Early Voting 7am–7pm	Nov 1 Early Voting 7am–7pm	Nov 2
Nov 3	Nov 4	Nov 5 Election Day 7am – 7pm				

- PARKER VOLUNTEER FIRE DEPARTMENT (PVFD) CHILI COOK-OFF – SATURDAY, NOVEMBER 16, 2019, 2:00 PM – 4:00 PM (See Exhibit 3 – PVFD Chili Cook-off card.)

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

1. APPROVAL OF MEETING MINUTES FOR SEPTEMBER 17, 2019. [SCOTT GREY]
2. DEPARTMENT REPORTS-ANIMAL CONTROL, BUILDING, COURT, POLICE AND WEBSITE
3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2019-620 DESIGNATING THE DALLAS MORNING NEWS AS THE OFFICIAL NEWSPAPER FOR THE CITY OF PARKER FOR FISCAL YEAR 2019-2020. [SHELBY]

MOTION: Mayor Pro Tem Standridge moved to approve consent agenda items 1 and 3 as presented. Councilmember Abraham seconded with Councilmembers Abraham, Meyer, and Standridge voting for the motion. Motion carried 3-0.

INDIVIDUAL CONSIDERATION ITEMS

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ALL MATTERS INCIDENT AND RELATED TO THE ISSUANCE AND SALE OF "CITY OF PARKER, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2019", INCLUDING THE ADOPTION OF ORDINANCE NO. 784, AUTHORIZING THE ISSUANCE OF SUCH BONDS AND ESTABLISHING PROCEDURES AND DELEGATING AUTHORITY FOR THE SALE AND DELIVERY OF SUCH BONDS. [BOND COUNSEL MACHA/SETTLE/SHELBY]

Director of Hilltop Securities, Inc. Erick Macha, 1201 Elm Street, Suite 3500 Dallas, TX 75270, reviewed the item, while waiting on one additional councilmember needed for the vote on this item. (See Exhibit 4 – City of Parker, Texas, Information Related to Proposed Refunding of Series 2011, Hilltop Securities, dated October 15, 2019.)

Tom Macduff, 4313 Sycamore Lane, reviewed his concerns outlined in his email. (See Exhibit 5 – Tom Macduff's email, dated October 15, 2019.)

Mayor Lee Pettie recessed the regular meeting at 7:32 p.m. to wait for one (1) additional councilmember to arrive for the super quorum needed for item/ordinance approval.

Councilmember Taylor arrived at 7:33 p.m.

Mayor Lee Pettie reconvened the regular meeting at 7:34 p.m.

MOTION: Mayor Pro Tem Standridge moved to adopt Ordinance No. 784, authorizing the issuance and sale of "City of Parker, Texas, General Obligation

Refunding Bonds, Series 2019" with a minimum present value savings percentage of 2.75%. Councilmember Abraham seconded with Councilmembers Abraham, Meyer, Standridge, and Taylor voting for the motion. Motion carried 4-0.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 775, UPDATING ORDINANCE NO. 459 (SOLICITORS AND PEDDLERS REGULATIONS). [SHELBY] [06182019 – SENT TO CITY ATTORNEY FOR REVIEW AND POSSIBLE UPDATES]

City Attorney Shelby noted the proposed ordinance would delete Section 3 of Ordinance No. 459 in its entirety to better conform with current law.

Section 3. Permit for Sponsoring Juvenile Peddlers.

- (a) No person under the age of eighteen (18) shall be permitted to engage in peddling except as provided in this Section.*
- (b) A permit shall be obtained by a sponsoring person, company or organization for the conduct of any peddling or solicitation activities involving, in whole or in part, a sales force of one (1) or more persons under eighteen (18) years of age.*
- (c) The sponsor shall be responsible for supervising and controlling the conduct of all persons, including juveniles, peddling under the sponsor's permit.*
- (d) The sponsor shall provide to each individual in its sales force a badge or other easily readable form of identification which identifies the name of the sponsor and the name of the individual. The sponsor shall require all individuals in its sales force to wear such identification so that it is clearly visible at all times when the individuals are peddling or soliciting. A copy of the permit must be displayed on the request of any person solicited.*

MOTION: Mayor Pro Tem Standridge moved to approve Ordinance No. 775, amending Ordinance No. 459 and regulating solicitors and peddlers. Councilmember Abraham seconded with Councilmembers Abraham, Meyer, Standridge, and Taylor voting for the motion. Motion carried 4-0.

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 776, UPDATING ORDINANCE NO. 358 (FIRE AND POLICE ALARM SYSTEMS REGULATIONS). [SHELBY] [06182019 – SENT TO CITY ATTORNEY FOR REVIEW AND POSSIBLE UPDATES]

City Attorney Shelby noted Ordinance No. 734 (Fee Schedule -2016), passed and approved February 29, 2016 updated the fee schedule associated with Ordinance No. 358. The proposed ordinance states in

Section 1. A fine for a unregistered false alarm may be reduced from \$275.00 to \$75.00 if, within 10 days' notice from the City, the \$75.00 fine is paid and submitted to the City along with a completed registration form and fee of \$60.00.

MOTION: Councilmember Taylor moved to approve Ordinance No. 776, amending Ordinance No. 358 and updating Fire and Police Alarm System Regulations.

Councilmember Abraham seconded with Councilmembers Abraham, Meyer, Standridge, and Taylor voting for the motion. Motion carried 4-0.

ROUTINE ITEMS

7. FUTURE AGENDA ITEMS

UPDATE(S):

- **HOME RULE CHARTER COMMISSION (HRCC) [SHELBY]**

City Attorney Shelby noted HRCC accepted Chair Scott Levine's resignation, as Mr. Levine and his family relocated to another city. Commissioner Tom Macduff accepted the position of Chair and Commissioner Randy Kercho accepted the position of Vice Chair.

HRCC will meet on Tuesday, October 22, 2019, at 7:00 p.m. to continue discussion on forms of government in the Fire Department Training room, due to early voting for the November 5, 2019 election being held in the City's Council Chambers.

Mayor Pettle urged everyone to attend the meetings. The meetings are open to the public.

- **ACCEPTANCE OF CITY OF PARKER POLICE DEPARTMENT AND FIRE DEPARTMENT DONATIONS FOR THE RECORD [PETTLE]**

FIRE

Phil & JoAnn DeNitto - Check #10486 - \$50.00

Chris G. Polito Margie G. Polito - Check #4084 - \$50.00

Dublin Road Estates - \$10.00

The Mayor and City Council accepted the donations for the Fire Department and thanked the various parties for their donations.

POLICE

Phil & JoAnn DeNitto - Check #10482 - \$50.00

Chris G. Polito Margie G. Polito - Check #4085 - \$50.00

Dublin Road Estates - \$20.00

The Mayor and City Council accepted the donations for the Police Department and thanked the various parties for their donations.

Mayor Pettle asked if there were any items to be added to the future agenda. Hearing none, she encouraged everyone to email her any requests. She noted once again the November 5, 2019 City Council meeting was canceled due to early voting for the election. The next regularly scheduled meeting would be Tuesday, November 19, 2019.

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

Mayor Pettle announced there was no need for an Executive Session tonight.

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

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

9. RECONVENE REGULAR MEETING.

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

11. ADJOURN

Mayor Lee Pettie adjourned the meeting at 7:55 p.m.

APPROVED:

Mayor Lee Pettie

ATTESTED:

Approved on the 19th day
of November, 2019.

Patti Scott Grey, City Secretary

Patti Grey

From: Cyndi Daugherty Wednesday, October 2, 2019 4:30 PM
Sent: Luke Olson; Lee Pettie; Patti Grey
To:
Cc: Fwd: Noise disturbance from Southfork Ranch
Subject:

I am forwarding an email I sent to the Parker City Council back on September 16th, with regard to a noise complaint. I have not gotten a response from anyone on the email below. I am asking that the email be read at the city council meeting so it gets into the public record.

Thank you,

Cyndi Daugherty

Paca D'Lites Ranch
Parker, TX 75002

----- Forwarded message -----

From: Cyndi Daugherty
Date: Mon, Sep 16, 2019 at 6:19 PM
Subject: Noise disturbance from Southfork Ranch
To:

Good afternoon,

My name is Cyndi Daugherty and I live at 3603 Hogge Drive. On Saturday, August 31, 2019, there was a concert / festival across the street at Southfork Ranch. The music was unbelievably loud. Every other event in the past, we can always hear the bass beating, but never the lyrics. This time was so very loud that not only could we hear the lyrics clearly in our backyard, but we also could hear it very clearly in our house, behind closed doors. This has happened once before about this same time of year. I'm unaware if it is the same group event or not. Five of my neighbors were texting asking how loud it was at our house, because they said it was "unbearable" at their houses. I agreed. I am copying each of them on this email. We turned our television up loud to try and drown out the sound. Then, it just got to where our senses were overloaded. There was no escape anywhere in our own home.

We are confused as to why Southfork Ranch or the city has not put a stop to the noise "abuse" from events like this? The majority of the events that take place at Southfork Ranch have been fine and we don't have a problem with those events. This event exceeded prior noise levels and lasted well into the night, past the hour that most people go to sleep.

We are looking for your help in resolving this issue. I am unable to attend Tuesday evening council meetings. Thus, the reason for my email. We have lived at this address in Parker since 1992, for 27 years. We love this city and we love our neighbors. We have never complained the entire time we have been living here. We didn't even complain last year at this time when the noise was equally loud. It's one thing to have the noise super loud in our back yard, barn and pasture. It's quite another when it is loud within our own home. We have asked for assistance from the police, but are told they cannot do anything because we don't have a noise ordinance that restricts this type of problem. The restrictions must come from the city level, via the city council. We've tried contacting Southfork Ranch, via what appears to be Forever Resorts, but have not gotten a response. Any assistance you can provide would be most appreciated.

Sincerely,
Cyndi Daugherty

Patti Grey

From: andy redmond
Sent: Tuesday, October 15, 2019 3:43 PM
To: Patti Grey
Subject: 10/15/19 Council Meeting--resident comment submission

Dear Mayor Pettie and Council:

I'm Andy Redmond of 7275 Moss Ridge Road. I'm unable to attend the meeting tonite, but desire to have my comment read in my absence.

It's seems the council is considering a bond re-finance proposal. In a quick perusal, I have several concerns.

1. Why is this a good deal for Parker?
2. In the future, can this be something more transparent as a "planning topic" and the reason for consideration (high level bullet points, pro/con list, excel spreadsheet with high level comparisons etc.)?
3. Does it save us money?
4. Does it have other clauses that ultimately cost the city more than the current finance options (i.e. overly restrictive, etc.)? I.e. one example might be, if we are extending the term even at a lower rate, is the effective interest or costs paid the same as with current financing?

If not and you as council have questions and concerns also, kindly consider tabling such, to allow for all questions to be answered to assure this is best for Parker.

Thank you!

Andy Redmond

PARKER VOLUNTEER FIRE DEPARTMENT

Exhibit 3

CHILI **Cook Off** **AND FUNDRAISER**

Saturday, November 16, 2019 (2:00-4:00)

2:00 Sharp for Tasting & Voting

At the Fire Station

**Compete for the Honor of
the Best Chili-Maker in Parker
or
Come Taste, Vote and Eat
and Support our Fire Department!
(details on back)**



**Support our Fire Department.
Come taste the competitors' chili,
vote for your favorite and enjoy a bowl!**

Can You Make Good Chili?

Compete against your Parker neighbors by signing up as a PVFD Chili-Maker.



Simply go to the city's website and download the Entry Form. Entry fee for the competition is only \$25. Of course if you do make great chili, 1st place is \$250, 2nd \$100 and 3rd \$50; but more importantly, there's the priceless bragging right to consider.



Can You Make a Good Pie or Cake?

If so, consider preparing one for our dessert auction.

Are You a Better Eater than Maker?

You don't have to compete to enjoy the afternoon. Come sample the chili, vote for your favorite, then have a bowl of chili while you visit with old and new friends, see Fire Department stuff and enjoy the afternoon. There will be plenty of activity for all.



We'll have chili (of course), along with baked potatoes and all the fixings. So bring the family and come enjoy a Chili Saturday, Nov. 16.

We will also have a dessert auction after the votes are tabulated and the chili winners are announced.

Times:	1:30 - 2:00	competitor/participant setup
	2:00 - 3:00	tasting & voting
	3:00 - 3:30	eating
	3:30 - 4:00	winner presentation & dessert auction

Information Related to Proposed Refunding of Series 2011

George Williford

Regional Manager Director 2

Erick Macha

Director

Karla Gonzales

Assistant Vice President om

PARAMETER BOND SALE

Parameter Bond Sale

- ❑ **City Council delegates final pricing authority to Pricing Officer(s)**
- ❑ **City Council establishes bond sale parameters:**
 - ▶ Maximum Interest Rate
 - ▶ Minimum Savings Threshold for Refunding
 - ▶ Aggregate Principal Amount of Issue
 - ▶ Final Maturity Date
 - ▶ Expiration of Delegated Authority
 - 6 Months
- ❑ **Pricing Officer(s) can only approve sale if City Council parameters are met**

Section 1207 of the Government Code allows refunding bonds via a Parameter Sale

Parameter Bond Sale

Reason for Parameter Bond Sale = FLEXIBILITY

Market Timing – Bond issue is in ‘Day-to-Day’ mode, meaning bonds can be priced at any time and in an interest rate environment that is advantageous rather than being locked into pricing on the date of a City Council meeting.

REFUNDING ANALYSIS

Bond Issue to be Refunded – Series 2011

General Obligation Refunding Bonds, Series 2011

- ❑ Original Par Amount: **\$5,725,000**
- ❑ Callable Principal Amount: **\$2,480,000**
- ❑ Callable Principal Maturity Dates: **2021-2028**
- ❑ Interest Rates: **3.65 – 4.00%**
- ❑ Call Date: **February 15, 2020**

Maturity Date	Par Amount	Interest Rate	Callable Bonds	Call Date
2/15/2021	\$ 420,000	4.00%	\$ 420,000	2/15/2020
2/15/2022	435,000	4.00%	435,000	2/15/2020
2/15/2023	460,000	4.00%	460,000	2/15/2020
2/15/2024	300,000	4.00%	300,000	2/15/2020
2/15/2025	260,000	3.65%	260,000	2/15/2020
2/15/2026	195,000	3.65%	195,000	2/15/2020
2/15/2027	200,000	3.85%	200,000	2/15/2020
2/15/2028	210,000	3.85%	210,000	2/15/2020
	<u>\$ 2,480,000</u>		<u>\$ 2,480,000</u>	

Current Market – Series 2011

Year	Refunded Debt Service	New Refunding Debt Service	Savings
2020	\$ 96,993	\$ 93,034	\$ 3,958
2021	508,593	497,000	11,593
2022	506,493	495,300	11,193
2023	513,593	502,800	10,793
2024	338,393	323,100	15,293
2025	287,648	272,500	15,148
2026	214,344	203,900	10,444
2027	211,935	196,500	15,435
2028	214,043	198,900	15,143
	<u>\$ 2,892,031</u>	<u>\$ 2,783,034</u>	<u>\$ 108,997</u>

Average Coupon of Refunded Bonds	3.86%
True Interest Cost (TIC) on Refunding Bonds	1.99%
Net Present Value Savings	\$ 96,528

Percentage Savings of Refunded Bonds = 3.892%

At Minimum Recommended Parameter – 2.75% PV

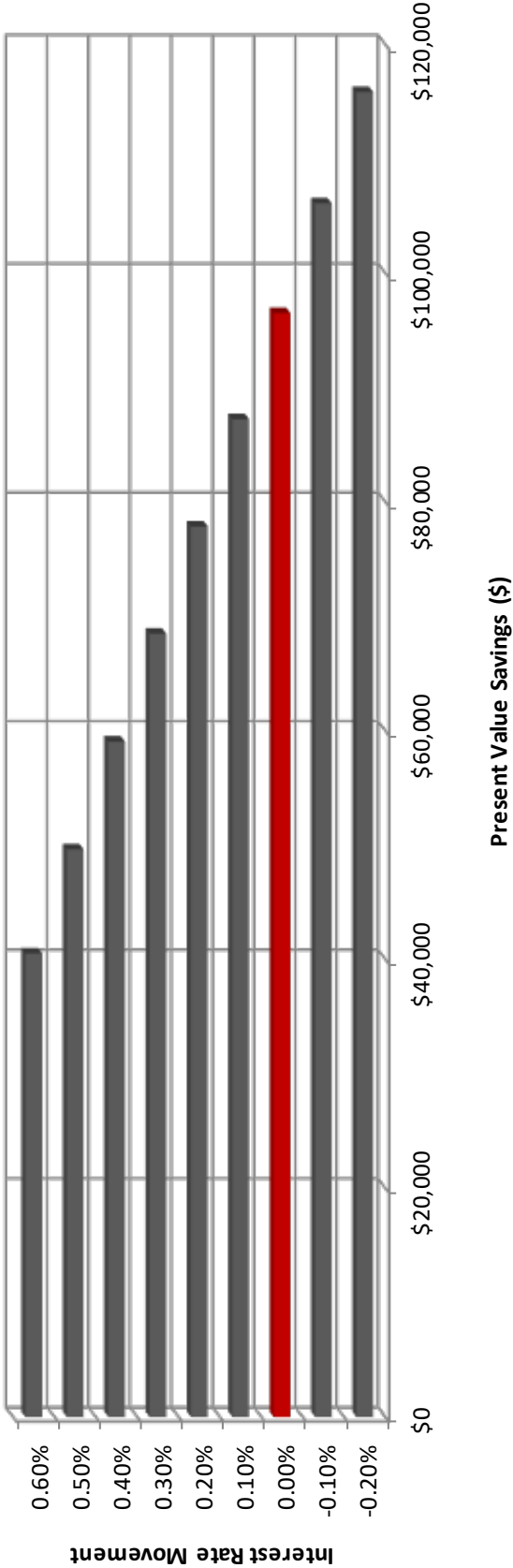
Year	Refunded Debt Service	New Refunding Debt Service	Savings
2020	\$ 96,993	\$ 93,924	\$ 3,068
2021	508,593	503,100	5,493
2022	506,493	501,200	5,293
2023	513,593	503,600	9,993
2024	338,393	328,800	9,593
2025	287,648	278,000	9,648
2026	214,344	204,300	10,044
2027	211,935	201,800	10,135
2028	214,043	204,000	10,043
	<u>\$ 2,892,031</u>	<u>\$ 2,818,724</u>	<u>\$ 73,307</u>

Average Coupon of Refunded Bonds	3.86%
True Interest Cost (TIC) on Refunding Bonds	2.30%
Net Present Value Savings	\$ 68,563

Percentage Savings of Refunded Bonds = 2.765%

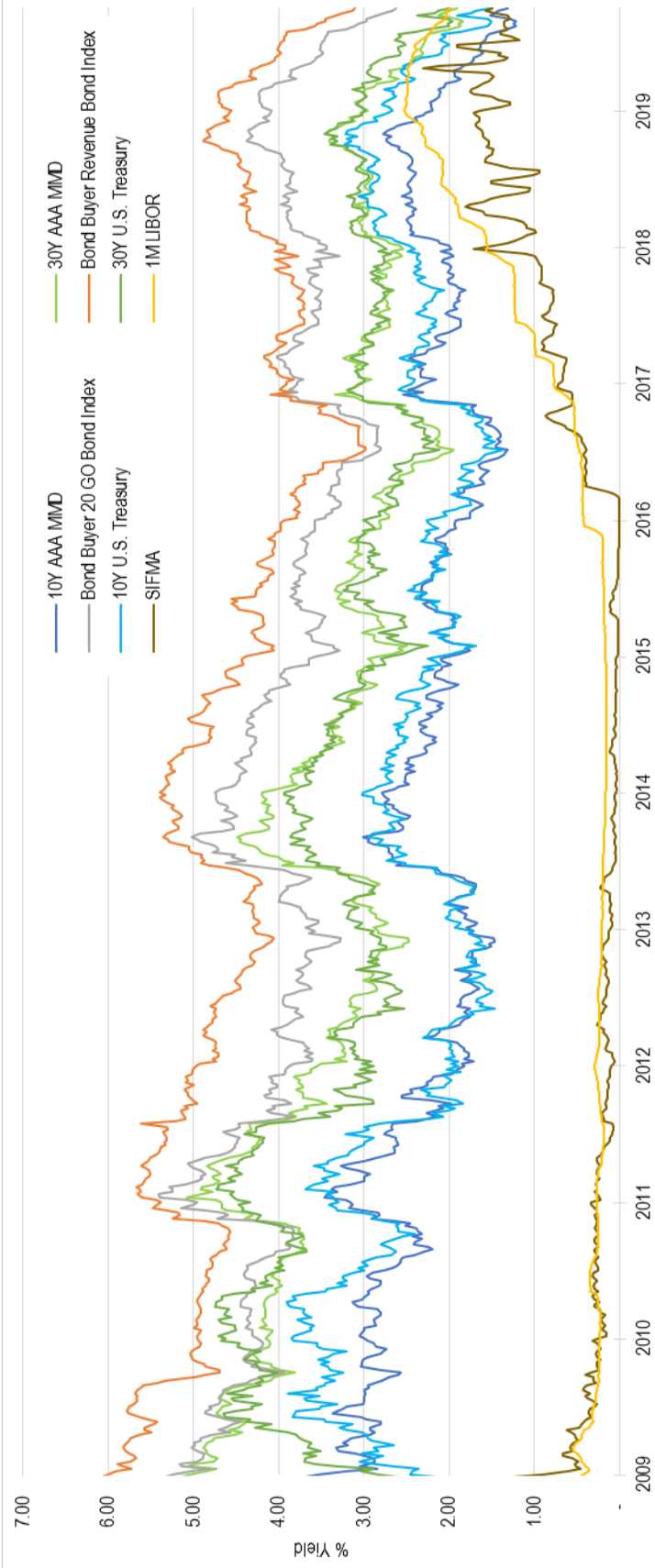
Savings Sensitivity

Interest Rate Change	-0.20%	-0.10%	0.00%	0.10%	0.20%	0.30%	0.40%	0.50%	0.60%
PV Savings (\$)	115,849	106,128	96,528	87,258	77,870	68,499	59,057	49,643	40,533
PV Savings (%)	4.671%	4.279%	3.892%	3.518%	3.140%	2.762%	2.381%	2.002%	1.634%



MARKET UPDATE

Weekly Benchmark Interest Rates



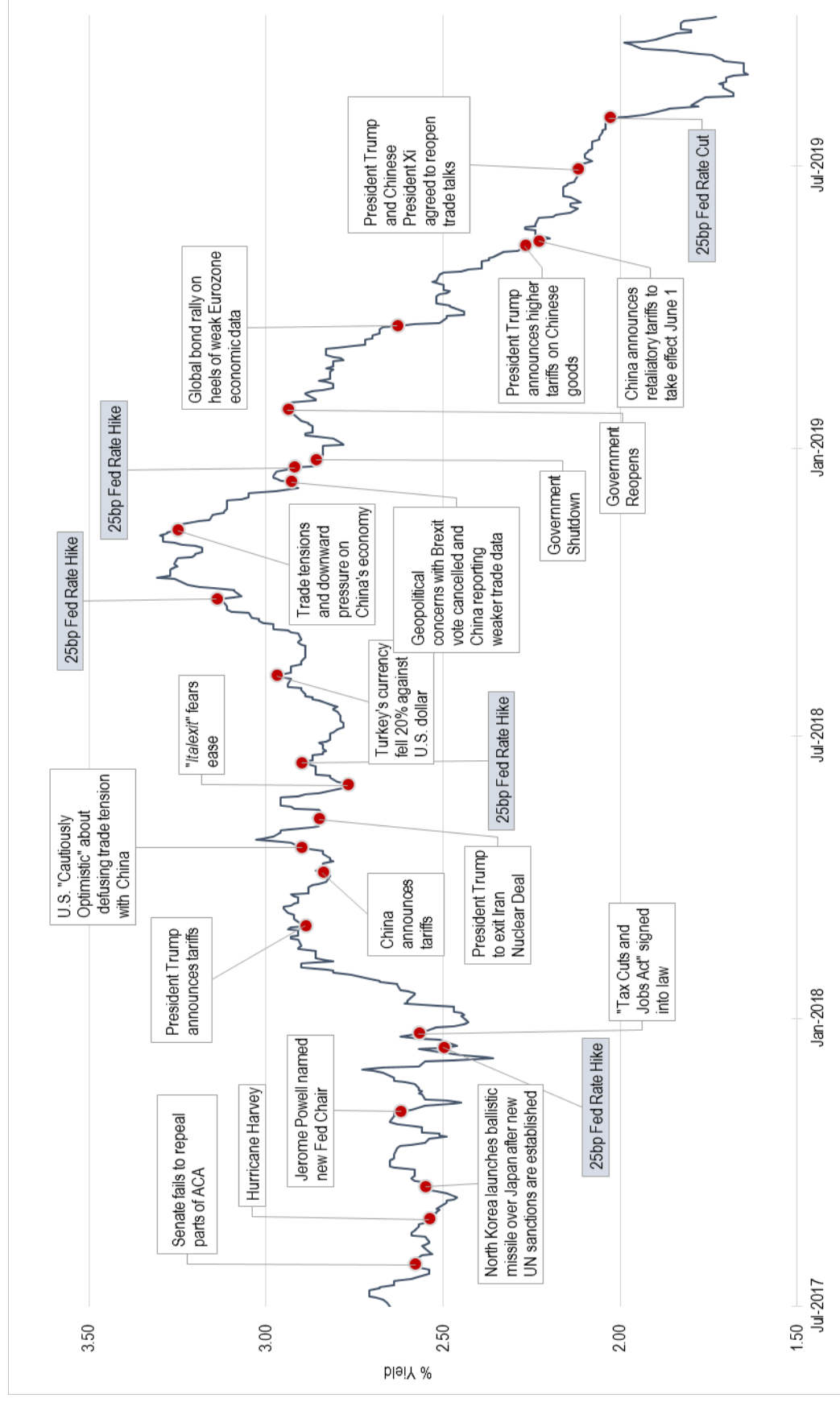
Rates Analysis Since January 2009

	10Y AAA MMD	30Y AAA MMD	Bond Buyer 20 GO Bond Index	Bond Buyer Revenue Bond Index	10Y U.S. Treasury	30Y U.S. Treasury	SIFMA	1M LIBOR
Current	1.32	1.91	2.62	3.10	1.52	2.01	1.49	1.98
Maximum	3.53	5.08	5.41	6.00	3.90	4.75	2.30	2.52
Minimum	1.22	1.84	2.62	2.98	1.37	1.96	0.01	0.15
Average	2.27	3.36	3.99	4.56	2.50	3.29	0.47	0.66
% Time Lower	1%	1%	0%	2%	1%	0%	91%	87%

Source: Refinitiv Municipal Market Data, U.S. Treasury and Bloomberg

Change in 20-Year MMD

Change in 20-Year MMD with Market Commentary



Source: Refinitiv Municipal Market Data and HilltopSecurities

Patti Grey

Subject: FW: refunding bond issue;

From: >

Sent: Tuesday, October 15, 2019 2:08 PM

To: L

Subject: refunding bond issue; _____

I would encourage the following information be included in tonight's review of this refunding bond issue.

- 1- What is the current BOND RATING of our current outstanding issues
- 2- What will be the rating on the new REFUNDING BOND
- 3- What savings will be realized by Parker by acting at this time, knowing the final interest rate has not been finalized
- 4- Will these bonds be available to purchase at offering price for Parker residents (a set-aside dedication)
- 5- Can officers/commission members purchase on the offering without running afoul of state/federal rules (insiders?)

Thanks. Tom Macduff

Sent from [Mail](#) for Windows 10



Quarterly Investment Report

Period ending September 30, 2019

Grant Savage
Finance Manager



To: Mayor and City Council

From: Grant Savage, Finance Manager

Re: City Council Meeting – November 19, 2019

Date: November 15, 2019

Agenda Item:

Quarterly Investment Report for period ending September 30, 2019

Description of Agenda Item:

It is the objective of the City of Parker to invest public funds in a manner which will provide maximum security and the best commensurate yield while meeting the daily cash flow demands of the City and conforming to all federal, state and local statutes, rules, and regulations governing the investment of public funds. In November 2018, the City revised an investment policy which serves to satisfy the statutory requirements of defining and adopting a formal investment policy. The investment policy states that not less than quarterly, Investment Officials shall submit to the City Council and Investment Committee a written report of the City's investment transactions within forty-five (45) days of the preceding reporting period. Quarterly reports will generally be presented to the City Council as follows:

End of Reporting Period	Quarterly Report Date
March 31	May
June 30	August
September 30	November
December 31	February

The current depository bank for the City of Parker is American National Bank. The current agreement with American National Bank specifies the city to maintain an amount of liquid funds in American National to offset any and all bank service charges; therefore, the City does not earn any interest on the funds kept at American National Bank. The City invests funds in the public investment pool – TexSTAR, which had an average monthly rate of 2.1065% in September 2019. The City also invests in 3 year BOKF CDARS with interest rates ranging from 1.05% to 2.9% and American National Bank Certificates of Deposit with an interest rate of .25% and .35%. The City

does not carry any security instruments (investment type) on its books that are traded on the open market; therefore all investments are listed at 100% of market value. All funds on deposit with American National Bank, TexSTAR and BOKF are fully secured and safeguarded. Total interest earned for the quarter ending September 30, 2019 was \$61,642.53. Total cash and investments for the period ending September 30, 2019 was \$15,591,218.70 compared to \$15,226,468.91 on June 30, 2019, a net increase of \$364,749.79.

The attached Quarterly Investment Report for the Period Ending September 30, 2019 includes the following documents:

- Investment Portfolio Summary – Cash & Investments
- General Fund Investment Portfolio
- Proprietary Fund Investment Portfolio
- Bond Fund Investment Portfolio
- Investments by Instrument Type
- Weighted Average Maturity



City of Parker
Quarterly Investment
Report
(period ending September 30, 2019)

Quarterly Investment Report

According to the Public Funds Investment Act and the City of Parker Investment Policy, a quarterly investment report shall be presented to the City Council.

CITY OF PARKER
INVESTMENT PORTFOLIO SUMMARY
FOR THE QUARTER ENDED SEPTEMBER 30, 2019

ACCOUNT	BALANCE AS OF 6/30/2019	DEPOSITS	WITHDRAWALS	INTEREST EARNED	ENDING BALANCE AS OF 9/30/2019
CASH:					
American National Bank					
Operating Account	\$ 374,035.32	\$ 2,099,923.71	\$ 1,621,668.80	\$ -	\$ 852,290.23
Operating Account II	\$ 535,456.93	\$ 55,580.53	\$ 319,000.00	\$ -	\$ 272,037.46
Volunteer Fire Department	\$ 107,946.33	\$ -	\$ -	\$ -	\$ 107,946.33
Capital Improvements	\$ 104,268.25	\$ -	\$ -	\$ -	\$ 104,268.25
Water Capital Improvement	\$ 835,026.47	\$ 42,000.00	\$ -	\$ -	\$ 877,026.47
Water Impact Fees	\$ 886,263.91	\$ 74,840.05	\$ -	\$ -	\$ 961,103.96
I&S Fund	\$ 172,275.62	\$ 6,863.46	\$ 9,661.61	\$ -	\$ 169,477.47
Water I&S Fund	\$ 691.39	\$ 119,000.00	\$ 118,675.00	\$ -	\$ 1,016.39
Court Security	\$ 36,020.48	\$ 889.28	\$ -	\$ -	\$ 36,909.76
Court Technology	\$ 6,368.56	\$ 1,185.62	\$ -	\$ -	\$ 7,554.18
Police Seizures	\$ 1,003.02	\$ 9,000.00	\$ 2,104.80	\$ -	\$ 7,898.22
Police Awarded	\$ 274.77	\$ -	\$ -	\$ -	\$ 274.77
Police Holding	\$ 2,446.33	\$ -	\$ -	\$ -	\$ 2,446.33
State Training Funds	\$ 4,171.44	\$ -	\$ -	\$ -	\$ 4,171.44
TOTAL CASH ACCOUNTS	\$ 3,066,248.82	\$ 2,409,282.65	\$ 2,071,110.21	\$ -	\$ 3,404,421.26

ACCOUNT	BALANCE AS OF 6/30/2019	DEPOSITS	WITHDRAWALS	INTEREST EARNED	ENDING BALANCE AS OF 9/30/2019
INVESTMENTS:					
TexSTAR	\$ 9,704,653.08	\$ -	\$ 35,091.76	\$ 54,040.04	\$ 9,723,601.36
BOKF - CDARS	\$ 2,388,662.66	\$ -	\$ -	\$ 7,552.55	\$ 2,396,215.21
American National Bank CD	\$ 66,930.93	\$ -	\$ -	\$ 49.94	\$ 66,980.87
TOTAL INVESTMENT ACCOUNTS	\$ 12,160,246.67	\$ -	\$ 35,091.76	\$ 61,642.53	\$ 12,186,797.44

TOTAL CASH & INVESTMENTS AS OF SEPTEMBER 30, 2019	\$ 15,591,218.70
--	-------------------------

This report is in compliance with the investment policy and strategies as approved by the Public Funds Investment Act.

Grant Savage, Finance Manager

Ed Standridge, Chief Investment Officer

Lee Pettie, Mayor

CITY OF PARKER
GENERAL FUND
INVESTMENT PORTFOLIO
FOR THE QUARTER ENDED SEPTEMBER 30, 2019

ACCOUNT	BALANCE AS OF 6/30/2019	DEPOSITS	WITHDRAWALS	INTEREST EARNED	ENDING BALANCE AS OF 9/30/2019
INVESTMENTS:					
TexSTAR - Operating	\$ 1,387,638.24	-	-	7,736.58	\$ 1,395,374.82
TexSTAR - Escrow	\$ 26,074.26	-	-	145.35	\$ 26,219.61
BOKF - CDARS (6345)	\$ 1,029,505.33	-	-	7,552.55	\$ 1,037,057.88
BOKF - CDARS (7525)	\$ 1,025,756.26	-	-	-	\$ 1,025,756.26
BOKF - CDARS (9396)	\$ 333,401.07	-	-	-	\$ 333,401.07
ANB CD - Parker Volunteer FD (8698)	\$ 36,072.52	-	-	22.72	\$ 36,095.24
ANB CD - Parker Volunteer FD (2616)	\$ 30,858.41	-	-	27.22	\$ 30,885.63
TOTAL INVESTMENT ACCOUNTS	<u>\$ 3,869,306.09</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 15,484.42</u>	<u>\$ 3,884,790.51</u>
TOTAL GENERAL FUND INVESTMENT PORTFOLIO AS OF SEPTEMBER 30, 2019					<u>\$ 3,884,790.51</u>

CITY OF PARKER
 PROPRIETARY FUND
 INVESTMENT PORTFOLIO
 FOR THE QUARTER ENDED SEPTEMBER 30, 2019

ACCOUNT	BALANCE AS OF 6/30/2019	DEPOSITS	WITHDRAWALS	INTEREST EARNED	ENDING BALANCE AS OF 9/30/2019
INVESTMENTS:					
TexSTAR - Operating	\$ 318,114.11	-	-	1,773.62	\$ 319,887.73
TexSTAR - Water Improvement	\$ 503,421.44	-	-	2,806.74	\$ 506,228.18
TOTAL INVESTMENT ACCOUNTS	<u>\$ 821,535.55</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 4,580.36</u>	<u>\$ 826,115.91</u>
TOTAL GENERAL FUND INVESTMENT PORTFOLIO AS OF SEPTEMBER 30, 2019					<u>\$ 826,115.91</u>

CITY OF PARKER
BOND FUND
INVESTMENT PORTFOLIO
FOR THE QUARTER ENDED SEPTEMBER 30, 2019

ACCOUNT	BALANCE AS OF 6/30/2019	DEPOSITS	WITHDRAWALS	INTEREST EARNED	ENDING BALANCE AS OF 9/30/2019
INVESTMENTS:					
TexSTAR - Bond Fund	7,469,405.03	-	35,091.76	41,577.75	7,475,891.02
TOTAL INVESTMENT ACCOUNTS	<u>\$ 7,469,405.03</u>	<u>\$ -</u>	<u>\$ 35,091.76</u>	<u>\$ 41,577.75</u>	<u>\$ 7,475,891.02</u>
TOTAL DEBT SERVICE FUND INVESTMENT PORTFOLIO AS OF SEPTEMBER 30, 2019					<u>\$ 7,475,891.02</u>

City of Parker				
Investments by Instrument Type				
For the Period Ending:	9/30/2019			
Instrument Type	Current Balance	Current %	Max % Per Policy	In compliance (Y) (N)
Certificates of Deposits	66,980.87	0.55%	25.00%	YES
Local Government Investment Pools	9,723,601.36	79.79%	90.00%	YES
CDAR's Program	2,396,215.21	19.66%	100.00%	YES
Total Investments	12,186,797.44			
	Current Balance	Pledged Securities Value	%	% Required per policy
American National Bank - Cash Accts	3,404,421.26	5,361,315.55	157.48%	102.00%

City of Parker

Weighted Average Maturity

Report Date: 9/30/2019

Using the Current Date and Maturity Date: Weighted Average Maturity (WAM) =

The overall sum of each security's par amount multiplied by its number of days to maturity, divided by the total of all investments.

Security Description	Investment Amount	Current Date	Maturity Date	Mat. in Days (DTM)	WAM
TexStar	9,723,601.36	09/30/19	10/01/19	1	0.80
ANB - VFD CD	36,095.24	09/30/19	03/15/21	525	1.55
ANB - VFD CD	30,885.63	09/30/19	01/11/20	101	0.26
BOKF CDARS - 3 Yr Term	1,037,057.88	09/30/19	10/14/21	734	62.46
BOKF CDARS - 3 Yr Term	1,025,756.26	09/30/19	10/17/19	17	1.43
BOKF CDARS - 3 Yr Term	333,401.07	09/30/19	11/12/20	402	11.00
Total	12,186,797.44				77.50

WAM Calculations that are based on Floating Rate and Variable Rate securities use the reset date in the calculations.

ANIMAL CONTROL SEPTEMBER 2019

Call #	Date:	9/16/2019	Caller Remarks:	STRAY DOG UNDER CAR.VG	
1	Invoice Type:	No Charge	Expected Charge:	\$0.00	
	Call Type	Action Taken By:	Response	Disposition	
	Stray	Murphy Animal Control	Murphy Pick Up	Returned to Owner	
Call #	Date:	9/16/2019	Caller Remarks:	ANIMAL CRUELTY CALL. THEY WERE FINE. OWNER MOVED THEM BACK TO BARN.VG	
2	Invoice Type:	Service Fee Only	Expected Charge:	\$50.00	
	Call Type	Action Taken By:	Response	Disposition	
	Other	Murphy Animal Control	Other	Other	
Call #	Date:	9/19/2019	Caller Remarks:	CALLED ABOUT A SNAKE IN HER GARAGE, MULTIPLE SITINGS.SG	
3	Invoice Type:	No Charge	Expected Charge:	\$0.00	
	Call Type	Action Taken By:	Response	Disposition	
	Wild Animal	Other	Other	Other	
Call #	Date:	9/22/2019	Caller Remarks:	DEAD SKUNK.	
4	Invoice Type:	Service Fee Only	Expected Charge:	\$50.00	
	Call Type	Action Taken By:	Response	Disposition	
	Dead Animal	Murphy Animal Control	Murphy Pick Up	Destroyed	

Fiscal Year Budget = \$6,000	
Fiscal Year Charges	
October =	140.95
November =	300.00
December =	680.00
January =	50.00
February =	280.00
March =	840.00
April =	500.00
May =	450.00
June=	590.00
July=	700.00
August=	50.00
September=	330.00
Total=	\$4,910.95

ANIMAL CONTROL SEPTEMBER 2019

Call #	Date:	9/23/2019	Caller Remarks:	DEAD RACCOON ON PORCH.VG
5	Invoice Type:	Service Fee Only	Expected Charge:	\$50.00
	Call Type	Action Taken By:	Response	Disposition
	Dead Animal	Murphy Animal Control	Murphy Pick Up	Destroyed
Call #	Date:	9/24/2019	Caller Remarks:	SMALL CHIHUAHUA MIX RAL.VG
6	Invoice Type:	Service Fee + 3 Days	Expected Charge:	\$80.00
	Call Type	Action Taken By:	Response	Disposition
	Stray	Murphy Animal Control	Murphy Pick Up	Holding
Call #	Date:	9/30/2019	Caller Remarks:	STRAY DOG WITH A CHIP. OWNER HAS DOG IN HOUSE.VG
7	Invoice Type:	Service Fee Only	Expected Charge:	\$50.00
	Call Type	Action Taken By:	Response	Disposition
	Stray	Murphy Animal Control	Other	NA
Call #	Date:	9/30/2019	Caller Remarks:	INJURED COW IN FIELD AT DONIHOO/HACKBERRY. WOULD LIKE US TO CONTACT THE OWNER.VG
8	Invoice Type:	No Charge	Expected Charge:	\$0.00
	Call Type	Action Taken By:	Response	Disposition
	Other	City Personnel	Other	NA

ANIMAL CONTROL SEPTEMBER 2019

Call #	Date:	9/5/219	Caller Remarks:	CALLER REPORTED DEAD SKUNK ON THE ROADWAY CLOSE TO THE FRONT OF THEIR HOME. SG		
9	Invoice Type:	Service Fee Only		Expected Charge:	\$50.00	
	Call Type	Action Taken By:		Response	Disposition	
	Dead Animal	Murphy Animal Control		Murphy Pick Up	Destroyed	
					TOTAL=	\$330

City of Parker Municipal Court Report

	Oct, 2018	Nov, 2018	Dec, 2018	Jan, 2019	Feb, 2019	March, 2019	April, 2019	May, 2019	June, 2019	July, 2019	Aug, 2019	Sept, 2019	Oct, 2019
New Cases Filed	80	96	63	149	111	146	123	128	150	135	133	128	107
Traffic	62	84	46	109	97	123	98	109	113	107	99	103	85
Non-Traffic	18	12	17	40	14	23	25	19	37	28	34	25	22
Total Pending Cases	1378	1371	1358	1424	1427	1467	1523	1530	1543	1558	1568	1587	1558
Traffic	1023	1023	1008	1053	1061	1102	1151	1162	1169	1176	1176	1194	1170
Non-Traffic	355	348	350	371	366	365	372	368	374	382	392	393	388
Uncontested Dispositions	40	45	40	37	52	69	38	57	70	51	57	55	75
Compliance Dismissals:													
After Driving Safety Course	26	21	16	14	16	16	9	28	31	37	19	24	24
After Deferred Disposition	20	30	18	26	31	13	16	30	35	31	45	27	35
After proof of Insurance	1	5	1	2	4	6	3	5	2	2	1	3	1
Other Dismissals	1	2	3	4	0	2	1	1	1	2	1	0	4
Total Cases Disposed	88	103	78	83	108	106	67	121	139	123	123	109	139
Show Cause Hearings Held	15	21	18	13	17	7	11	11	13	9	16	22	14
Trials	0	0	0	0	0	0	0	0	0	0	0	0	0
Arrest Warrants Issued	31	32	0	0	0	1	13	0	0	0	26	58	0
Warrants Cleared	4	9	4	5	8	6	4	3	2	0	6	2	28
Total Outstanding Warrants	544	567	563	558	550	545	554	551	549	549	569	625	597
Fines, Court Costs & Other													
Amounts Collected:													
Retained by City	\$8,013.00	\$10,519.00	\$7,593.00	\$7,510.00	\$12,004.00	\$13,877.00	\$8,790.00	\$10,862.00	\$10,988.00	\$11,674.00	\$11,741.00	\$ 11,916.00	\$ 9,808.00
Remitted to State	\$5,193.00	\$7,499.00	\$4,819.00	\$4,880.00	\$8,579.00	\$10,611.00	\$7,582.00	\$7,935.00	\$8,836.00	\$9,603.00	\$8,419.00	\$ 9,293.00	\$ 8,628.00
Total	\$13,206.00	\$18,018.00	\$12,412.00	\$12,390.00	\$20,583.00	\$24,488.00	\$16,372.00	\$18,797.00	\$19,824.00	\$21,277.00	\$20,160.00	\$ 21,209.00	\$ 18,436.00

Definitions:

Show Cause Hearing - A court hearing that is held for a defendant who has been granted a Driving Safety Course or Deferred Disposition to Show Cause for Non-Compliance

All Cases heard in Municipal Court are Class C Misdemeanors Only



Parker Fire Department

REPORT FOR 9 MOS. ENDING SEPTEMBER 2019

Highlights

Emergency Calls

- For the 9 month period January – September 2019, the department responded to 269 calls for service. This compares to 294 calls over the same period of 2018, a 9% decline.
- Calls within Parker's fire district: 226 vs. 244 the prior year, a 7% decline.
- Mutual aid given to neighboring cities: 43 vs. 50 the prior year, a 15% decline.

Response Metrics

- Our overall average response time for the 9 mos. ending September 2019 was **5 minutes 06 seconds**, relatively unchanged from the preceding two calendar quarters. On a year-to-date basis through September 2019 response times are 5 minutes 13 seconds (compared to 6 minutes 27 seconds for the full calendar year of 2018).
- The 2019/2018 year-over-year improvement is a function of 24/7 staffing that began July 2018.
- The average ambulance response time continues between 10 and 11 minutes, a function of where the ambulance is posted at the time of the call. This means our firefighters are on scene and starting emergency care about 5 minutes before the arrival of an ambulance. In view of the time differential the department initiated a review of medication carried on the fire trucks with a view of adding certain drugs approved by Parker's medical control physician for use by our paramedics while awaiting the arrival of the ambulance.

Calls for Service

Total Calls for Service					
NATURE OF CALL	Calendar Year			9 mos. Jan-Sep	
	2016	2017	2018	2019	2018
Structure Fire	16	18	17	7	13
Medical Call	133	157	149	97	111
All Others	138	186	214	165	170
Total Call Volume	287	361	380	269	294
Total Parker (only) Volume	216	282	305	226	244
% within Parker fire district	75%	78%	80%	84%	82%
% mutual aid given by Parker	25%	22%	20%	16%	18%

Calls for Service

CALLS FOR SERVICE BY DISTRICT				
	2016	2017	Jan-Sep	
			2018	2019 %
Parker	216	282	305	226 84%
Lucas	18	28	24	10 4%
Fairview	18	21	15	12 4%
Murphy	16	17	22	18 7%
Wylie	13	13	8	3 1%
Other	3	0	6	0 0%
Total	284	361	380	269

NATURE OF CALL				
	Calenadar			9 mos.
	2016	2017	2018	2019
All Fires	25	34	37	19
Medical Emergency (incl. vehicle accidents)	143	198	195	110
Alarm Investigations (on scene investigation)	13	25	21	27
Dispatched & Cancelled (all nature of calls)	62	50	68	58
All Others	44	54	59	55
Total Calls	287	361	380	269

Response Times

by overall average for Parker’s fire district (excludes mutual aid given)

OVERALL AVG. RESPONSE TIMES	2016	2017	2018	2019			
(overall avg. measured from dispatch)	12 Mos.	12 mos.	12 MOS.	Jan- Mar 12 MOS.	Apr- Jun 12 MOS.	Jul- Sep 12 MOS.	Oct- Dec 12 MOS.
Overall avg. response time (minutes:seconds)	8:16	7:50	6:27	5:17	5:16	5:06	

- Our overall avg. response time remains slightly over 5 minutes
- Represents the arrival of the first Parker fire truck to the incident scene
- Response times will vary based on:
 - The distance of the incident from the fire station
 - The weather, traffic and road conditions

Staffing

2019 Staffing Metrics

2018	2019			
12 mos.	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec
12 Mos.				

DAY COVERAGE

Coverage by two paid firefighters	99%	97%	100%	98%
Coverage by two paid + at least 1 stipend firefighter	67%	42%	42%	39%
Paramedic included in shift	97%	88%	75%	75%

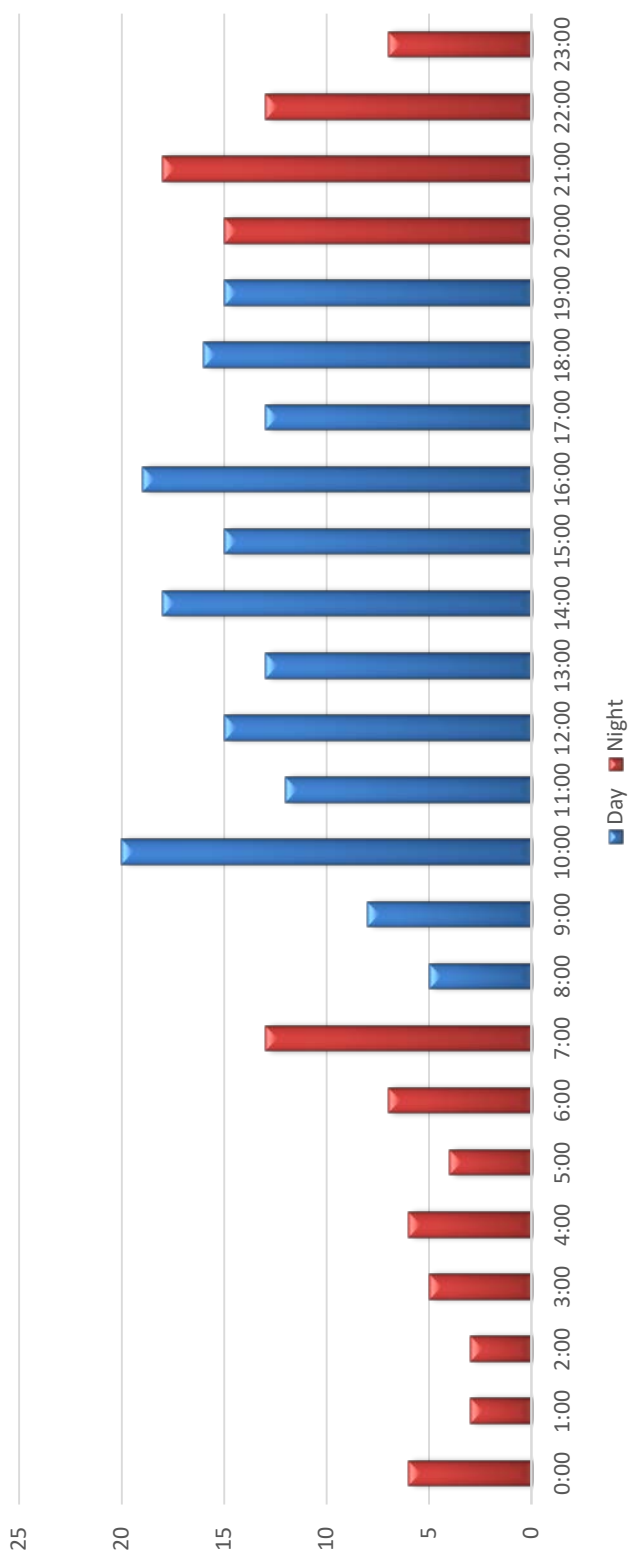
NIGHT COVERAGE

Coverage by two paid firefighters (began 7/15/2018)	100%	100%	100%	99%
Coverage by two paid + at least 1 stipend firefighter	37%	46%	42%	37%
Paramedic included in shift	73%	71%	64%	76%

Calls answered by Day shift	61%	62%	59%	71%
Calls answered by Night shift	39%	38%	41%	29%

Alarm Time Analysis

Time of Alarm
Jan- Sep 2019



Property Loss from Fires

Est. Property Losses from Fire (excludes grass fires)					
Year	Est. Total \$ Value	Est. \$ Lost	Est. \$ Saved	Est. % Saved	
YTD2019	272,000	270,500	1,500	Nil	
2018	1,056,000	242,350	813,650	77%	
2017	848,000	810,000	38,000	4%	
2016	1,238,000	237,000	1,009,000	82%	
2015	401,000	30,100	370,900	92%	

- During the period Jan-Sep 2019 we experienced one residential fire in Parker that was a total loss

Operational Readiness

IN SERVICE:

- ✓ Engine 811 (1995)
- ✗ Engine 812 (reserve) (2001)
- ✓ Truck 811 (2008)*
- ✓ Brush 811
- ✓ Tac 811 (Tahoe)
- ✓ Tac 812 (pickup)

COMMENTS

Reserve Engine 812's fire pump failed its annual service test. The pump cannot be repaired because parts are unavailable. A replacement pump is estimated at \$6,000. Pending.

*Newly purchased replacement for Truck 811 is presently at the manufacturer's plant undergoing customization for Parker. Est. arrival targeted for December.

PARKER POLICE DEPARTMENT
REPORT OF MONTHLY STATISTICS YEAR TO DATE

October 2019	THIS MONTH	YTD 2019
Total Incidents	1136	8412
Calls for Service	128	967
House Watch	393	2931
Other Service Response Incidents	615	4514
Reported Incidents - Group A	3	72
Arson	0	0
Assault	0	7
Bribery	0	0
Burglary/Breaking and Entering	0	5
Counterfeiting/Forgery	0	4
Destruction/Damage/Vandalism of Property	0	7
Drug/Narcotic Offenses	0	15
Embezzlement	0	0
Extortion/Blackmail	0	0
Fraud	1	11
Gambling	0	0
Homicide	0	0
Human Trafficking	0	0
Kidnapping/Abduction	0	0
Larceny/Theft	2	17
Motor Vehicle Theft	0	0
Pornography/Obscene Material	0	1
Prostitution	0	0
Robbery	0	0
Sex Offenses	0	2
Sex Offenses, Nonforcible	0	1
Stolen Property	0	2
Weapon Law Violations	0	0
Group B Offenses	3	17
Bad Checks	0	0
Curfew/Loitering/Vagrancy Violations	0	0
Disorderly Conduct	0	0
Driving Under the Influence	0	3
Drunkenness	1	1
Family Offenses, Nonviolent	0	0
Liquor Violations	0	0
Peeping Tom	0	0
Runaway	0	2
Trespass of Real Property	1	3
All Other Offenses	1	8
Incident Reports - Non-Offenses	2	40
Incident Reports	2	34
Mental Health	0	6

Adult Arrests	2	25	
Males	2	19	
Females	0	6	
Juvenile Detentions	0	0	
Males	0	0	
Females	0	0	
Traffic Enforcement	182	1782	
Citations	106	1258	
Warnings	76	524	
Accidents	8	59	
Injury	2	12	
Non-Injury	5	46	
FLID	1	1	
Investigations	56	626	
Cases Assigned	13	135	
Clearances	11	64	
Cases Filed with DA	4	35	
Follow-Ups	26	369	
Leads Online	2	23	
Alarm Activations	20	175	
Residential	17	163	
Chargeable	12	127	
Non-Chargeable	5	36	
Business	3	12	
Chargeable	0	4	
Non-Chargeable	3	8	
Outside Agency Activities	16	154	
Murphy PD	12	104	
Collin County SO	1	22	
Wylie PD	0	4	
Allen PD	1	5	
Other	2	19	
Staff	Sworn	Civilian	Reserve
Authorized	11	1	2
Current Strength	9	1	1
In Training	0	0	0
Openings	2	0	0
% Staffed	82%	100%	50%
Reserve Hours	20	174.5	

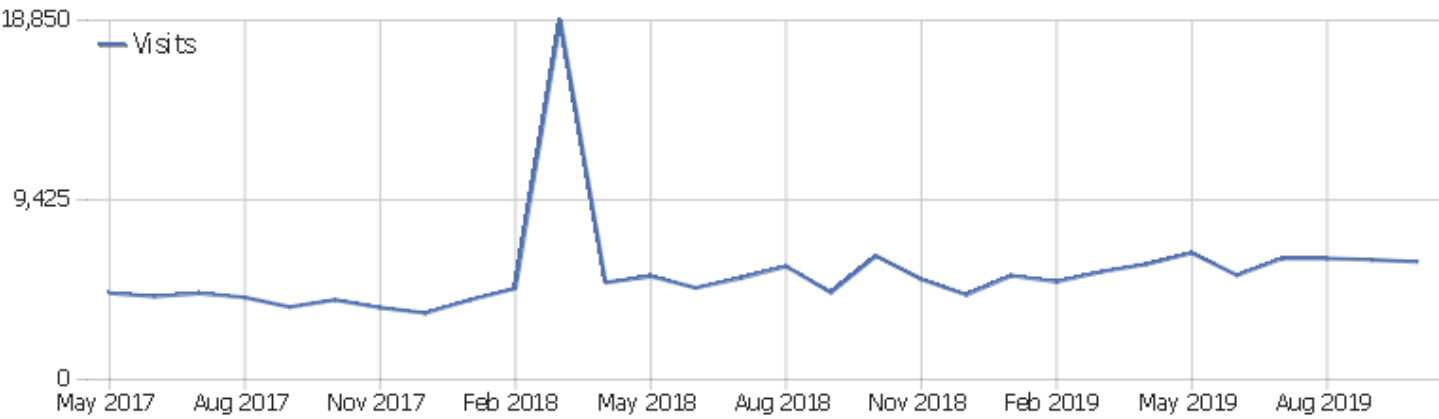


Parker, TX

Date range: October 2019

Monthly Web Report

Visits Summary



Name	Value
Unique visitors	4,803
Visits	6,179
Actions	15,832
Maximum actions in one visit	76
Actions per Visit	3
Avg. Visit Duration (in seconds)	00:02:12
Bounce Rate	54%






Site Search Keywords

Keyword	Searches	Search Results pages	% Search Exits
bulk trash	9	1	0%
burn-ban-in-effect	5	1	100%
true	4	1	75%
water rates	4	2	25%
code of ordinances	3	1	67%
internet service	3	1	67%
trash	3	1	100%
address	2	1	50%
brush	2	1	100%
bulk	2	1	100%
burn	2	1	50%
chickens	2	1	50%
city administrator	2	1	0%
contact	2	1	50%
electricity	2	1	50%
fire	2	1	0%
full-time police officer	2	1	0%
garbage	2	2	0%
hydrant meter application	2	1	100%
job postings	2	1	0%
jobs	2	2	100%
map	2	1	0%
newsletter	2	2	0%
Others	185	215	28%





Referrer Type

Referrer Type	Visits	Actions	Actions per Visit	Avg. Time on Website	Bounce Rate	Revenue
Direct Entry	4,287	10,033	2	00:02:11	58%	\$ 0
Search Engines	1,791	5,543	3	00:02:19	44%	\$ 0
Websites	101	256	3	00:01:22	46%	\$ 0

Country

Country	Visits	Actions	Actions per Visit	Avg. Time on Website	Bounce Rate	Revenue
 United States	5,489	14,805	3	00:02:24	51%	\$ 0
 Philippines	149	188	1	00:00:39	85%	\$ 0
 Singapore	116	136	1	00:00:01	97%	\$ 0
 South Korea	106	206	2	00:00:10	6%	\$ 0
 Germany	57	80	1	00:00:53	88%	\$ 0
 India	55	75	1	00:00:29	82%	\$ 0
 China	39	46	1	00:00:08	95%	\$ 0
 Canada	21	45	2	00:02:56	67%	\$ 0
 South Africa	12	13	1	00:00:00	92%	\$ 0
 Russia	10	10	1	00:00:00	100%	\$ 0
 Italy	9	24	3	00:05:15	33%	\$ 0
 Malaysia	7	7	1	00:00:00	100%	\$ 0
 Australia	6	11	2	00:00:20	50%	\$ 0
 Czech Republic	6	6	1	00:00:00	100%	\$ 0
 France	6	12	2	00:00:07	50%	\$ 0
 Kenya	6	6	1	00:00:00	100%	\$ 0
 Pakistan	6	18	3	00:01:38	50%	\$ 0
 Netherlands	5	13	3	00:03:38	40%	\$ 0
 Nigeria	5	6	1	00:00:00	80%	\$ 0
 United Arab Emirates	5	7	1	00:01:38	60%	\$ 0
 Unknown	5	7	1	00:00:19	60%	\$ 0
 Belgium	4	9	2	00:00:12	75%	\$ 0
 Colombia	4	19	5	00:17:02	25%	\$ 0
Others	51	83	2	00:00:18	78%	\$ 0

Device type

Device type	Visits	Actions	Actions per Visit	Avg. Time on Website	Bounce Rate	Conversion Rate
 Desktop	3,503	10,128	3	00:02:49	47%	0%
 Smartphone	2,230	4,395	2	00:01:15	62%	0%
 Tablet	297	731	3	00:01:37	56%	0%
Unknown	142	569	4	00:03:31	73%	0%
 Phablet	7	9	1	00:00:18	86%	0%



Council Agenda Item

Item 4
C'Sec Use Only

Budget Account Code:	Meeting Date: November 19, 2019
Budgeted Amount:	Department/Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Secretary Scott Grey
Estimated Cost:	Date Prepared: November 12, 2019
Exhibits:	None

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON CANCELING THE DECEMBER 3 OR DECEMBER 17, 2019 REGULAR CITY COUNCIL MEETING. [PETTLE]

SUMMARY

Due to upcoming holidays, City Staff has requested City Council consider canceling either the December 3 or the December 17, 2019 regular City Council meeting.

POSSIBLE ACTION

Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head/Requestor:	<i>Patti Scott Grey</i>	Date:	11/14/2019
City Attorney:		Date:	
City Administrator:	<i>Luke B. Olson</i>	Date:	11/15/2019



Agenda Item

Item 5
C'Sec Use Only

Budget Account Code:	Meeting Date: November 19, 2019
Budgeted Amount:	Department/ Requestor: Public Works Gary Machado
Fund Balance-before expenditure:	Prepared by: Public Works Gary Machado
Estimated Cost:	Date Prepared: November 12, 2019
Exhibits:	<ul style="list-style-type: none">Proposed Ordinance

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO 785,
ESTABLISHING A STORMWATER ORDINANCE. [MACHADO/SHELBY]

SUMMARY

Please review the proposed ordinance for discussion and possible approval.

POSSIBLE ACTION

Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head/ Requestor:	<i>Gary Machado</i>	Date:	11/14/2019
City Attorney:		Date:	
City Administrator:	<i>Luke B. Olson</i>	Date:	11/15/2019

ORDINANCE NO. 785
{Stormwater Regulations}

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS, ESTABLISHING REGULATIONS FOR STORMWATER IN THE CITY OF PARKER, TEXAS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; 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 of Parker, Texas has the legal authority to pass and enforce regulations regarding the treatment of stormwater within its corporate limits; and,

WHEREAS, the City Council of the City of Parker, Texas believes regulations regarding the treatment of stormwater are in the best interest of the health and safety of the citizens of Parker, Texas; and,

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

SECTION 1.

TITLE:

These regulations shall be officially known, cited, and referred to as the “stormwater regulations” of the City (hereinafter “this chapter”):

I. GENERAL PROVISIONS:

(a) **PURPOSES.** The purposes and objectives of this article are as follows:

(1) To maintain and improve the quality of surface water within the City of Parker, Collin County, and all Waters of the U.S. (See 40 CFR 122.2 or definition of Waters of the U.S. in MS4 General Permit).

(2) To prevent the discharge of contaminated stormwater runoff from industrial, commercial, residential, and construction sites into the City of Parker, the municipal separate stormwater sewer system (MS4) and natural waters within the City of Parker.

(3) To promote public awareness of the hazards involved in the improper discharge of hazardous substances, petroleum products, household hazardous waste, industrial waste, sediment from construction sites, pesticides, herbicides, fertilizers, and other contaminants into the storm sewers and natural water of the City.

(4) To encourage recycling of used motor oil and safe disposal of other hazardous consumer projects.

(5) To facilitate compliance with state and federal standards and permits by owners and operators of industrial and construction site within the City.

(6) To enable the City to comply with all federal and state laws and regulations applicable to stormwater discharges.

(b) ADMINISTRATION. Except as otherwise provided herein, the Director of Public Works (DPW), and/or Code Enforcement Officer shall administer, implement, and enforce the provisions of this article. Any powers granted to or duties imposed upon these people may be authorized to other personnel (aka, city personnel or third party) in accordance with 30 TAC § 305.44 and 30 TAC 305.128.

(c) DEFINITIONS. Unless a provision explicitly states otherwise, the following terms shall have the meanings hereinafter designated:

(1) Agricultural stormwater runoff. Any stormwater runoff from orchards, cultivated crops pasture, range lands, and other nonpoint source agricultural activities, but not discharges from concentrated animal feeding operations as defined in 40 CFR Section 122.23 or discharges from concentrated aquatic animal production facilities a defined in 40 CFR Section 122.24.

(2) Best management practices (BMP). Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the US. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

(3) Bioretention. A method of treating surface runoff and settling of suspended solids through a terrestrial aerobic (upland) plant/soil/microbe complex to remove pollutants through a variety of physical, chemical and biological processes.

(4) Channel. A natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water. This shall include the bed, the banks, and the entire erosion hazard setback floodplain, zone, and easement.

(5) City. The City of Parker. For purposes of this ordinance, the “City” refers to the jurisdiction within the City limits. It also refers to the system of conveyances (including roads with drainage systems, municipal streets, catch basins curbs, gutters, ditches manmade channels, or storm drains) owned and operated by the city and designed or used for collecting or conveying stormwater, and which is not used for collecting or conveying sewage, as defined in 40 CFR 122.26.

- (6) City Inspector(s). Refers to the Director of Public Works, Code Enforcement Officer, or their duly authorized representative who go on-site to determine if the provisions of this article are being met.
- (7) Code Enforcement Officer. The person appointed by the City to enforce city codes or his/her duly authorized representative.
- (8) Commencement of construction. The disturbance of soils associated with clearing, grading, or excavating activities or other construction activities.
- (9) Commercial. Pertaining to any business, trade, industry, or other activity engaged in for profit.
- (10) Debris. Any solid waste or yard waste.
- (11) Stormwater detention. The temporary storage of storm runoff with the goals of controlling peak discharge rates and providing gravity settling of pollutants.
- (12) Stormwater detention facility. A detention basin or alternative structure designed for the purpose of temporary storage of surface runoff and gradual release of stored water at controlled rates.
- (13) Director of Public Works (DPW). The person appointed by the City to manage field operations and provide environmental education, or his /her duly authorized representative.
- (14) Discharge. Any addition or introduction of any pollutant, stormwater, or any other substance whatsoever into the City of Parker drainage system or into waters of the US.
- (15) Discharger. Any person who causes, allows, permits, or is otherwise responsible for a discharge, including without limitation, any operator of a construction site or industrial facility.
- (16) Domestic sewage. Human excrement, gray water (from home clothes washing, bathing, showers, dishwashing, and food preparation), other wastewater from household drains, and waterborne waste normally discharged from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories, and institutions, that is free from industrial waste.
- (17) Environmental Protection Agency (EPA). The United States Environmental Protection Agency, the regional office thereof, any federal department, agency, or commission that may succeed to the authority of the EPA, and any duly authorized official of EPA or such successor agency.
- (18) Extremely hazardous substance. Any substance listed in the Appendices to 40 CFR 355, Emergency Planning and Notification.

(19) Facility. Any building, structure, installation, process, or activity from which there is or may be a discharge of a pollutant.

(20) Fertilizer. A solid or nonsolid substance or compound that contains an essential plant nutrient element in a form available to plants and is used primarily for its essential plant nutrient element content in promoting or stimulating growth of a plant or improving the quality of crop, or a mixture of two or more fertilizers. The term does not include the excreta of an animal, plant remains, or a mixture of those substances, for which no claim of essential plant nutrients is made.

(21) Final stabilization. The status when all soil disturbing activities at a site have been completed, and a uniform perennial vegetative cover with a density of 70 percent of the cover for unpaved areas and areas not covered by permanent structures has been established or equivalent permanent stabilization measures (such as the use of riprap, gabions, landscaping or geotextiles) have been employed.

(22) Fire department. The Fire Department of the City of Parker, or any duly authorized representative thereof.

(23) Fire protection water. Any water, and any substances or materials contained therein, used by any person other than the fire department to control or extinguish a fire.

(24) Garbage. Putrescible animal and vegetable waste materials from the handling, preparation, cooking, or consumption of food, including waste materials from markets, storage facilities, and the handling and sale of produce and other food products.

(25) Generally accepted maintenance activities. Procedures, work tasks, technique and schedules established for the sustainability and function of a stormwater feature published by a governmental agency, educational organization, professional organization or other subject matter expert.

(26) Harmful quantity. The amount of any oily substance that will cause pollution of waters of the U.S.. (Clean Water Act as amended by the Oil Pollution Act of 1990)

(27) Hazardous household waste (HHW). Any material generated in a household (including single and multiple residences, hotels and motels, bunk houses, ranger stations, crew quarters, camp grounds, picnic grounds, and day use recreational areas) by a consumer which, except for the exclusion provided in 40 CFR 261(b)(1), would be classified as a hazardous waste under 40 CFR 261.

(28) Hazardous substance. Any substance listed in Table 302.4 of 40 CFR 302.

(29) Hazardous waste. Any substance identified or listed as a hazardous waste by the EPA pursuant to 40 CFR 261.

- (30) Hazardous waste treatment, disposal and recovery facility. All contiguous land, and structures, other appurtenances and improvements on the land, used for the treatment, disposal, or recovery of hazardous waste.
- (31) Herbicide. A substance or mixture of substances used to destroy a plant or to inhibit plant growth.
- (32) Industrial waste. Any waterborne liquid or solid substance that results from any process of industry, manufacturing, mining, production, trade or business.
- (33) Maintenance activities. Practices required for the long-term sustainability and function of a component or system. This includes periodic inspections, debris removal and disposal, replanting of trees, maintaining vegetation, removal of silt, and repair of manmade components. The maintenance activities in natural channels and riparian areas shall be as minimal as possible.
- (34) Motor vehicle fuel. Any vehicle crankcase oil, antifreeze, transmission fluid, brake fluid, differential lubricant, gasoline, diesel fuel, gasoline/alcohol blend, and any other fluid used in a motor vehicle.
- (35) Municipal landfill (or landfill). An area of land or an excavation in which municipal solid waste is placed for permanent disposal, and which is not a land treatment facility, a surface impoundment, an injection well, or a pile (as these terms are defined in regulations promulgated by the Texas Water Commission).
- (36) Municipal separate storm sewer system (MS4). The system of conveyances (including roads with drainage systems, municipal streets, catch basins curbs, gutters, ditches manmade channels, or storm drains) owned and operated by the city and designed or used for collecting or conveying stormwater, and which is not used for collecting or conveying sewage.
- (37) Municipal solid waste. Solid waste resulting from or incidental to municipal, community, commercial, institutional, or recreational activities, and includes garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and other solid waste other than industrial waste.
- (38) Natural channels. Channels left in or near their natural state, maintaining the natural alignment and grade and riparian corridor.
- (39) NPDES general permit for stormwater discharges associated with industrial activity (or industrial general permit). The industrial general permit issued by EPA on August 27, 1992, and published in Volume 57 of the Federal Register at page 1217 on September 9, 1992, and any subsequent modifications or amendments thereto.
- (40) NPDES general permit for stormwater discharges from construction sites (or construction general permit). The construction general permit issued by EPA on August 27, 1992, and

published in Volume 57 of the Federal Register at page 41217 on September 9, 1992, and any subsequent modifications or amendments thereto.

(41) NPDES permit. A permit issued by EPA (or by the state under authority delegated pursuant to 33 USC sec. 1342(b)), as amended, that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

(42) Nonpoint source. Any source of any discharge of a pollutant that is not a “point source.”

(43) Notice of Intent (NOI). The notice of intent that is required by either the industrial general or the construction general permit.

(44) Notice of Termination (NOT). The notice of termination that is required by either the industrial general permit or the construction general permit.

(45) Oil. Any kind of oil in any form, including, but not limited to, petroleum, fuel oil, crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure, sludge, oil refuse, and oil mixed with water.

(46) Operator. The persons who, either individually or taken together, meet the following two criteria: (1) they have operational control over the facility specifications (including the ability to make modifications in specifications); and (2) they have the day-to-day operational control over those activities at the facility necessary to ensure compliance with pollution prevention requirements and any permit conditions.

(47) Owner. The person who owns a facility or part of a property.

(48) Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all federal, state, and local governmental entities.

(49) Pesticide. A substance or mixture or substances intended to prevent, destroy, repel, or mitigate any pest, or any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant.

(50) Petroleum product. A petroleum product that is obtained from distilling and processing crude oil and that is capable of being used as a fuel for the propulsion of a motor vehicle or aircraft, including motor gasoline, gasohol, other alcohol blended fuels, aviation gasoline, kerosene, distillate fuel oil, and #1 and #2 diesel. The term does not include naphtha-type jet fuel, kerosene-jet fuel, or a petroleum product destined for use in chemical manufacturing or feedstock of that manufacturing.

(51) Petroleum storage tank (PST). Any one or combination of above ground or underground storage tanks that contain petroleum products and any connecting underground pipes.

(52) Point source. Any discernable, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

(53) Pollutant. Dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical waste, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water. The term “pollutant” does not include tail water or runoff water from irrigation or rainwater runoff from cultivated or uncultivated range land, pasture land, and farm land.

(54) Pollution. The alternation of the physical, thermal, chemical, or biological quality of, or the contamination of, any water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property, or to the public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

(55) Public nuisance. A condition that is injurious to health, or is indecent or offensive to the senses, or any obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property; or, affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

(56) Qualified personnel. Persons who possess the appropriate competence, skills and ability (as demonstrated by sufficient education, training, experience, and/or, when applicable, any required certification or licensing) to perform a specific activity in a timely and complete manner consistent with the applicable regulatory requirements and generally-accepted industry standards for such activity.

(57) Registered professional engineer (RPE). A person who has been duly licensed and registered by the Texas Board of Registration for Professional Engineers to engage in the practice of engineering in the State of Texas.

(58) Reportable quality (RO). For any “hazardous substance,” the quantity established and listed in Table 302.4 of 40 CFT 302, as amended; for any extremely hazardous substance,” to quantity established in 40 CFR 355, as amended, and listed in Appendix A thereto.

(59) Rubbish. Nonputrescible solid waste, excluding ashes, that consist of: (A) combustible waste materials, including paper, rags, cartons, wood, excelsior, furniture, rubber, plastics, yard trimmings, leaves, and similar materials; and (B) noncombustible waste materials, including

glass, crockery, tin cans, aluminum cans, melt furniture, and similar materials that do not burn at ordinary incinerator temperature (1,600 to 1,800 degrees Fahrenheit).

(60) Sanitary sewer (or sewer). The system of pipes, conduits, and other conveyances which carry industrial waste and domestic sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, to the city sewage treatment plant (and to which stormwater, surface water, and groundwater are not intentionally admitted).

(61) Septic tank waste. Any domestic sewage from holding tanks such as vessels, chemical toilets, campers, trailers and septic tanks.

(62) Service station. Any retail establishment engaged in the business of selling fuel for motor vehicles that is dispensed from stationary storage tanks.

(63) Sewage (or sanitary sewage). The domestic sewage and/or industrial waste that is discharged into the city sanitary sewer system and passes through the sanitary sewer system to the city sewage treatment plant for treatment.

(64) Site. The land or water area where any facility or activity is physically located or conducted, including adjacent land used in connection with the facility or activity.

(65) Solid waste. Any garbage, rubbish, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, municipal, commercial, mining, and agricultural operations, and from community and institutional activities.

(66) State. The State of Texas.

(67) Stormwater. Stormwater runoff, snow melt runoff, and surface runoff and drainage.

(68) Stormwater discharge associated with industrial activity. The discharge from any conveyance which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant which is within one of the categories of facilities listed in 40 CFR 122.26(b)(14), as amended, and which is not excluded from EPA's definition of the same term.

(69) Stormwater feature. A natural or manmade component or system which remains as a permanent part of a development also known as structural BMPs. The purpose of which includes stormwater conveyance, stormwater quality improvement, flood mitigation, or erosion reduction. The features include but are not limited to, channels, detention facilities, retention ponds, bioretention, rain harvest systems, landscape buffers, riparian areas, enhanced swales, filter strips, permeable pavers and manufactured devices.

(70) Stormwater Pollution Prevention Plan (SWPPP). A plan required by either the construction general permit or the industrial general permit and which describes and ensures the implementation of practices that are to be used to reduce the pollutants in stormwater discharges associated with construction or other industrial activity at the facility.

(71) Uncontaminated. Not containing a harmful quantity of any substance.

(72) Used oil (or used motor oil). Any oil that has been refined from crude oil or synthetic oil that, as a result of use, storage, or handling, has become unsuitable for its original purpose because of impurities or the loss of original properties, but that may be suitable for further use and is recyclable in compliance with state and federal law.

(73) Water in the state (or water). Any groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Gulf of Mexico, inside the territorial limits of the state, and all other bodies of surface water natural or artificial, inland, or coastal, fresh or salt, navigable or non-navigable, and including the beds and banks of all watercourses and bodies of surface water, that are wholly or partially inside or bordering the state or inside the jurisdiction of the state.

(74) Water quality standard. The designation of a body or segment of surface water in the state for desirable uses and the narrative and numerical criteria deemed by the state to be necessary to protect those uses, as specified in Texas Administrative Code, Title 31, Chapter 307, as amended.

(75) Waters of the United States (US). All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; all interstate waters, including interstate wetlands, all other waters the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce; all tributaries of waters identified in this definition; all wetlands adjacent to waters identified in this definition; and any waters within the federal definition of “waters of the United States” at 40 CFR 122.2, as amended; but not including any waste treatment systems, treatment ponds, or lagoons designed to meet the requirements of the Federal Clean Water Act.

(76) Wetland. An area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

(77) Yard waste. Leaves, grass clippings, yard and garden debris, and brush that results from landscaping maintenance and land-clearing operations.

II. GENERAL PROHIBITION

(a) No person shall introduce or cause to be introduced into the City drainage any discharge that poses a reasonable threat to human health or the environment.

(b) Allowable non-stormwater discharges are:

- (1) Water line flushing (excluding discharges of hyper-chlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);
- (2) Runoff or return flow from landscape irrigation, lawn irrigation, and other irrigation utilizing potable water, groundwater, or surface water sources;
- (3) Discharges from potable water sources;
- (4) Diverted stream flows;
- (5) Rising groundwaters and springs;
- (6) Uncontaminated groundwater infiltration;
- (7) Uncontaminated pumped groundwater;
- (8) Foundation and footing drains;
- (9) Air conditioning condensation;
- (10) Water from crawl space pumps;
- (11) Individual residential vehicle washing;
- (12) Flows from wetlands and riparian habitats;
- (13) Dechlorinated swimming pool discharges;
- (14) Street wash water;
- (15) Discharges or flows from fire-fighting activities (fire-fighting activities do not include washing of trucks, runoff water from training activities, test water from fire suppression systems, and similar activities);
- (16) Other allowable non-stormwater discharges listed in 40 CFR 122.26(d)(2)(iv)(B)(1), as amended;
- (17) Non-stormwater discharges that are specifically listed as allowable in the TPDES Multi-Sector General Permit (MSGP) or the TPDES Construction General Permit (CGP);

(18) A discharge from a temporary car wash sponsored by a group organization where only soap and water are used and where efforts are made to minimize pollutants in the discharge; and

(19) Other similar occasional incidental non-stormwater discharges, unless the TCEQ develops permits or regulations addressing these discharges.

(c) There shall be no allowable discharge if the discharge or flow in question has been determined by the DPW to be a source of a pollutant or pollutants to the waters of the U.S. or the City drainage system, written notice of such determination has been provided to the discharger, and the discharge has occurred more than 14 calendar days beyond such notice. The correctness of the DPW's determination that a discharge is a source of a pollutant or pollutants may be reviewed in any administrative or judicial enforcement proceeding.

III. SPECIFIC PROHIBITIONS AND REQUIREMENTS

(a) The specific prohibitions and requirements in this section are not necessarily inclusive of all the discharges prohibited by the general prohibition in Section II above.

(b) No person shall intentionally dump, spill, leak, pump, pour, emit, empty discharge, leach, dispose, or introduce any of the following substances into the City's drainage system and all persons shall to the maximum extent practicable under prevailing circumstances, employ control measures to prevent the following substances from entering into the City's drainage system:

(1) Any motor oil, antifreeze, or any other motor vehicle fluid;

(2) Any garbage, rubbish or yard waste;

(3) Any wastewater from a commercial carwash facility; from any vehicle washing, cleaning, or maintenance at any new or used automobile or other vehicle dealership, rental agency, body shop, repair shop, or maintenance facility; or from any washing, cleaning, or maintenance of any business or commercial or public service vehicle, including a truck, bus, or heavy equipment, by a business or public entity;

(4) Any wastewater from the washing, cleaning, de-icing, or other maintenance of aircraft;

(5) Any wastewater from a commercial mobile power washer or from the washing or other cleaning of a building exterior that contains any soap, detergent, degreaser, solvent, or any other harmful cleaning substance;

(6) Any wastewater from floor, rug or carpet cleaning;

(7) Any wastewater from the wash-down or other cleaning of pavement that contains any harmful quantity of soap, detergent, solvent, degreaser, emulsifier, dispersant, or any

other harmful cleaning substance; or any wastewater from the wash-down or other cleaning of any pavement where any spill, leak, or other release of oil, motor fuel, or other petroleum or hazardous substance has occurred, unless all harmful quantities of such released material have been previously removed;

(8) Any effluent from a cooling tower, condenser, compressor, emissions scrubber, emissions filter, or the blow down from a boiler;

(9) Any ready-mixed concrete, mortar, ceramic, or asphalt base material or hydro mulch material, or from the cleaning of commercial vehicles or equipment containing, or used in transporting or applying, such material;

(10) Any runoff or wash-down water from any animal pen, kennel, or fowl or livestock containment area;

(11) Any filter backwash from a swimming pool, fountain or spa;

(12) Any swimming pool water containing any harmful quantity of chlorine, muriatic acid or other chemical used in the treatment or disinfection of the swimming pool water or in pool cleaning;

(13) Any discharge from water line disinfection by hyper-chlorination or other means if it contains any harmful quantity of chlorine or any other chemical used in line disinfection;

(14) Any fire protection water containing oil or hazardous substances or materials that the fire code in this Code of Ordinances requires to be contained and treated prior to discharge, unless treatment adequate to remove pollutants occurs prior to discharge. (This prohibition does not apply to discharges or flow from fire-fighting by the fire department.);

(15) Any water from a water curtain in a spray room used for painting vehicles or equipment;

(16) Any contaminated runoff from a vehicle wrecking yard;

(17) Any substance or material that will damage, block, or clog the City's drainage system.

(c) No person shall introduce or cause to be introduced into the City's drainage system any harmful quantity of sediment, silt, earth, soil, or other material associated with clearing, grading, excavation or other construction activities, or associated with landfilling or other placement or disposal of soil, rock, or other earth materials, in excess of what could be retained on-site or captured by employing sediment and erosion control measures to the maximum extent practicable under prevailing circumstances.

(d) No person shall connect a line conveying sanitary sewage, domestic or industrial, to the MS4, or allow such a connection to continue.

(e) No person shall cause or allow any pavement wash water from a service station to be discharged into the MS4 unless such wash water has passed through a properly functioning and maintained grease, oil, and sand interceptor before discharge into the City's drainage system.

(f) Pesticides, herbicides and fertilizers. No person shall dump, spill, leak, pump, pour, emit, empty, discharge, leach, dispose, or otherwise introduce or cause, allow, or permit to be introduced harmful levels of pesticides, herbicides and fertilizers into the City's drainage system. All persons shall, to the maximum extent practicable under prevailing circumstances, employ control measures to minimize pesticides, herbicides and fertilizers from entering the City's drainage system. This includes the following:

- (1) Apply products according to manufacture recommendations.
- (2) Apply products according to all state and federal laws.
- (3) Proper storage and disposal.

IV. RELEASE AND REPORTING CLEANUP

(a) The person in charge of any facility, vehicle, or other source of any spilling, leaking, pumping, pouring, emitting, emptying, discharging, escaping, leaching, dumping, disposing, or any other release of any of the following quantities of any of the following substances that may flow, leach, enter, or otherwise be introduced into the City's drainage system or waters of the US, shall notify the City concerning the incident immediately:

- (1) An amount equal to or in excess of a reportable quantity of any hazardous substance, as established under 40 CFR 302, as amended;
- (2) An amount equal to or in excess of a reportable quantity of any extremely hazardous substance, as established under 40 CFR 355, as amended;
- (3) An amount of oil that either (a) violates applicable water quality standards, or (b) causes a film or sheen upon or discoloration of the surface of the water or any adjoining shoreline or causes a sludge or emulsion to be deposited beneath the surface of the water or upon an adjoining shoreline; or
- (4) Any harmful quantity of any pollutant.

(b) The immediate notification required by subsection (a), if known, shall include the following information:

- (1) The identity or chemical name of the substance released, and whether the substance is an extremely hazardous substance;
 - (2) The exact location of the release;
 - (3) The time and duration of the release;
 - (4) An estimate of the quantity and concentration of the substance released;
 - (5) The source of the release;
 - (6) Any known or anticipated health risks associated with the release and where appropriate, advice regarding medical attention that may be necessary for exposed individuals
 - (7) Any precautions that should be taken as a result of the release;
 - (8) Any steps that have been taken to contain and/or clean up the released material and minimize its impacts; and
 - (9) The names and telephone numbers of the person or persons to be contacted for further information.
- (c) Within 14 calendar days following such release, the responsible person in charge of the facility, vehicle, or other source of the release shall, upon request by the DPW, submit a written report containing each of the items of information specified above in subsection (b), as well as the following additional information:
- (1) The ultimate duration, concentration, and quantity of the release;
 - (2) All actions taken to respond to contain, and clean up the release substances, and all precautions taken to minimize the impacts;
 - (3) Any known or anticipated acute or chronic health risks associated with the release;
 - (4) Where appropriate, advice regarding medical attention necessary for exposed individuals;
 - (5) The identity of any governmental/private sector representatives responding to the release; and
 - (6) The measure taken or to be taken by the responsible person(s) to prevent similar future occurrences.

(d) The notifications required by subsections (b) and (c) above shall not relieve the responsible person of any expense, loss, damage, or other liability which may be incurred as a result of the release, including any liability for damage to the City's drainage system, to natural resources, or to any other person or property; nor shall such notification relieve the responsible person of any fine, penalty, or other liability which may be imposed pursuant to this article or to state or federal law.

(e) Any person responsible for a release described in subsection (a) above shall reimburse the City for any cost incurred by the City in responding to the release.

V. STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES

(a) General requirements:

(1) All operators of construction sites shall use best management practices to control and reduce the discharge to the City's drainage system and to waters of the U.S. of sediment, silt, earth, soil, and other material associated with the clearing, grading, excavation, and other construction activities to the maximum extent practicable under the circumstances. Such best management practices may include, but not be limited to the following measure:

- a. Preservation of existing vegetation and stabilization measures will be per City of Parker approved construction plans and specifications;
- b. Use of structural practices to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from the site to the extent feasible;
- c. Minimization of the tracking of sediments off-site by vehicles, the generation of dust, and the escape of other windblown waste from the site;
- d. Providing general good housekeeping measure to prevent and contain spills of paints, solvents, fuels, septic waste, and other hazardous chemicals and pollutants associated with construction, and to assure proper cleanup and disposal of any such spills in compliance with state, federal and local requirements;
- e. Prevention of the discharge of building materials, including cement, lime, concrete, and mortar to the City's drainage system or waters of the U.S.;
- f. Implementation of proper waste disposal and waste management techniques, including covering waste materials and minimizing ground contact with hazardous chemicals and trash;
- g. Timely maintenance of vegetation, erosion and sediment control measures, and other best management practices in good and effective operating condition; and

h. Post construction controls should be used per the City of Parker's approved construction plans and specifications and maintained in accordance with the City of Parker's SWMP.

(2) Qualified personnel (provided by the operator of the construction site) shall inspect disturbed areas of any construction site that have not been finally stabilized, areas used for storage of materials that are exposed to precipitation, structural control measures, and locations where vehicles enter or exit the site, on either of the schedules designated in the CGP (either every 14 calendar days and within 24-hours of a ½ inch rain event, or at least once every seven days regardless of when it rains). All erosion and sediment control measures and other identified best management practices shall be observed in order to ensure that they are operating correctly and are effective in preventing significant impacts to receiving waters and the City. Based on the results of the inspection, best management practices shall be revised as appropriate, and as soon as is practicable. Based on the results of the inspection, a follow-up inspection will be conducted and one (1) day given for completion of corrective action(s).

(3) The City may require any plans and specifications that are prepared for the construction of site improvements to illustrate and describe the best management practices required by subsection (a)(1) above, that will be implemented at the construction site. The City may deny approval of any building permit, grading permit, or any other City approval necessary to commence or continue construction, or to assume occupancy, on the grounds that the management practices described in the plans or observed upon a site inspection by the DPW are determined not to control and reduce the discharge of sediment, silt, earth, soil, and other materials associated with clearing, grading, excavation, and other construction activities to the maximum extent practicable under the circumstances.

(4) Any owner with any control over construction activity on their property, whether or not he/she is an operator, is jointly and severally responsible for compliance with the requirements in subsection (a).

(5) Any contractor or subcontractor on a site of construction activity, who is not an owner or operator, but who is responsible under his/her contract or subcontract for implementing a best management practices control measure, is jointly and severally responsible for any willful or negligent failure on his/her part to adequately implement that control measure if such failure causes or contributes to causing the City to violate a water quality standard, the City's NPDES permit, or any state-issued discharge permit for discharges from the City.

(6) The City may require specific structural controls or non-structural controls be installed to protect water quality. Controls may include, but are not be limited to, silt fencing, rock check dams, gabions, soil stabailizers, street sweeping or additional inspections .

(b) Five-acre disturbances.

(1) All operators of sites of construction activity, including clearing, grading, and excavation activities, that result in the disturbance of five or more acres of total land area, or that are part of

a common plan of development or sale within which five or more acres of total land area are disturbed, or who are required to obtain an NPDES permit for stormwater discharges associated with construction activity, shall comply with the following requirements (in addition to those in subsection (a)):

- a. Any operator who intends to obtain coverage for stormwater discharges from a construction site under the NPDES general permit for stormwater discharges from construction sites (“the construction general permit or CGP”) shall submit a signed copy of its Notice of Intent (NOI) to the DPW at least two days prior to the commencement of construction activities. If the construction activity is already underway upon the effective date of this article, the NOI shall be submitted within 30 days or upon request by the City. For stormwater discharges from construction sites where the operator changes, an NOI shall be submitted at least two days prior to when the new operator commences work at the site.
- b. Signage shall be posted in accordance with the TCEQ Construction General Permit.
- c. A stormwater pollution prevention plan (SWPPP) shall be prepared and implemented in accordance with the requirements of the construction general permit or any individual or group NPDES permit issued for stormwater discharges from the construction site, and with any additional requirement imposed by or under this article and any other City ordinance.
- d. The SWPPP shall be completed prior to the submittal of the NOI to the DPW and, for new construction, prior to the commencement of construction activities. The SWPPP shall be updated and modified, as appropriate, and as required by the construction general and this ordinance.
- e. A copy of any NOI that is required by subsection (b)(1)a, shall be submitted to the City in conjunction with any application for a building permit, grading permit, and any other City approval necessary to commence or continue construction at the site.
- f. The DPW may require any operator who is required by subsection (b)(1)b to prepare a SWPPP, to submit the SWPPP, and any modification thereto, to the DPW for review. Such submittal and review of the SWPPP may be required by the DPW prior to commencement of or during construction activities at the site.
- g. At the City’s discretion it may make the determination to deny any approval of any permit, grading permit, or any approval necessary to commence or continue construction, or to assume occupancy if a site is contributing pollutants to the City’s drainage system.
- h. The operator shall make the SWPPP and any modifications (as required and for the duration of the project) thereto available to the DPW upon request.
- i. The DPW may notify the operator at any time that they are not in compliance with their TPDES construction permit. Within seven days of such notification from the DWP (or as

otherwise provided by the DPW), the operator shall make the required changes to the SWPPP and shall submit to the DPW a written certification that the requested changes have been made.

j. Upon final stabilization of the construction site, the owner (or the duly authorized representative thereof) shall submit written certification to the DPW that the site has been finally stabilized. (See definition of final stabilization in this article). The City may withhold an occupancy or use permit for any premises construction on the site until such certification of final stabilization has been filed and the DPW has determined, following any appropriate inspection, that final stabilization has, in fact, occurred and that any required permanent structural controls have been completed.

(c) Less than five acres of disturbance.

All operators of sites of construction activity, including clearing, grading, and excavation activities, that result in the disturbance of less than five acres of total land area, or that are part of a common plan of development or sale within which one to five acres of total land area are disturbed, or who are required to obtain an NPDES permit for stormwater discharges associated with construction activity, shall comply with 1(b)c through q above (in addition to those in subsection (a)). However, instead of submitting a NOI, the CSN should be submitted in accordance with the Construction General Permit.

A copy of the Construction Site Notice (CSN) shall be displayed at the construction site at a place readily available for viewing by the general public, and local, state, and federal authorities.

VI. COMPLIANCE MONITORING

(a) Right of entry, inspection, and sampling. City inspectors shall have the right to enter the premises of any person reasonably suspected by the City of discharging pollutants into the City or to waters of the U.S. to determine if the discharger is complying with all requirements of this article, and with any state or federal discharge permit, limitation or requirement. Dischargers shall allow the City inspectors ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and for the performance of any additional duties. Dischargers shall make available to the City inspector, upon request, any SWPPPs, modifications thereto, self-inspection reports, monitoring records, compliance evaluations, notices of intent, and any other records, reports, and other documents related to compliance with this article and with any state or federal discharge permit.

(1) Where a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the City inspector will be permitted to enter with out unreasonable delay for the purposes of performing his/her responsibilities.

(2) The City inspector shall have the right to set up on the discharger's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the discharger's operations.

(3) When pollutants have been discharged the DPW may require any discharger to the City's drainage system or waters of the US to conduct specified sampling, testing, analysis, and other monitoring of its stormwater discharges, and may specify the frequency and parameters of any such required monitoring.

(4) The DPW may require the discharger to install monitoring equipment as necessary at the discharger's expense. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.

(5) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the discharger at the written or verbal request of the City inspector and shall not be replaced. The costs of clearing such access shall be borne by the discharger.

(6) Unreasonable delays in allowing the City inspector access to the discharger's premises shall be a violation of this article.

(b) Search warrants. If the City inspector has been refused access to any part of the premises from which stormwater is discharged and he/she is able to demonstrate probable cause to believe that there may be a violation of this article or any state or federal discharge permit, limitation or requirement, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the City designed to verify compliance with this article or any order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the City inspector may seek issuance of a search warrant from any court of competent jurisdiction.

VII. ADMINISTRATIVE ENFORCEMENT REMEDIES

(a) Warning notice. When the DPW finds that any person has violated, or continues to violate, any provision of this article, or any order issued hereunder, the DPW may serve upon that person either a **verbal warning notice** or a copy of the inspection report, with expected corrective actions. Investigation and/or resolution of the matter in response to the warning notice in no way relieves the alleged violator of liability for any violations occurring before or after receipt of the warning notice. Nothing in this subsection shall limit the authority of the DPW to take any action, including emergency action or any other enforcement action, without first issuing a warning notice.

(b) Notification of violation. When the DPW finds that any person has violated, or continues to violate, any provision of this article, or any order issued hereunder, the Code Enforcement Officer may serve upon that person a written notice of violation. **Within five (5) days of the**

receipt of this notice, the alleged violator shall submit to the Code Enforcement Officer an explanation of the violation and a plan for the satisfactory correction and prevention of reoccurrence thereof along with a plan of specific actions for compliance ~~or shall complete specific actions for compliance.~~ The Code Enforcement Officer shall have discretion to determine the amount of time needed for completion of specific action for compliance if the latter option is chosen. If the alleged violator denies that any violation occurred and/or contends that no corrective action is necessary, an explanation of the basis of any such denial or contention shall be submitted to the Code Enforcement Officer within five (5) days of receipt of the notice. The Code Enforcement Officer shall make a determination within one (1) day on the validity of the claim and shall notify the alleged violator. Upon a denial of the claim, the alleged violator shall have five (5) days to complete specific action for compliance. Submission of an explanation and/or plan in no way relieves the alleged violator of liability for any violations occurring before or after receipt of the notice of violation. Nothing in this section shall limit the authority of the Code Enforcement Officer to take any action, including emergency action or any other enforcement action, without first issuing a notice of violation.

(c) Stop Work Order. Whenever the Code Enforcement Officer finds that any operator of a construction site has violated or continues to violate any provision of this article the Code Enforcement Officer may issue a "Stop Work Order". This order will be posted at the construction site with a copy delivered to the operator. All work at the site should cease until all violations are immediately corrected, and documentation is presented to the Code Enforcement Officer or his representative stating the violation will not re-occur or changes to the SWPPP have been made. Upon receipt of the documentation, a Notice to Proceed will be issued by the Code Enforcement Officer or his representative. Issuance of a "Stop Work" order shall not be a deterrent against, or a prerequisite for, taking any other action against the violator.

(d) Consent order. The Code Enforcement Officer may enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any person responsible for noncompliance with any provision in this article or any order issued hereunder. Such documents may include specific action to be taken by the person to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to subsections (e), (f), and (g) of this section and shall be judicially enforceable.

(e) Show cause hearing. The Code Enforcement Officer may order any person who has violated, or continues to violate, any provision of this article, or any order issued hereunder, to appear before the Code Enforcement Officer and show cause why a proposed enforcement action should not be taken. Notice shall be served on the alleged violator specifying the time and place for the hearing, the proposed enforcement action, the reasons for such action, and a request that the alleged violator show cause why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the alleged violator. The hearing shall be conducted pursuant to the rights and procedures specified in this article. A show cause hearing shall not be a deterrent against, or prerequisite for, taking any other action against the alleged violator.

(f) Compliance orders. When the Code Enforcement Officer finds that any person has violated or continues to violate, any provision of this article, or any order issued hereunder, the Code Enforcement Officer may issue an order to the violator directing that the violator come into compliance with a specified time limit. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring, and management practices designed to minimize the amount of pollutants discharged to the City's drainage system and waters of the U.S. A compliance order may not extend the deadline for compliance established by a state or federal standard or requirement, nor does a compliance order relieve the person of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a deterrent against, or a prerequisite for, taking any other action against the violator.

(g) Remediation, abatement and restoration orders. When the Code Enforcement Officer finds that a person has violated or continues to violate, any provision of this article, or any order issued hereunder, and that such violation has adversely affected the City's drainage system, the waters of the U.S., or any other aspect of the environment, the Code Enforcement Officer may issue an order to the violator directing him/her to undertake and implement any appropriate action to remediate and/or abate any adverse effects of the violation upon the City, the waters of the U.S., or any other aspect of the environment, and/or to restore any part of the City, the waters of the U.S., or any other aspect of the environment that has been harmed. Such remedial, abatement, and restoration action may include, but not be limited to: monitoring, assessment, and evaluation of the adverse effects and determination of the appropriate remedial, abatement, and/or restoration action; confinement, removal, cleanup, treatment and disposal of any discharged or released pollution or contamination; prevention, minimization, and/or mitigation of any damage to the public health, welfare, or the environment that may result from the violation; restoration or replacement of City property or natural resources damaged by the violation. The order may direct that the remediation, abatement, and/or restoration be accomplished on a specified compliance schedule and/or be completed within a specified period of time. An order issued under this subsection does not relieve the violator of liability for any violation, including any continuing violation. Issuance of an order under this subsection shall not be a deterrent against, or a prerequisite for, taking any other action against any responsible party.

(h) Emergency cease and desist orders. When the Code Enforcement Officer finds that any person has violated, or continues to violate, any provision of this article, or any order issued hereunder, or that the person's past violations are likely to recur, and that the person's violation(s) have caused or contributed to an actual or threatened discharge to the City or waters of the U.S. which reasonably appears to present an imminent or substantial endangerment to the health or welfare of persons or to the environment, the Code Enforcement Officer may issue an order to the violator directing it immediately to cease and desist all such violations and directing violator to:

- (1) Immediately comply with all ordinance requirements; and

(2) Take such appropriate preventive action as may be needed to properly address a continuing or threatened violation, including immediately halting operations and/or terminating the discharge.

Any person notified of an emergency order directed to it under this subsection shall immediately comply and stop or eliminate its endangering discharge. In the event of a discharger's failure to immediately comply voluntarily with the emergency order, the Code Enforcement Officer may take such steps as deemed necessary to prevent or minimize harm to the City's drainage system or waters of the U.S., and/or endangerment to persons or to the environment, including immediate termination of a facility's water supply sewer connection, or other municipals utility services. The Code Enforcement Officer may allow the person to recommence its discharge when it has demonstrated to the satisfaction of the Code Enforcement Officer that the period of endangerment has passed, unless further termination proceedings are initiated against the discharger under this article. A person that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful discharge and the measure taken to prevent any future occurrence, to the Code Enforcement Officer within two days of receipt of the emergency order. Issuance of an emergency cease and desist order shall not be a deterrent against, or a prerequisite for, taking any other action against the violator.

(i) "Red tags". Whenever the Code Enforcement Officer finds that any operator of a construction site has violated or continues to violate, any provision of this article, or any order issued thereunder, the Code Enforcement Officer may order that a "red tag" be issued to the operator, posted at the construction site, and distributed to all City departments and divisions whose decisions affect any activity at the site. Unless express written exception is made by the Code Enforcement Officer, the "red tag" shall prohibit any further construction activity at the site and shall bar any further inspection or approval by the City associated with a building permit, grading permit, subdivision plat approval, site development plan approval, or any other City approval necessary to commence or continue construction or to issue occupancy at the site. Issuance of a "red tag" order shall not be a deterrent against, or a prerequisite for, taking any other action against the violator.

VIII. RIGHT TO RECONSIDERTION, HEARING AND APPEAL

(a) Reconsideration and hearing.

(1) Any person subject to a compliance order under Section VII(e), a remediation, abatement, or restoration order under Section VII(f), an emergency cease and desist order under VII(g), or a red tag order under Section VII(h) of this Section may petition the DPW to reconsider the basis for his/her order within **30 days** of the affected person's notice of issuance of such an order.

(2) Failure to submit a timely written petition for reconsideration shall be deemed to be a waiver of any further right to administrative reconsideration or review of the order.

(3) In its petition, the petitioning party must indicate the provisions of the order objected to, the reasons for the objection(s), any facts that are contested, the evidence that supports the petitioner's view of the facts, any alternative terms of an order that the petitioner would accept, and whether the petitioning party requests a hearing on its petition.

(4) The effect of any compliance order under Section VII(e), remediation, abatement, or restoration order under Section VII(f), and any red tag order under Section VII(h) shall be stayed pending the DPW's reconsideration of the petition, any hearing thereon, unless the DPW expressly makes a written determination to the contrary. The effectiveness of any emergency cease and desist order under Section VII(g) shall not be stayed pending the DPW's reconsideration, or any hearing thereon, unless the DPW expressly and in writing stays his/her emergency order.

(5) Within ten (10) days of the submittal of a petition for reconsideration, the DPW shall either: (1) grant the petition and withdraw or modify the order accordingly; (2) deny the petition, without hearing if no material issue of fact is raised; or (3) if a hearing has been requested and a material issue of fact has been raised, set a hearing on the petition.

(6) Written notice of any hearing set by the DPW pursuant to subsection (a)(5) above, shall be served on the petitioning party personal or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the petitioning party.

(7) The DPW may himself/herself conduct the hearing and take evidence, or he/she may designate any employee of the city or any specially-designated attorney or engineer to:

(a) Issue in the name of the City notices of hearing requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in the hearing;

(b) Take evidence;

(c) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the DPW for action thereon.

At any hearing held pursuant to this subsection, testimony taken shall be under oath and recorded. Any party is entitled to present his/her case or defense by oral or documentary evidence and to conduct such cross-examination as may be required for a full and true disclosure of the facts. A transcript will be made available to any party to the hearing upon payment of the usual charges thereof.

(8) After the DPW has reviewed the evidence, he/she shall either: (1) grant the petition; (2) deny the petition; or (3) grant the petition in part and deny it in part. The DPW may modify his/her order as is appropriate based upon the evidence and arguments presented at the hearing and

his/her action on the petition. Further orders and directives as are necessary and appropriate may be issued.

(b) Appeal.

(1) Any person whose petition for reconsideration by the DPW has not been granted in its entirety and who remains adversely affected by the DPW's order, or who is subject to an order of the DWP issued following a show cause hearing under Section VII.(d), may appeal the action of the DWP to the City Council by filing a written appeal with the City Council within ten (10) days of the person's notice of the DPW adverse action on the petition for reconsideration, or within (10) days of the person's notice of the issuance of the order following the show cause hearing, as the case may be.

(2) Failure to submit a timely written appeal to the City Council shall be deemed to be a waiver of further administrative review.

(3) In its written appeal to the City Council, the appealing party shall indicate the particular provisions of the order objected to, the particular determinations of the DWP that are contested, the reasons that the DPW's order and/or determinations that are contested, and any alternative order that the appealing party would accept.

(4) The effect of the DPW's order, as issued or modified, shall not be stayed pending the appeal to the City Council, unless the City Council expressly so states.

(5) Within 30 days of the submittal of a written appeal to the City Council, the City Council shall hear and consider the appeal in open meeting. The appellant shall be notified at least three (3) days in advance of the date and time of the City Council meeting at which the appeal will be heard and considered.

(6) The appellant shall have the right to public appearance before the City Council to present oral and written statements in support of his/her appeal. If the City Council wishes to consider testimony of witnesses or other evidence beyond that in the record of any hearing before the DPW the City Council may remand the matter to the DPW for the taking of additional testimony or other evidence.

(7) Upon consideration of any written and oral statements made to the City Council, as well as the record made before the DPW, the City Council shall act on the appeal by affirming, vacating, or modifying the order of the DPW, and/or by remanding the matter to the DPW for further action

(8) Following final action by the City Council on the appeal, any adversely affected party may challenge such action by the City Council in an appropriate court of competent jurisdiction.

IX. JUDICIAL ENFORCEMENT REMEDIES

(a) Civil remedies.

(1) Whenever it appears that a person has violated, or continues to violate, any provision of this article that related to:

- a. The preservation of public safety, relating to the materials or methods used in construction of any structure or improvement of real property;
- b. The preservation of public health or to the fire safety of a building or other structure or improvement;
- c. The establishment of criteria for land subdivision or construction of buildings including street design;
- d. Dangerous, damaged, or deteriorated structures or improvements;
- e. Conditions caused by accumulations of refuse, vegetation, or other matter that creates breeding and living places for insects and rodents; or
- f. Point source effluent limitations or the discharge of a pollutant, other than from a nonpoint source, in the City's drainage system.

The City may invoke other City Codes, as amended, and petition the State District Court or the County Court of Law of Collin, through the City Attorney, for either the injunctive relief specified in subsection (2)(a) below, or the civil penalties specified in subsection (2)(3) below, or both the specified injunctive relief and civil penalties.

(2) Pursuant to City Code, as amended, the City may obtain against the owner or the operator of a facility a temporary or permanent injunction, as appropriate, that:

- a. Prohibits any conduct that violates any provision of this article that relates to any matter specified in subsections (a)(1)a-f above; or
- b. Compels the specific performance of any action that is necessary for compliance with any provision of this article that relates to any matter specified in subsections (a)(1)a-f above.

(3) Pursuant to City Code, as amended, the City may recover a civil penalty of not more than **\$2000** per day for each violation of any provision of this article that relates to any matter specified in subsection IX.(a)(1)a-e above, and a civil penalty of not more than **\$2000** per day for each violation of any provision of this article that relates to any matter specified in subsection IX.(a)(1)f above, if the City proves that:

- a. The defendant was actually notified of the provisions of the ordinance; and

b. After the defendant received notice of the ordinance provisions, the defendant committed acts in violation of the ordinance or failed to take action necessary for compliance with the ordinance.

(b) Criminal penalties.

(1) Any person, who has violated any provision of this article, or any order issued hereunder, shall be strictly liable for such violation regardless of the presence or absence of a culpable mental state, except as expressly provided herein, and shall, upon conviction, be subject to a fine of not more than **\$2000** per violation per day, or any greater fine authorized by state statute.

(2) Any person who has knowingly made any false statement, representation, or certification in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this article, or any order issued hereunder, or who has falsified, tampered with, or knowingly rendered inaccurate any monitoring device or method required under this article shall, upon conviction, be subject to a fine of not more than **\$2000** per violation, per day, or any greater fine authorized by state statute.

(3) In determining the amount of any fine imposed hereunder, the court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the violation, corrective actions by the violator, the compliance history of the violator, the knowledge, intent, negligence, or other state of mind of the violator, and any other factor as justice requires.

(c) Civil suit under the Texas Water Code. Whenever it appears that a violation or threat of violation of any provision of this article, as amended, or any rule, permit, or order of the Texas Water Commission, has occurred or is occurring within the jurisdiction of the City of Parker, the City may have a suit instituted in a state district court through its city attorney for the injunctive relief or civil penalties or both against the person who committed or is committing or threatening to commit the violation.

(d) Remedies nonexclusive. The remedies provided for this article are not exclusive of any other remedies that the City may have under state or federal law or other city ordinances. The City may take any, all, or any combination of these actions against a violator. The City is empowered to take more than one enforcement action against any violation. These actions may be taken concurrently.

X. ESCALATION OF ENFORCEMENT FOR CONSTRUCTION

The following escalation of enforcement can be used, or discharged, at the discretion of the DPW or CEO (or representative). Any of these procedures may be used. during an inspection or during the life of a construction site or the life of stormwater features after construction is complete. See Section VI above.

- (a) Warning Notice (VI) – either verbal or written
- (b) Notice of Violation (VI)
- (c) Stop Work Order (VI)
- (d) Consent Order (VI)
- (e) Show Cause Hearing (VI)
- (f) Compliance Order (VI)
- (g) Remediation, Abatement, Restoration Order (VI)
- (h) Emergency Cease and Desist (VI)
- (i) Red tag (VI)

XI. POST CONSTRUCTION STORMWATER CONTROLS

I. OPTION FOR NEW CONSTRUCTION / POST-CONSTRUCTION

In lieu of II – VI below, the owner of any stormwater feature may pay an amount determined by the department heads to be deposited in a fund maintained by the City for future construction of a stormwater feature of the City's choosing and in a location of the City's choosing.

II. OWNERSHIP

The owner of any stormwater feature shall have full responsibility for maintenance activities so that the stormwater feature remains in good working order. The owner could include a Homeowners' Association or it could include the City; whoever owns the property once all construction operators have relinquished control of the property (see CGP for Notice of Termination).

(a) The maintenance activities shall be performed according to the below guidelines with the first applicable item to serve as the prevailing guideline.

(1) Documents submitted to and reviewed by the City and filed at the County with the property that establish the maintenance activities for the stormwater feature, if available.

(2) The manufacturer's recommended maintenance activities if the stormwater feature was manufactured.

(3) Generally accepted maintenance activities suitable for the area, if available.

(4) Generally accepted maintenance activities.

(b) Maintenance activities resulting in the following are prohibited:

(1) Increased erosion potential;

(2) Decreased bank stability;

(3) Increased flooding potential;

(4) Increased pollutants;

(5) Unnecessary disturbance of vegetation and riparian areas; or

(6) Increased proliferation of invasive species.

III. NOTICE OF VIOLATION FOR NEW DEVELOPMENT OR RE-DEVELOPMENT

(a) In the event any owner, tenant, agent or person responsible for or claiming or having supervision or control over real property governed by this article fails to comply with the provisions of this article, the City, by and through its Code Enforcement Officer or designee shall give a Notice of Violation to such owner. Such Notice shall be given in any of the following ways:

(1) Personally to the owner in writing;

(2) By letter addressed to the owner at the owner's address as recorded in the appraisal district records of the appraisal district in which the property is located; or

(3) If personal service cannot be obtained:

a. By publication in the City's official newspaper at least once;

b. By posting notice on or near the front door of each building on the property to which the violation related; or

c. By posting a notice to a placard attached to a stake driven into the ground on the property to which the violation relates, if the property contains no buildings.

(b) If the City mails a notice to the owner in accordance with subsection (a) above, the United States Postal Service returns the notice as "refused," "unclaimed," or if the address required by subsection (a)(s) was used and the notice is returned as "not deliverable as addressed" (or an

equivalent marking), the validity of the notice is not affected, and the notice is considered as delivered.

(c) In a notice provided under this section, the City may inform the owner by regular mail and a posting on the property that if the owner commits another violation of the same kind or nature on or before the anniversary of the date of the notice, the City, without further notice, may correct the violation at the owner's expense and assess the expense against the property or issue citations. If a violation covered by a notice under this subsection occurs within one (1) year, and the City has not been informed in writing by the owner of an ownership change, then the City, without notice, may take any action permitted in XII below and assess its expenses as provided in XIII below.

IV. CITATIONS, WORK OR IMPROVEMENTS BY THE CITY; CHARGES AGAINST OWNER

If the owner fails or refuses to comply with the demand for compliance in the notice within ten (10) days of such notice, the City may:

- (1) Issue citations as provided; and
- (2) Do the work or make the improvement(s) required, pay for the work done or improvement(s) made and charge the expenses to the owner of the property as provided herein. The property owner will have twenty (20) days to reimburse the City from the completion date of such work to abate the violation(s) at the property.

V. ASSESSMENT OF EXPENSES; LIEN

(a) In the event the owner fails or refuses to pay such expenses charged to the owner, within twenty (20) days after the abatement work is completed, a lien may be obtained. The lien and any other expenses incurred by the City may be filed against the property.

(b) To obtain a lien, the City must file a statement of the expenses incurred to correct the condition of the real property with the County Clerk of the County in which the property is located. The statement must also state the name of the owner, if known, and the legal description of the property. The lien attaches upon filing of the statement with the County Clerk.

(c) The City's lien shall be a prior lien on such property, second only to tax liens and liens for street improvements. The lien amount shall include simple interest, which shall accrue at the rate of ten (10) percent annually on the date the expenses were incurred by the City. The City may bring suit for foreclosure to recover the expenditures and the interest due.

VI. RIGHT OF ENTRY; INSPECTION

The owner shall grant the city a right of entry in the event that the DPW or the Code Enforcement Officer has reason to believe it has become necessary to inspect, monitor, maintain,

repair, reconstruct, or discontinue the use of stormwater features and/or structure BMPs; however, in no case shall the right of entry, of itself, confer an obligation on the City to assume responsibility for the stormwater feature and/or structural BMPs.

(1) Where an owner has security measures in force which require proper identification and clearance before entry into its premises, the owner shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the City will be permitted to enter without unreasonable delay for the purposes of performing his/her responsibilities.

(2) The City shall have the right to set up on the owner's property, or require installation of, such devices as are necessary to conduct sampling and or metering of the owner's operations.

(3) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the owner at the written or verbal request of the City and shall not be replaced. The cost of clearing such access shall be borne by the owner.

(4) Unreasonable delays in allowing the City access to the owner's premises shall be a violation of this section.

SECTION 2. REPEALER CLAUSE: That all provisions of the Ordinances of the City of Parker in conflict with the provision of this Ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City of Parker not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 3. SEVERABILITY CLAUSE: It is the intent of the City Council that each sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be deemed severable and, should any such sentence, paragraph, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provision of the Ordinance left standing.

SECTION 4. EFFECTIVE DATE: This Ordinance shall take effect immediately from its passage and publication of the caption as the law in such cases provides.

SECTION 5. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

ADOPTED on this the 19TH day of November, 2019.

CITY OF PARKER, TEXAS

BY: _____
LEE PETTLE, MAYOR

ATTEST:

BY: _____
PATTI SCOTT GREY,
CITY SECRETARY

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

Proposed

Agenda Item



Item 6
C'Sec Use Only

Budget Account Code:	Meeting Date: November 19, 2019
Budgeted Amount:	Department/ Requestor: Public Works Gary Machado
Fund Balance-before expenditure:	Prepared by: Public Works Gary Machado
Estimated Cost:	Date Prepared: November 12, 2019
Exhibits:	<ol style="list-style-type: none">1. Proposed Ordinance2. Ordinance No. 571, passed and approved June 28, 2005

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 786, UPDATING ORDINANCE NO. 571 (NUISANCE – AMENDING ORD. NO. 553), REGARDING TREE HEIGHT. [MACHADO/SHELBY]

SUMMARY

City Staff would like City Council to consider increasing tree height from 12 feet to 15 feet above public street pavement, gravel or other street surfaces to accommodate the new fire department ladder truck. Ordinance No. 571, Section 2.T. is attached, along with the City of Parker, Texas, Code of Ordinances,

section § 94.02 below.

§ 94.02 NUISANCES ENUMERATED.

(T) The possessor and/or owner of property adjacent to a public roadway in the city shall keep the owner or possessor's property, and the property within the public right-of-way, or public easement, abutting the pavement and/or traveled portions of the public roadway, free and clear of high grass and weeds, and other objectionable, unsightly or unsanitary manner of whatever nature. Unsightly or unsanitary matter of whatever nature shall include, without limitation, grass, weeds, brush or other living material in excess of 12 inches in height. Property owners and possessors adjacent to public roadways shall also be responsible for removal of brush and other objectionable unsightly or unsanitary matter and shall be responsible for mowing of the grass in such Bar Ditches and the Parkway. **It shall be unlawful for any owner or any occupant of any property within the city to suffer or permit limbs, brush and other vegetation, existing above a public street to hang lower than 12 feet above the public street pavement, gravel, or other street surface.** This provision shall not apply to city owned open space,

parks, nature or trail areas, nor shall it apply to those portions of property under active cultivation of crops, nor the center median of divided roadways.

POSSIBLE ACTION

Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head/ Requestor:	<i>Gary Machado</i>	Date:	11/14/2019
City Attorney:		Date:	
City Administrator:	<i>Luke B. Olson</i>	Date:	11/15/2019

ORDINANCE NO. 786
{Amending Ord. 571, Nuisance}

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS, AMENDING ORDINANCE NO. 571 (MODIFYING ORDINANCE 553) REGARDING TREE HEIGHT; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; 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, Ordinance No. 553 established regulations regarding nuisances within the City of Parker, Texas; and,

WHEREAS, Ordinance No. 571 amended and modified Ordinance No. 553 by further defining and enumerating nuisances, including tree height regulations; and,

WHEREAS, the City Council of the City of Parker, Texas wishes to made certain amendments to Ordinance No. 571 to change the minimum permissible tree branch height to better accommodate the needs of the Parker Fire Department; and,

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

SECTION 1. AMENDMENT: Subsection T, under the Section entitled “Enumeration” shall be amended to state that “It shall be unlawful for any owner or occupant of any property within the City to suffer or permit limbs, brush, and other vegetation, existing above a public street to hang lower than ~~12~~ 15 feet above the public pavement, gravel, or other street surface.”

SECTION 4. REPEALER CLAUSE: That all provisions of the Ordinances of the City of Parker in conflict with the provision of this Ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City of Parker not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. SEVERABILITY CLAUSE: It is the intent of the City Council that each sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be deemed severable and, should any such sentence, paragraph, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provision of the Ordinance left standing.

SECTION 6. EFFECTIVE DATE: This Ordinance shall take effect immediately from its passage and publication of the caption as the law in such cases provides.

SECTION 7. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

ADOPTED on this the 19th day of November, 2019.

CITY OF PARKER, TEXAS

BY: _____
LEE PETTLE, MAYOR

ATTEST:

BY: _____
PATTI SCOTT GREY, CITY SECRETARY

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

ORDINANCE NO. 571
(Nuisances-Amending Ord. No. 553)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS MODIFYING ORDINANCE NO. 553, ENTITLED "ORDINANCE REGULATING NUISANCES," BY FURTHER DEFINING AND/OR ENUMERATING NUISANCES PROHIBITED OR REGULATED PURSUANT TO THE ORDINANCE, AUTHORIZING THE CITY CODE ENFORCEMENT/BUILDING OFFICIAL TO ISSUE CITATIONS, PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$2,000 FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 217 of the Texas Local Government Code authorizes a Type A General Law Municipality to:

- A. Abate and remove a nuisance and punish by fine the person responsible for the nuisance; and
- B. Define and declare what constitutes a nuisance and authorize and direct the summary abatement of the nuisance; and
- C. Abate in any manner the governing body considers expedient any nuisance that may injure or affect the public health or comfort; and

NOW, THEREFORE, BE IT ORDAINED, the City Council of the City of Parker, Collin County, Texas:

SECTION 1. The City Council has determined that high grass and weeds, brush, and other unsightly, unsanitary, or objectionable matter, growing between the edge of the traveled surface of the road (i.e. gravel, asphalt, concrete, or other surface), and either (a) the property line of the owner's property contiguous with the right-of-way, and/or (b) that portion of the landowner's property adjacent to a public road located in whole or in part on the landowner's property, shall constitute a nuisance. The area is commonly identified in Parker as that area between the edge of the roadway, and the property owner's fence, if any, or the side of the bar ditch furthest from the traveled roadway, which are collectively known herein as the "Bar Ditch" or "Parkway." The City Council has determined that it shall be a nuisance for an owner of the property over which such a road exists, and/or the owner of the property contiguous with the right-of-way, to allow high grass and weeds to exist in those locations.

SECTION 2. Section 3 of Ordinance 553, entitled "Enumeration," shall have subsection "T" added as follows:

“T. The possessor and/or owner of property adjacent to a public roadway in the City of Parker, Texas shall keep the owner or possessor’s property, and the property within the public right-of-way, or public easement, abutting the pavement and/or traveled portions of the public roadway, free and clear of high grass and weeds, and other objectionable, unsightly or unsanitary manner of whatever nature. Unsightly or unsanitary matter of whatever nature shall include, without limitation, grass, weeds, brush or other living material in excess of 12 inches in height. Property owners and possessors adjacent to public roadways shall also be responsible for removal of brush and other objectionable unsightly or unsanitary matter, and shall be responsible for mowing of the grass in such Bar Ditches, and the Parkway.

It shall be unlawful for any owner or any occupant of any property within the City to suffer or permit limbs, brush and other vegetation, existing above a public street to hang lower than 12 feet above the public street pavement, gravel, or other street surface.

This provision shall not apply to City owned open space, parks, nature or trail areas, nor shall it apply to those portions of property under active cultivation of crops, nor the center median of divided roadways.”

SECTION 3. Authority to Issue Citations. In addition to any other legally authorized officer within the City of Parker, the City Code Enforcement/Building Official shall be authorized to issue citations pursuant to this Ordinance, and pursuant to all building, construction, and related codes adopted by the City of Parker.

SECTION 4. Severability. That should any word, phrase, paragraph, section or portion of this ordinance be held to be illegal, invalid or unenforceable, the legality, validity and enforceability of the remaining portions of the ordinance shall not be affected thereby, and each such illegal, invalid or unenforceable word, phrase, paragraph, section or portion shall not affect the ordinance as a whole.

SECTION 5. Repealer. That all provisions of the ordinances of the City of Parker in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Parker not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 6. Penalty. That any person, firm or corporation violating any of the provisions of this Ordinance shall be subject to the same penalty as provided herein, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. Publication. In accordance with Section 52.011 of the local Government Code, the caption of this Ordinance shall be published either (a) in every issue of the official newspaper of the City of Parker for two days, or (b) one issue of the newspaper if the official newspaper is a weekly paper. An affidavit by the printer or the publisher of the official newspaper verifying the publication shall be filed in the office of the City Secretary.

SECTION 8. Effective Date. This Ordinance shall take effect upon publication of the caption, as the law in such case provides.

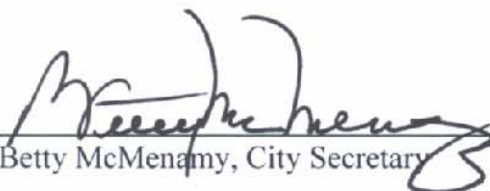
DULY PASSED AND APPROVED at a regular meeting of the Parker City Council on this the 28 day of June, 2005.

APPROVED:



Doug Garber, Mayor

ATTEST:



Betty McMenemy, City Secretary

APPROVED AS TO FORM:

James E. Shepherd, City Attorney



Council Agenda Item

Item 7
C'Sec Use Only

Budget Account Code:	Meeting Date: November 19, 2019
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: Finance/H.R. Manger Savage City Attorney Shelby
Estimated Cost:	Date Prepared: November 12, 2019
Exhibits:	1. Proposed Ordinance 2. Texas Municipal Retirement System (TMRS) letter, dated August 30, 2019 with Plan Change Study

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 787, AFFECTING PARTICIPATION OF CITY EMPLOYEES IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM GRANTING THE ADDITIONAL RIGHTS AUTHORIZED BY SECTION 854.202(g) OF TITLE 8, TEXAS GOVERNMENT CODE, AS AMENDED, AND PRESCRIBING THE EFFECTIVE DATE FOR THE ORDINANCE. [SAVAGE/SHELBY]

SUMMARY

Please review the information provided.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head/ Requestor:	<i>Grant Savage</i>	Date:	11/14/2019
City Attorney:	<i>Brandon S. Shelby</i>	Date:	11/12/2019 via email
City Administrator:	<i>Luke B. Olson</i>	Date:	11/15/2019

ORDINANCE NO. 787
{Texas Municipal Retirement System}

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS, AFFECTING PARTICIPATION OF CITY EMPLOYEES IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM GRANTING THE ADDITIONAL RIGHTS AUTHORIZED BY SECTION 854.202(G) OF TITLE 8, TEXAS GOVERNMENT CODE, AS AMENDED, AND PRESCRIBING THE EFFECTIVE DATE FOR THE ORDINANCE.

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

SECTION 1. Pursuant to the provisions of Section 854.202(g) of Subtitle G of Title 8, Texas Government Code, as amended, which Subtitle shall herein be referred to as the “TMRS Act,” the City of Parker, Texas, adopts the following provisions affecting participation of its employees in the Texas Municipal Retirement System (herein referred to as the “System”):

(a) Any employee of the City who is a member of the System is eligible to retire and receive a service retirement annuity if the member has at least 20 years of credited service in the System performed for one or more municipalities that have adopted a like provision under Section 854.202(g) of the TMRS Act.

(b) Prior to adopting this Ordinance, the governing body of the City has: (1) prepared an actuarial analysis of member retirement annuities at 20 years of service; and (2) held a public hearing pursuant to the notice provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code.

(c) The rights hereinabove authorized shall be in addition to the plan provisions heretofore adopted and in force at the effective date of this Ordinance pursuant to the TMRS Act.

SECTION 2. This Ordinance shall become effective on the first day of _____, 20__.

ADOPTED on this the 19TH day of November, 2019.

CITY OF PARKER, TEXAS

BY: _____
LEE PETTLE, MAYOR

ATTEST:

BY: _____
PATTI SCOTT GREY, CITY SECRETARY

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



August 30, 2019

Mr. Grant Allen Savage
Finance/HR Manager
City of Parker
5700 East Parker Rd.
Parker, TX 75002

Dear Mr. Savage:

We are pleased to enclose a model ordinance for your city to adopt:

"20-year any age" service retirement

The actuaries have completed a study and have determined the additional cost to your city for adopting this benefit is **0.48%**. Therefore, if your city elects to adopt the "20-year any age" service retirement eligibility provision, your full contribution rate for 2020 will be **13.07%**.

Prior to adoption of the "20-year any age" service retirement eligibility provision, TMRS statute requires that the adopting city hold a public hearing on the question of adoption pursuant to the notice provisions of the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

We would appreciate receiving a copy of this ordinance within thirty days of its adoption.

If you have any questions or concerns, please do not hesitate to contact me at 1-800-924-8677.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric W. Davis", is written over a horizontal line.

Eric W. Davis
Deputy Executive Director



Plan Change Study

00977 Parker

Proposed Plans

Plan Provisions

Deposit Rate	<u>Current</u>	<u>1</u>
Matching Ratio	6.00%	6.00%
Updated Service Credit	2 to 1	2 to 1
Transfer USC **	100% (Repeating)	100% (Repeating)
Annuity Increase	Yes	Yes
20 Year/Any Age Ret.	0%	0%
Vesting	No	Yes
	5 years	5 years
<u>Contribution Rates</u>	<u>2020</u>	<u>2020</u>
Normal Cost Rate	7.82%	8.19%
Prior Service Rate	<u>4.60%</u>	<u>4.71%</u>
Retirement Rate	12.42%	12.90%
Supplemental Death Rate	0.17% (A & R)	0.17% (A & R)
Total Rate	12.59%	13.07%
Unfunded Actuarial Liability	\$910,320	\$938,331
Amortization Period	25 years	25 years
Funded Ratio	76.7%	76.2%
Phase-In Total Rate	N/A	N/A
Stat Max	13.50%	13.50%
Study Exceeds Stat Max	No	No

**This is the addition to the Initial Prior Service Rate for USC for transfers. There were 3 eligible transfer employees on the valuation date.



Council Agenda Item

Item 8
C'Sec Use Only

Budget Account Code:	Meeting Date: November 19, 2019
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: Public Works Director Machado Asst. CA/CS Scott Grey
Estimated Cost:	Date Prepared: November 12, 2019
Exhibits:	<ol style="list-style-type: none"> 1. Proposed Resolution 2. Res. No. 2018-590 (2018 P&Z Appointments) 3. Res. No. 2017-559 (2018 P&Z Appointments) 4. Attendance Record

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2019-621 MAKING APPOINTMENTS TO THE PLANNING AND ZONING (P&Z) COMMISSION. [PETTLE]

SUMMARY

The following Planning and Zoning (P&Z) Commissioners, whose term(s) expire November 30th, expressed an interest in continuing to serve on the P&Z in their current positions, if City Council desires:

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

There are no vacancies currently.

POSSIBLE ACTION

Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head:	<i>Patti Scott Grey</i>	Date:	11/14/2019
City Attorney:	<i>Brandon S. Shelby</i>	Date:	11/12/2019 via email
City Administrator:	<i>Luke Olson</i>	Date:	11/15/2019

RESOLUTION NO. 2019-621
(2020-2021 P&Z Appointments)

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

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

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

SECTION 1. Appointment of Voting Members with terms expiring November 30, 2021

The following are hereby appointed to serve on the Planning and Zoning Commission as voting member for a term of two years, expiring November 30 of 2021.

Place 1 _____
Place 3 _____
Place 5 _____

SECTION 2. Alternate Members with terms expiring November 30, 2021

The following are hereby appointed to serve on the Planning and Zoning Commission as Alternate Members for a two-year term, expiring November 30, 2021.

Alternate 1 _____
Alternate 2 _____
Alternate 3 _____

SECTION 4. Appointment of Officers

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

Chairperson _____
Vice Chairperson _____
Secretary _____

SECTION 5. Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 19th day of November, 2019.

CITY OF PARKER:

Lee Pettie, Mayor

ATTEST:

APPROVED AS TO FORM:

Patti Scott Grey, City Secretary

Brandon Shelby, City Attorney

RESOLUTION NO. 2018-590
(2018 Planning and Zoning Commission Appointments)

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

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

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

SECTION 1. Appointment of Voting Members with terms expiring November 30, 2020:

The following are hereby appointed to serve on the Planning and Zoning Commission as voting members for the remainder of a two-year term, expiring November 30, 2020 or until their successors are appointed and qualified.

Place 2	<u>Joe Lozano</u>
Place 4	<u>David Leamy</u>

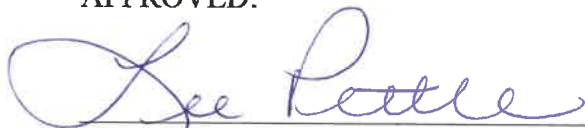
SECTION 2. Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 4th day of December, 2018.



APPROVED:



Lee Pettie, Mayor

ATTEST:



Patti Scott Grey, City Secretary

APPROVED AS TO FORM:



Brandon Shelby, City Attorney

RESOLUTION NO. 2017-559
(2018-2019 P&Z Appointments)

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

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

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

SECTION 1. Appointment of Voting Members with terms expiring November 30, 2019

The following are hereby appointed to serve on the Planning and Zoning Commission as voting member for a term of two years, expiring November 30 of 2019.

Place 1	<u>Russell Wright</u>
Place 3	<u>Wei Wei Jeang</u>
Place 5	<u>Jasmat Sutaria</u>

SECTION 2. Voting Members with terms expiring November 30, 2018

The following were previously appointed to serve on the Planning and Zoning Commission as voting members for a two year term, expiring November 30, 2018.

Place 2	Joe Lozano
Place 4	David Leamy

SECTION 3. Alternate Members with terms expiring November 30, 2019

The following are hereby appointed to serve on the Planning and Zoning Commission as Alternate Members for a two year term, expiring November 30, 2019.

Alternate 1	<u>Marilyn Kittrell</u>
Alternate 2	<u>Larkin Crutcher</u>
Alternate 3	<u>JR Douglas</u>

SECTION 4. Appointment of Officers

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

Chairperson	<u>Russell Wright</u>
Vice Chairperson	Joe Lozano
Secretary	<u>Wei Wei Jeang</u>

SECTION 5. Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 8th day of November, 2017.



ATTEST:

Patti Scott Grey
Patti Scott Grey, City Secretary

CITY OF PARKER:

Z Marshall
Z Marshall, Mayor

APPROVED AS TO FORM:

B Shelby
Brandon Shelby, City Attorney

Planning and Zoning 2019 Attendance

2019 Res. No. 2018-590			1 Chairman Russell Wright	2 Vice Chair Joe Lozano	3 Secretary Wei Wei Jeang	4 David Leamy	5 Jasmat Sutaria	Alternate 1 Marilyn Kittrell	Alternate 2 Larkin Crutcher	Alternate 3 JR Douglas
	✓	Absent								
2019										
Jan	10	Subcommittee	✓		✓	✓				
	24	Canceled								
	29	Subcommittee	✓		✓	✓				
Feb	14	Canceled								
	28	Canceled								
Mar	14	Subcommittee			✓	✓			✓	
	28	Subcommittee	✓		✓	✓			✓	
Apr	11	Canceled								
	25	Canceled								
May	9	Regular	✓	✓	✓	Absent	Absent	Absent	✓	✓
	23	Canceled								
	13	Canceled								
	27	Regular	✓	✓	✓	✓	✓	Absent	✓	✓
Jul	11	Subcommittee	✓	✓	✓				✓	
	18	Subcommittee	✓		✓	✓			✓	
	25	Canceled								
Aug	8	Regular	✓	✓	Absent	✓	Absent	✓	✓	✓
	22	Regular	✓	✓	✓	✓	✓	Absent	✓	✓
Sept	12	Canceled								
	26	Canceled								
Oct	10	Canceled								
	24	Canceled								
Nov	14	Canceled								
	22	Canceled								
Dec	13	Regular								
	27	Canceled								
2019 Absences										

The P&Z Subcommittee is highlighted in yellow above.

P&Z Subcommittee consists of P&Z Chair Russell Wright, P&Z Secretary Wei Wei Jeang, and P&Z Place Four (4) Voting Member David Leamy.



Council Agenda Item

Item 9
C*Sec Use Only

Budget Account Code:	Meeting Date:	November 19, 2019
Budgeted Amount:	Department/ Requestor:	City Council
Fund Balance-before expenditure:	Prepared by:	City Administrator Olson
Estimated Cost:	Date Prepared:	October 16, 2019
Exhibits:	<ol style="list-style-type: none">1. Proposed Resolution2. Res. No. 2018-591 (2018 ZBA Appointments)3. Applications (Mayor/City Council packets only)4. Mark Farmer's resignation letter5. No Meetings – No Attendance Record	

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2019-622, MAKING APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENT (ZBA). [OLSON]

SUMMARY

The following Zoning Board of Adjustment (ZBA) members, whose terms expire November 30th, expressed an interest in continuing to serve on the ZBA in their current positions, if City Council desires:

Member	Position	Term Expiration
Jack Albritton	Place One (1)	Nov. 30
Andrew Ellison	Place Three (3)	Nov. 30
Brian Deaver	Place Five (5)	Nov. 30

The following member would like to step down at this time.

Mark Farmer	Alternate 1	Nov. 30
-------------	-------------	---------

The City has one (1) vacancy. Please review the applications provided.

POSSIBLE ACTION

Council may direct staff to take appropriate action.

Inter – Office Use

Approved by:			
Department Head:	<i>Patti Scott Grey</i>	Date:	11/14/2019
City Attorney:	<i>Brandon S. Shelby</i>	Date:	11/12/2019 via email
City Administrator:	<i>Luke Olson</i>	Date:	11/15/2019

RESOLUTION NO. 2019-622
(2019 Zoning Board of Adjustment Appointments)

**A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY,
TEXAS, APPOINTING MEMBERS AND ALTERNATE MEMBERS TO
SERVE ON THE ZONING BOARD OF ADJUSTMENT**

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

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

SECTION 1. Appointment of Voting Members with terms expiring November 30, 2021

The following are hereby appointed to serve on the Zoning Board of Adjustment as voting members for a two-year term, expiring November 30, 2021 or until their successors are appointed and qualified.

Place 1	_____
Place 3	_____
Place 5	_____

SECTION 2. Appointment of Officers

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

Chairperson	_____
Vice Chairperson	_____

SECTION 5 Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 19th day of November, 2019.

APPROVED:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Brandon Shelby, City Attorney

Proposed

RESOLUTION NO. 2018-591
(2018 Zoning Board of Adjustment Appointments)

**A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY,
TEXAS, APPOINTING MEMBERS AND ALTERNATE MEMBERS TO
SERVE ON THE ZONING BOARD OF ADJUSTMENT**

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

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

SECTION 1. Appointment of Voting Members with terms expiring November 30, 2020:

The following are hereby appointed to serve on the Zoning Board of Adjustment as voting members for the remainder of a two-year term, expiring November 30, 2020 or until their successors are appointed and qualified.

Place 2	<u>Randy Kercho</u>
Place 4	<u>Don Dickson</u>

SECTION 2. Appointment of Alternate Members with terms expiring November 30, 2020:

The following were previously appointed to serve on the Zoning Board of Adjustment as alternate members for the unexpired portion of a two-year term, expiring November 30, 2020 or until their successors are appointed and qualified.

Alternate 1	<u>Mark Farmer</u>
Alternate 2	<u>Steve Schoenekase</u>

SECTION 3. Voting Members with terms expiring November 30, 2019

The following were previously appointed to serve on the Zoning Board of Adjustment as voting members for a term of two years, expiring November 30, 2019 or until their successors are appointed and qualified.

Place 1	Jack Albritton
Place 3	Andrew Ellison
Place 5	Brian Deaver

SECTION 4. Appointment of Officers

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

Chairperson	Andrew Ellison
Vice Chairperson	Don Dickson

SECTION 5 Effective Date

This resolution shall be effective upon its passage.


PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 4th day of December, 2018.



APPROVED:


Lee Pettie, Mayor

ATTEST:


Patti Scott Grey, City Secretary

APPROVED AS TO FORM:


Brandon Shelby, City Attorney

RECEIVED

OCT 21 2019

by CITY SECRETARY
CITY OF PARKER

October 21, 2019

Ms. Patti Scott Grey
Assistant City Administrator/City Secretary
City of Parker, TX
5700 East Parker Road
Parker, TX 75002

Please accept this letter as my resignation as an alternate member of the City of Parker, Texas
Zoning Board of Adjustments. My resignation is effective immediately.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark C. Farmer", followed by a horizontal line.

Mark C. Farmer

ZBA

No Meetings

No Attendance Record



Council Agenda Item

Item 10
C'Sec Use Only

Budget Account Code:	Meeting Date: November 19, 2019
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Administrator Olson
Estimated Cost:	Date Prepared: October 16, 2019
Exhibits:	<ol style="list-style-type: none"> 1. Proposed Resolution 2. Res. No. 2019-613 (2019 P&R Appointments) 3. Applications (Mayor/City Council packets only) 4. Mark Farmer's Resignation Letter

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2019- 623, MAKING APPOINTMENTS TO THE TO THE PARKS AND RECREATION COMMISSION. [PETTLE]

SUMMARY

On August 20, 2019, City Council approved Resolution No. 2019-613, appointing.

Member	Position	Term Expiration	
Kimberly Hinshaw	Place 1, Vice Chair	Nov. 30, 2021	
LeAnn Turrentine	Place 3	Nov. 30, 2021	
Cherie Ware	Place 5, Secretary	Nov. 30, 2021	
Billy Barron	Place 2, Chairperson	Nov. 30, 2020	
Mark Farmer	Place 4	Nov. 30, 2020	Resigned - Vacant
Michael Slaughter	Alternate 1	Nov. 30, 2020	
Vacant	Alternate 2	Nov. 30, 2020	
Vacant	Alternate 3	Nov. 30, 2020	
Vacant	Alternate 4	Nov. 30, 2020	

The following member stepped down. Please see his resignation letter, dated October 30, 2019.

Mark Farmer Place 4 Nov. 30, 2020

The City has a total of four (4) vacancies. Please review the applications provided.

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:	11/14/2019
City Administrator:	<i>Luke B. Olson</i>	Date:	11/15/2019

RESOLUTION NO. 2019-623

(Parks and Rec Appointments)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING MEMBERS TO SERVE ON THE PARKS AND RECREATION COMMISSION

WHEREAS, Members and Alternate members of the Parks and Recreation Commission serve in staggered two-year terms, commencing December 1st and ending on November 30th as set forth below; and

WHEREAS, the Parks and Recreation Commission is newly established therefore the members appointed herein shall begin service immediately and serve terms according to the Parks and Recreation Ordinance; and

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

SECTION 1. Appointment of Voting Members with terms expiring November 30, 2020:

The following are hereby appointed to serve on the Parks and Recreation Commission as voting members for the remainder of a two-year term, expiring November 30, 2020 or until their successors are appointed and qualified.

Place 2	<u>Billy Barron</u>
Place 4	<u>Vacant</u>

SECTION 2. Appointment of Voting Members with terms expiring November 30, 2021:

The following are hereby appointed to serve on the Parks and Recreation Commission as voting members for a two-year term, expiring November 30, 2021 or until their successors are appointed and qualified.

Place 1	<u>Kimberly Hinshaw</u>
Place 3	<u>LeAnn Turrentine</u>
Place 5	<u>Cherie Ware</u>

SECTION 3. Appointment of Alternate Members with terms expiring November 30, 2020:

The following are hereby appointed to serve on the Parks and Recreation Commission as voting members for a one-year term, expiring November 30, 2020 or until their successors are appointed and qualified.

Alt 1	<u>Michael Slaughter</u>
Alt 2	<u>Vacant</u>

Alt 3	<u>Vacant</u>
Alt 4	<u>Vacant</u>

SECTION 2. Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 19th day of November, 2019.

APPROVED:

Lee Pettie, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Brandon Shelby, City Attorney

RESOLUTION NO. 2019-613
(2019 Parks and Recreation Commission Appointments)

**A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY,
TEXAS, APPOINTING MEMBERS TO SERVE ON THE PARKS AND
RECREATION COMMISSION**

WHEREAS, Members and Alternate members of the Parks and Recreation Commission serve in staggered two-year terms, commencing December 1st and ending on November 30th as set forth below; and

WHEREAS, the Parks and Recreation Commission is newly established therefore the members appointed herein shall begin service immediately and serve terms according to the Parks and Recreation Ordinance; and

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

SECTION 1. Appointment of Voting Members with terms expiring November 30, 2020:

The following are hereby appointed to serve on the Parks and Recreation Commission as voting members for the remainder of a two-year term, expiring November 30, 2020 or until their successors are appointed and qualified.

Place 2	<u>Billy Barron</u>
Place 4	<u>Mark Farmer</u>

SECTION 2. Appointment of Voting Members with terms expiring November 30, 2021:

The following are hereby appointed to serve on the Parks and Recreation Commission as voting members for a two-year term, expiring November 30, 2021 or until their successors are appointed and qualified.

Place 1	<u>Kimberly Hinshaw</u>
Place 3	<u>LeAnn Turrentine</u>
Place 5	<u>Cherie Ware</u>

SECTION 3. Appointment of Alternate Members with terms expiring November 30, 2020:

The following are hereby appointed to serve on the Parks and Recreation Commission as voting members for a one-year term, expiring November 30, 2020 or until their successors are appointed and qualified.

Alt 1	<u>Michael Slaughter</u>
Alt 2	<u>Vacant</u>

Alt 3
Alt 4

Vacant
Vacant

SECTION 2. Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 20th day of August, 2019.



APPROVED:



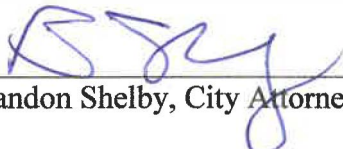
Lee Pettie, Mayor

ATTEST:



Patti Scott Grey, City Secretary

APPROVED AS TO FORM:



Brandon Shelby, City Attorney

RECEIVED

OCT 30 2019

by CITY SECRETARY
CITY OF PARKER

October 30, 2019

Ms. Patti Scott Grey
Assistant City Administrator/City Secretary
City of Parker, TX
5700 East Parker Road
Parker, TX 75002

Dear Patti,

Please accept this letter as my resignation from the City of Parker Parks & Recreation Commission (Place 4) effective immediately. Substantive changes in my work make it very difficult to attend meetings or contribute to the work of the P&R Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Farmer", with a long horizontal flourish extending to the right.

Mark Farmer

CITY COUNCIL
FUTURE AGENDA ITEMS

AGENDA DATE	ITEM DESCRIPTION	CONTACT	Notes
2019			
Monthly	Home Rule Charter Commission (HRCC)	Shelby	Last Update 7/2; 8/6; 8/27; 9/3; 9/17, 10/15; 11/19
TBD	International Building Codes	Machado	2018 0920 PWD GM working on update
TBD	Annual Codification Supplement	C'Sec	Last update 2019 0604 CC Mtg
TBD	2019 City Fee Schedule - After Fiscal Year	Savage	2015-2016 Approved 2/29; added 2016-17 to FAI; last Update 2019 0604; BP Update 2019 0917
TBD	Discussion - Reasearch - Going Electronic	Olson	MLP added 2019 0624; Discussed 2019 061&12 Long Term Planning; Demo 2019 1107 AM
Feb, May, Aug, Nov	Republic Waste Quarterly Report	Bernas	2019 0820 CC Agenda
Feb, May, Aug, Nov	Fire Department Quarterly Report	Sheff/Miller/Flo wers	2019 0820 CC Agenda
Feb, May, Aug, Nov	Investment Quarterly Report	Savage	2019 0827 CC Agenda
Tentatively January 7, 2020	Drainage	Meyer	2019 0903 CC Agenda
Tentatively December, 2019 (waiting on a definite meeting date)	Facility/Transportation	Standridge	2019 0827; 2019 1119 CC Agenda
Tentatively January 21, 2020	Communication	Abraham	2019 0917 CC Agenda
Tentatively January 7, 2020	COMP Plan	Olson/Smith	2019 0903 CC Agenda;
Tentatively January 21, 2020	Capital Improvement Program (CIP)	Taylor	2019 0917 CC Agenda
Tentatively December, 2019 (waiting on a definite meeting date)	Noise Committee	Olson/?	2019 0827 CC Agenda
Tentatively January 7, 2020	Pump Station	Olson/Machado	2019 0903 CC Agenda
December, 2019	ONCOR - CABS waiting 10/15	Shelby	2019 0701 Agenda Meeting added
December, 2019	Res. To add a Municipal Court Alt. Judge (Moore)	Olson/Newton	2019 0116 0605 Res. 2018-573 Appmnt of Municipal Court Officials Update; Mayor wants a resume
December, 2019	Discussion on sales tax for May 2020 Election	Shelby	2019 0116 Texas Tax Code, Sec. 321.406 Feq. of Election

CITY COUNCIL
FUTURE AGENDA ITEMS

AGENDA DATE	ITEM DESCRIPTION	CONTACT	Notes
December, 2019	Ord. No. 777, Update No. 725 - Brush & Bulky	Shelby	2019 0618; Moved again and again
December, 2019	Res. Updating maps, e.g. Zoning, Annexations, Waterline, etc.	Machado	2019 0116 working with Ken, w/CE JB's office
December, 2019	Consider Tax Freeze for those over 65	Shelby	2019 0820 CC - Lou Zettler
December, 2019	Support Animals - Identification Standards	Shelby	2019 0820 CC
December, 2019	Financial Statement - w-new software	Savage	After Software
December, 2019	Reminder for Dec. Depository Services Bid RFP/Q - check w/GS	Savage	3rd 1year extension (2017 1205 1st) (2018 1218 2nd)
December, 2019	Parks & Rec. Discussion - Keeep Texas Beautiful	Pettie	P&R to discuss 2019 1021 or Nov. mtg per MLP
December, 2019	Municode - Code & Mtg/Agenda Management	Olson/Scott Grey	See Quotes - Code (20191017) Mtg/Agenda (20191107)
December, 2019	Election - New Voting System	Shelby	See 2019 1107 Email from Cheryl Gorena
Ask month	Discussion on Development Agreements	Pettie	2019 0922 MLP Email
Ask month	Discussion on requiring sprinklers on all new homes w/rain/freezer automatic cutoffs	Pettie	2019 0922 MLP Email
Ask month	Aesthetica Development on Parker Road Update	Machado	2019 0922 MLP Email
Ask month	Town Hall Meeting - Drainage	Meyer/Pettie	2019 0922 MLP Email
Ask month	Town Hall Meeting - Facility	Pettie/Standridge/Olson	2019 0922 MLP Email