



AGENDA

CITY COUNCIL SPECIAL MEETING

MAY 11, 2021 @ 7:00 PM

Notice is hereby given the City Council for the City of Parker will meet on Tuesday, May 11, 2021 at 7:00 PM at the Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002.

The Council meeting will be open to the public and live streamed. The City of Parker will provide disposable face masks and hand sanitizer. If you feel uncomfortable attending the meeting in person, please send public comments to the City Secretary at PGrey@parkertexas.us prior to 3:00 PM the day of the meeting.

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.

INDIVIDUAL CONSIDERATION ITEMS

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION OF RESOLUTION NO. 2021-665 CANVASSING THE ELECTION RETURNS AND DECLARATION OF RESULTS OF AN ELECTION HELD IN THE CITY OF PARKER, TEXAS ON MAY 1, 2021. [SHELBY/SCOTT GREY]
2. ADMINISTER OATH OF OFFICE TO NEWLY ELECTED OFFICIALS, COUNCILMEMBERS DIANA M. ABRAHAM AND CINDY MEYER. (JIM REED IS UNABLE TO ATTEND DUE TO CONFLICT) [PETTLE]
3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2021-666, APPOINTING THE 2021-2022 MAYOR PRO TEM. [PETTLE]
4. PRESENTATION RECOGNIZING FORMER MAYOR PRO TEM ED STANDRIDGE FOR THEIR SERVICE FOR THE CITY OF PARKER. [PETTLE]

ADJOURN

RECEPTION FOR THE
OUTGOING ELECTED OFFICIALS
AND
WELCOMING THE NEW COUNCILMEMBERS

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 May 7, 2021 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.

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.

Date Notice Removed

Patti Scott Grey

City Secretary

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Council Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: ACA/CS Scott Grey
Fund Balance-before expenditure:	Prepared by: ACA/CS Scott Grey
Estimated Cost:	Date Prepared: April 26, 2021
Exhibits:	<ul style="list-style-type: none"> • <u>Proposed Resolution</u>

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION OF RESOLUTION NO. 2021-665 CANVASSING THE ELECTION RETURNS AND DECLARATION OF RESULTS OF AN ELECTION HELD IN THE CITY OF PARKER, TEXAS ON MAY 1, 2021. [SHELBY/SCOTT GREY]

SUMMARY

The canvass is the official tabulation of the election results. The canvass must be conducted at an open meeting of the governing body between Tuesday, May 4, 2021 and Wednesday, May 12, 2021. Pursuant to the Texas Election Code, only two officers are needed for a quorum for a canvassing meeting. Section 67.004(a) of the Code.

The canvassing authority shall prepare a tabulation stating the following:

1. Each candidate
 - a. Total number of votes received in each precinct.
 - b. Sum of precinct totals tabulated.
2. Votes FOR and AGAINST each measure
 - a. Total number of votes received in each precinct.
 - b. Sum of precinct totals tabulated.
3. Total number of voters in each precinct who cast a ballot for a candidate or for or against a measure in the election.

We should have the canvass documents from Collin County Elections Administrator Bruce Sherbet by close of business Friday, May 7, 2021 and those documents will be provided Tuesday at the meeting.

Resource Director of Elections Keith Ingram's Memo Post-Election Procedures and TMCA Election Manual

POSSIBLE ACTION

City Council may direct staff to take appropriate action

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	05/13//2021
City Attorney:	<i>Brandon S. Shelby</i>	Date:	05/13/2021
City Administrator:	<i>Luke B. Olson</i>	Date:	05/14/2021

RESOLUTION NO. 2021-665
(Canvass May 1, 2021 General Election)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS;
 CANVASSING THE ELECTION RETURNS AND DECLARATION OF RESULTS OF
 AN ELECTION HELD IN THE CITY OF PARKER, TEXAS ON MAY 1, 2021.**

WHEREAS, the City Council of the City of Parker, Texas called an election to be held in the City on May 1, 2021 for the purpose of electing a Mayor and Two City Councilmembers, and caused notice thereof to be given in the manner and time provided for by law; and

WHEREAS, The Order of the City Council calling the election, together with the notice issued thereon, is recorded in the Minutes of the City Council, and is hereby referred to and made a part hereof for all purposes, and

WHEREAS, the Presiding Judge and other officials holding the election made their returns of the results thereof to the Canvassing Board, composed of the City Council, and said returns of the results being made according to law, and duly authenticated, and it being shown that proper notice of said election the time and in the time and in the manner provided by law, and all other proceedings pertaining to said election have been shown to have done and performed at and within the time and in the manner provided by law, and all papers pertaining hereto having been returned and duly certified by the Presiding Election Judge:

NOW THEREFORE BE IT RESOLVED by the Canvassing Board of the City Council of the City of Parker, Texas after examining said returns and opening and canvassing the votes of said election that are as follows:

FOR CITY COUNCIL:

Cindy Meyer	411
Diana M. Abraham	497
Jim Reed	475
Ed Standridge	331

Diana Abraham, Jim Reed, and Cindy Meyer received the highest number of votes of the four candidates for the three contested offices of City Councilmember.

Therefore, Diana Abraham, Jim Reed, and Cindy Meyer are hereby each declared as elected as City Councilmembers. All are to serve immediately after qualifying for the two year term expiring May 2023.

IT IS FURTHER RESOLVED that this Canvass and Declaration of results of said election be entered in the Minutes of the Said Canvassing Board of the City Council and that said Officers after they have qualified and taken their oaths, shall serve the term of office for which they were elected commencing immediately and ending when their successors are duly elected and qualified.

This Resolution declaring the results of the election becomes effective immediately upon its passage.

RESOLVED this 11th day of May, 2021.

APPROVED:

Mayor Lee Pettie

ATTEST:

City Secretary Patti Scott Grey

APPROVED AS TO FORM:

City Attorney Brandon Shelby

Insert official canvass certification from Collin County Elections Office

Proposed



Council Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: ACA/CS Scott Grey
Estimated Cost:	Date Prepared: April 26, 2021
Exhibits:	<ul style="list-style-type: none"> • Oath

AGENDA SUBJECT

ADMINISTER OATH OF OFFICE TO NEWLY ELECTED OFFICIALS, COUNCILMEMBERS DIANA M. ABRAHAM AND CINDY MEYER. (JIM REED IS UNABLE TO ATTEND DUE TO CONFLICT) [PETTLE]

SUMMARY

Mayor Lee Pettle will administer the Oath of Office to the elected officials.

After the Oaths are complete the new officials will take their seat at the bench.

Certificate of Election, Statement of Elected Officer, and Oath of Office

Questions often arise about the order of events following the election. The Texas Secretary of State Election Division recommends that post-election procedures occur in the following sequence:

- Certificate of Election is issued to newly-elected officers.
- Statement of Officer is completed (to be filed locally).
- Newly-elected officers may take the Oath of Office.
- After taking the Oath of Office, newly-sworn officers may assume the duties of their office.*

Tex. Const. Art. XVI, § 1; Tex. Elec. Code § 67.004 – 67.006, 67.016, 67.017.

*Note: In some political subdivisions, the newly-elected officers may not assume the duties of office until a certain date. For example, officers in a Type A general law city may not assume office until at least the fifth day after the election (Friday, May 7, 2021), excluding Sundays. Tex. Loc. Gov't Code § 22.036. However, no newly elected official may qualify for office before the official canvass of the election has been conducted (or would have been conducted, in the event of a cancelled election). Section 22.036 of the Texas Local Government Code further requires that the newly-elected governing body of the

municipality “meet at the usual meeting place and shall be installed”. Also, your source law might require a bond. For example, Section 22.072 of the Texas Local Government Code states that Type A cities have authority to require a bond.

Before an elected (or appointed) officer may assume the duties of the office, the officer must first file a Statement of Elected or Appointed Officer for the official records of the governing body. Tex. Const. Art. XVI, § 1.

We recommend that the presiding officer issue the Certificate of Election at the canvass. The presiding officer of the canvassing authority prepares the Certificate of Election. Tex. Elec. Code Ann. § 67.016. The form we provide is only a sample; many entities like to create their own.

Who can administer an Oath of Office?

The Oath of Office must be administered by someone authorized to administer an oath under Texas law. The most commonly used person to administer oaths is a notary public. Additionally, Section 602.002 of the Texas Government Code authorizes all city secretaries to administer oaths for matters relating to city business. In a Type A general law city, the mayor may also administer the oath. Tex. Loc. Gov’t Code § 22.042. Other officials who may administer an oath include: a judge, retired judge, senior judge, clerk of a court of record, justice of the peace or clerk of a justice court, legislator or retired legislator. (See Chapter 602 of the Texas Government Code for the complete list.)

POSSIBLE ACTION

City Council may direct staff to take appropriate action

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	05/13//2021
City Attorney:	<i>Brandon S. Shelby</i>	Date:	05/13/2021
City Administrator:	<i>Luke B. Olson</i>	Date:	05/14/2021



In the name and by the authority of
The State of Texas

OATH OF OFFICE

I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____, City of Parker, Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

 Signature of Officer

.....
 State of Texas)
 County of Collin)

Sworn to and subscribed before me this 11th day of May, 2021.

 Signature of Notary Public or Other
 Officer Administering Oath

City Secretary Patti Scott Grey
 Printed or Type Name

(Seal)

CITY OF PARKER, COLLIN COUNTY, TEXAS

Term Expires: May 2023



Council Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: ACA/CS Scott Grey
Estimated Cost:	Date Prepared: April 26, 2021
Exhibits:	<ul style="list-style-type: none"> <u>Proposed Resolution</u>

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2021-666, APPOINTING THE 2021-2022 MAYOR PRO TEM. [PETTLE]

SUMMARY

Office of Mayor Pro Tem

The mayor pro tempore is a . . .

- member of the council;
- who performs the mayor's duties during the mayor's incapacity or absence;
- is selected by majority vote of the council from among its own membership;
- term is one year; and
- retains the right to vote on all matters before the council (not just to break a tie), while performing the duties of the mayor (Local Government Code Section 22.037 and 23.027).

Local Government Code Sec. 22.037. (b) At each new governing body's first meeting or as soon as practicable, the governing body shall elect one alderman to serve as president pro tempore for a term of one year.

POSSIBLE ACTION

Nomination for Mayor Pro Tem by the City Council and Council Vote.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	05/13//2021
City Attorney:	<i>Brandon S. Shelby</i>	Date:	05/13/2021
City Administrator:	<i>Luke B. Olson</i>	Date:	05/14/2021

RESOLUTION NO. 2021-666
(Appointment of Mayor Pro Tem)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER,
COLLIN COUNTY, TEXAS, APPOINTING A MEMBER OF THE CITY
COUNCIL TO SERVE AS MAYOR PRO TEM.**

WHEREAS, the City Council of the City of Parker called and held an election on May 1, 2021 establishing a new governing body; and

WHEREAS, the Texas Local Government Code requires that the governing body of a general law municipality to elect a member of the City Council to serve as Mayor Pro Tem for a term of one year or until another is appointed; and

WHEREAS, if the Mayor fails, is unable, or refuses to act, the Mayor Pro Tem shall perform the Mayor's duties and is entitled to receive the fees and compensation prescribed for the Mayor.

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

SECTION 1. The City Council of the City of Parker, Texas hereby appoints _____ to serve as Mayor Pro Tem for a term of one year or until another is appointed.

SECTION 2. In the event that the Mayor fails, is unable, or refuses to act, the Mayor Pro Tem shall perform the Mayor's duties and is entitled to receive the fees and compensation prescribed for the Mayor.

DULY RESOLVED by the City Council of the City of Parker, Texas on this the 11th day of May, 2021.

APPROVED:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Brandon Shelby, City Attorney

ITEM 4

THIS ITEM WILL

BE MADE

AVAILABLE AT

THE MEETING.