



MINUTES
CITY COUNCIL MEETING
AUGUST 3, 2021

5:00 P.M. – 7:00 PM
BUDGET WORKSHOP

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 7:03 p.m. Mayor Pro Tem Cindy Meyer and Councilmembers Terry Lynch, Jim Reed, and Michael Slaughter were present. Councilmember Diana M. Abraham was absent (due to mandated work related travel).

Staff Present: City Administrator Luke Olson, Asst. City Administrator/City Secretary Patti Scott Grey, Finance/Human Resources Director Grant Savage, Interim City Attorney Scott D. Levine, Public Works Director Gary Machado, City Engineer John Birkhoff, P.E., Fire Chief Mike Sheff, and Police Chief Richard Brooks

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Councilmember Jim Reed led the pledge.

TEXAS PLEDGE: Craig M. Kerkhoff 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.

Ed Standridge, 3607 Hogge Drive, said the Thursday, July 29, 2021, 6 PM, Interactive Community Meeting, regarding the proposed municipal facility, was a good, robust meeting and he thought the next meeting on Monday, August 16, 2021, 6 PM could be even better. Mr. Standridge reminded everyone the meetings are open to the public and he encouraged residents to attend.

ITEMS OF COMMUNITY INTEREST

- PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, AUGUST 11, 2021, 6 PM -VIRTUAL ONLY

The Mayor stated the (P&R) Commission meeting would be virtual, and the access code is or will be at the top of the agenda for that meeting on the City's website at www.parkertexas.us when that agenda becomes available.

- COMPREHENSIVE PLAN (COMP) COMMITTEE - WEDNESDAY, AUGUST 18, 2021, 6 PM – IN-PERSON AND VIRTUAL

Mayor Pettle confirmed with Comprehensive Plan (COMP) Committee Chair Michael Slaughter the August meeting is canceled. Mr. Slaughter said meetings would resume in September.

- PROJECTED 2021 TAX RATE PLANNING CALENDAR

Mayor Pettle noted the Projected 2021 Tax Rate Planning Calendar is in the Council packet. Budget and Tax Rate items are routinely handled July – September. A public hearing will be held on Tuesday, August 31 and Tuesday, September 7 with the voting projected for Tuesday, September 7.

- NATIONAL PRESCRIPTION DRUG TAKE BACK EVENT SATURDAY, OCTOBER 23, 2021, 10:00 AM – 2:00 PM, IN FRONT OF POLICE STATION

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 JULY 20, 2021.
2. CONSIDERATION AND/OR POTENTIAL ACTION REGARDING THE REPLACEMENT OF SUBCOMMITTEE MEMBERS APPOINTED ON JULY 11, 2017, AND SUBSEQUENTLY UPDATED ON MAY 18, 2021, CONCERNING CITY CODE OF ORDINANCE REVIEW AND RECOMMENDATIONS.

MOTION: Councilmember Slaughter moved to approve the consent agenda as presented, noting the City Code of Ordinance Subcommittee City Attorney's name, Brandon Shelby, would be removed. Councilmember Lynch seconded with Councilmembers Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 4-0.

INDIVIDUAL CONSIDERATION ITEMS

3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2021-673 SETTING A PROPOSED TAX RATE; AND APPROVING DATES, TIMES AND A LOCATION FOR TWO PUBLIC HEARINGS ON THE PROPOSED FY 2021-2022 BUDGET AND TAX RATE, AND A DATE FOR THE VOTE ON THE ADOPTION OF THE 2021-2022 BUDGET AND APPROVAL OF A TAX RATE.

Finance/H.R. Director Savage reviewed his PowerPoint, City Council Work Session FY 2021-2022 Proposed Tax Rate, dated Tuesday August 3, 2021, noting Senate Bill 2, effective January 1, 2020, and certain associated terminology, No-New-Revenue Tax Rate, Voter-Approval Tax Rate, and De minimis rate.

In compliance with Tax Code §26.06(d), and included below:

Tax Code 26.06(d): The governing body may vote on the proposed tax rate at the public hearing. If the governing body does not vote on the proposed tax rate at the public hearing, the governing body shall announce at the public hearing the date, time, and place of the meeting at which it will vote on the proposed tax rate.

The first public hearing is scheduled for August 31, 2021, 7:00 p.m. and "if the governing body does not vote on the proposed tax rate at the public hearing, the governing body shall announce at the public hearing the date, time, and place of the meeting at which it will vote on the proposed tax rate", the second public hearing is scheduled for September 7, 2021, 7:00 p.m.

MOTION: Councilmember Slaughter moved to approve Resolution No. 2021-673, setting a proposed tax rate of \$0.365984 and approving two public hearing

dates/times, August 31, 2021, 7:00 p.m. and September 7, 2021, 7:00 p.m. Councilmember Reed seconded with Councilmembers Meyer, Lynch, Reed, and Slaughter voting for the motion, as follows:

For: Mayor Pro Tem Cindy Meyer, Councilmembers Terry Lynch, Jim Reed and Councilmember Michael Slaughter;

Against: Not Applicable

Present and not voting: Mayor Lee Pettle

Absent: Councilmember Diana M. Abraham

Motion carried 4-0.

Mayor Pettle noted again, \$0.365984 is the proposed tax rate.

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ADVERTISING REQUEST FOR QUALIFICATIONS (RFQS) FOR CERTIFIED PUBLIC ACCOUNTING FIRMS/AUDITORS.

MOTION: Councilmember Lynch moved to table this item until the Tuesday, August 17, 2021, City Council meeting. Councilmember Slaughter seconded with Councilmembers Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 4-0.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON PARKER RANCH ESTATES PHASE 5 PRELIMINARY PLAT.

City Engineers John W. Birkhoff, P.E. and Craig M. Kerkhoff, P.E., C.F.M. reviewed Parker Ranch Estates Phase 5 Preliminary Plat, 37 Single Family Residential Lots and 2 common areas, Lots 1, 6-16, Block E; Lots 26, 27X, Block F, Lots 1-10, Block H, Lots 1-9, Block I; and Lots 1X, 2-6, Block J; being 85.736 acres situated in the James Bradley Survey, Abstract No. 89, City of Parker, Collin County, Texas, and the engineering review process.

Public Works Director Machado was asked if the Planning and Zoning (P&Z) Commission recommended approval for Parker Ranch Estates Phase 5 Preliminary Plat. Mr. Machado responded, P& Z Commission recommended approval, 4-0, with Commissioners Wright, Lozano, Leamy and Crutcher voting.

Council questioned drainage and lot size north and south of Chaparral Drive. Westwood Project Manager Matthew D. Lee, P.E. indicated lot size was in compliance with the development agreement.

MOTION: Councilmember Slaughter moved to approve Parker Ranch Estates Phase 5 Preliminary Plat, contingent upon staff verifying lot size in the development agreement. Councilmember Reed seconded with Councilmembers Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 4-0.

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON WHITESTONE ESTATES PHASE 5 AND 6 PRELIMINARY PLAT.

Craig M. Kerkhoff, P.E., C.F.M. reviewed Whitestone Estates Phase 5 And 6 Preliminary Plat, 93 Single Family Residential Lots, 2 Common Area Lots, an

addition to the City of Parker Part of 344 acre tract of land; being 176.210 acres situated in the George W. Gunnell Survey, Abstract No. 350, City of Parker, Collin County, Texas, stating his letter, dated July 19, 2021, noted comments, as follows:

Overall Comments

1. Include a landscape plan, trail system plan and tree survey in the plan set.
 - a. *Response letter indicates that a landscape plan and trail system plan are in the design process. An aerator in the retention pond will be included in the landscape plan. Response letter indicates that a 6-foot trail is now shown on the south side of Belvedere Drive. City to verify acceptance of the proposed trail system and landscape plans.*
2. A LOMR will be required to be approved by FEMA prior to the acceptance of public improvements by the City.
 - a. *Response letter states that the LOMR will be submitted at the completion of the grading activities. Prior to the LOMR submittal, we recommend the resubmittal of the flood study as a pond that was shown within the flood study is not being constructed with this plan set. Response letter states that the pond not being constructed was conceptual only and will be removed with the LOMR submittal to the City for review.*

Paving Details Comments

3. Provide an elevation certificate (signed/sealed) by an RPLS for each monument and "X".
 - a. *Response letter states this will be completed after construction of public improvements.*

Paving Plans Comments

4. Still have some areas where drainage channels intersect at a hard angle at a headwall. Erosion issues will occur at these locations. Angle the headwall or revise the grading.
 - a. *Concrete aprons have been added to the areas around the headwalls to address erosion issues. With recent experience on post-construction walk throughs in other developments in Parker, slopes and grades around the intersections/culverts have been an increased area of concern. We recommend cross-sections at the culverts at intersections be submitted prior to the pre-con as an extra measure of due diligence in these areas.*

Public Works Director Machado was asked if the Planning and Zoning (P&Z) Commission recommended approval. Mr. Machado responded, P&Z Commission recommended approval, contingent upon engineering concerns being met, 4-0, with Commissioners Wright, Lozano, Leamy and Crutcher voting.

Warner Group, Inc., Developer Preston Walhood for Whitestone Estates Phase 5 And 6 Preliminary Plat noted item 1, landscape plan, trail system plan and tree survey on City Engineer Kerkhoff's letter had been addressed and work is in progress on the remaining items.

MOTION: Councilmember Reed moved to approve Whitestone Estates Phase 5 and 6 Preliminary Plat, contingent upon comments 2, 3 and 4 reflected in Craig M. Kerhoff's July 19, 2021, letter being met. . Councilmember Lynch seconded with

Councilmembers Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 4-0.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2021-674 APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2021 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

Resolution 2021-674, once approved, will allow a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division, regarding the company's 2021 rate review mechanism filing. (See Exhibit 1 – General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend Thomas Brocato's emailed responses, dated July 31, 2021.)

Atmos Energy Sr. Industrial Account Manager George Long, who was present on behalf of ATMOS Energy Corporation Mid-Tex Division Jan F Rugg, noted the impact of the settlement on average residential rates is an increase of \$1.28 monthly, or 2.2 percent. The increase for average commercial usage will be \$4.03 or 1.61 percent, as shown in the Model Staff Report in the August 3, 2021, City Council packet.

MOTION: Councilmember Slaughter moved to approve Resolution No. 2021-674, approving a negotiated settlement as described above. Mayor Pro Tem Meyer seconded with Councilmembers Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 4

-0.

8. CONSIDERATION AND POTENTIAL ACTION REGARDING THE HIRING OF CONSULTANT TO PERFORM WATER AND SEWER RATE STUDY.

City Administrator Olson noted at the July 20, 2021, City Council meeting, Councilman Slaughter asked for a future agenda item, concerning the hiring of a consultant to perform a water/sewer rate analysis for the City of Parker. Mr. Slaughter asked that staff get a recommendation from City Engineer John Birkhoff. Mr. Birkhoff recommended Dan Jackson with Willdan Financial Services, who

performed the City of Parker's last water/sewer rate analysis in 2015/2016. The current water/sewer rate study has expired, and the City needs to develop a new five-year water/sewer rate structure.

MOTION: Councilmember Slaughter moved to approve the hiring of Dan Jackson of Willdan Financial Services to perform a water/sewer rate analysis in the amount of \$15,000 for the City of Parker. Councilmember Reed seconded with Councilmembers Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 4-0.

ROUTINE ITEMS

9. FUTURE AGENDA ITEMS

Mayor Pettle asked if there were any items to be added to the future agenda.

Councilmember Lynch said she would like to add a Records Retention Schedule Ordinance and Review of Vehicle Replacement policies. Hearing no additional requests, she encouraged everyone to email her any additional requests. She noted the next regularly scheduled meeting would be Tuesday, August 17, 2021.

UPDATE(S):

- CAPITAL IMPROVEMENT PROGRAM (CIP) COMMITTEE [LYNCH/REED]
 - DRAINAGE
 - INFRASTRUCTURE
- CODE BOOK [MEYER]
Mayor Pro Tem Meyer said the Joint City Council/Planning and Zoning (P&Z) Commission Subcommittee meeting, regarding zoning codes, is tentatively set for August 12, 2021, 7:00 p.m.
- COMPREHENSIVE PLAN COMMITTEE [SLAUGHTER]
Councilmember Slaughter said the Comprehensive Plan Committee is canceled for August, but the Committee does plan to meet in September. The COMP Committee needs map and code information to move forward.
- EMERGENCY COMMUNICATION COMMITTEE [ABRAHAM]
Councilmember Abraham was not in attendance; therefore, there is no update at this time .

- MUNICIPAL COMPLEX [PETTLE/COUNCIL]
Mayor Pettle said progress was made at the Thursday, July 29, 2021, 6:00 p.m. Interactive Community Meeting, regarding the proposed municipal facility, and the next meeting is planned for Monday, August 16, 2021, 6:00 p.m. The Mayor said a special invitation to Homeowner's Association (HOA) leadership and members is extended, in hopes of getting their input on the proposed municipal facility.
- LEGISLATIVE UPDATES [OLSON]
City Administrator Olson emailed an update, provided by Texas Municipal League (TML).
- NEW RESIDENT PACKET [MEYER]
Mayor Pro Tem Meyer said she would begin work on the New Resident Packets after September 1, 2021.
- NEWSLETTER [MEYER]
Mayor Pro Tem Meyer said the Summer 2021 Edition of ***The Parker Connection*** was completed and mailed Monday, August 2, 2021.
- NOISE COMMITTEE [OLSON]
City Administrator Olson reported no complaints have been filed.
- NORTH TEXAS MUNICIPAL WATER DISTRICT (NTMWD) [OLSON]
City Administrator Olson reported work is in progress. He and interim city attorneys were working with NTMWD.
- PUMP STATION [MACHADO]
Public Works Director Machado said the project is on time and should be open by late October or early November 2021.
- RISK AND RESILIENCE ANALYSIS AND EMERGENCY RESPONSE PLAN UPDATE [MACHADO/BIRKHOFF]
Public Works Director Machado said the project is in progress and should be completed by him and City Engineer Birkhoff by the December deadline.
- SALES TAX [MEYER]
Mayor Pro Tem Meyer said there is no update at this time, and she would let Council know when the City needs an agenda item to place sales tax on the ballot for residents to vote. The City will need to educate residents prior to putting "sales tax" on the ballot.
- SUBDIVISION(S) [MACHADO]
Public Works Director Machado said Kings Crossing Phase 5 subdivision is coming along.
- THOROUGHFARE & OTHER MAPS UPDATE [MACHADO]
City Administrator Olson indicated communication problems have been resolved and the thoroughfare and other maps should be in progress.

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.

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

- Government Code Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation.

Mayor Lee Pettle recessed the regular meeting to Executive Session at 8:33 p.m.

11. RECONVENE REGULAR MEETING.

Mayor Lee Pettle reconvened the meeting at 8:52 p.m.

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

MOTION: Councilmember Slaughter moved to have former City of Parker City Attorney Brandon S. Shelby continue his representation of the City of Parker in The State of Texas Civil Citation Case No. 471-03156-2020 through completion of said case and Mr. Shelby would report to our City Attorney, who will monitor work on the case. Councilmember Reed seconded with Councilmembers Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 4-0.

13. ADJOURN

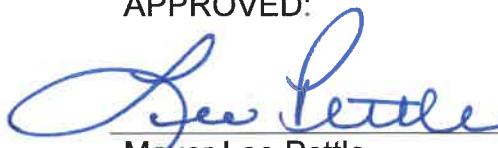
Mayor Lee Pettle adjourned the meeting at 8:56 p.m.



ATTESTED:


Patti Scott Grey, City Secretary

APPROVED:



Mayor Lee Pettle

Approved on the 17th day
of August, 2021.

From: Thomas Brocato <
Sent: Saturday, July 31, 2021 11:25 AM
To: Patti Grey <>
Subject: RE: ACTION REQUIRED: 2021 Atmos Mid-Tex RRM Package

Hello Patti. See below. Let me know if you have other questions. Thomas

From: Patti Grey <>
Sent: Thursday, July 29, 2021 10:23 AM
To: Thomas Brocato>
Subject: FW: ACTION REQUIRED: 2021 Atmos Mid-Tex RRM Package
Importance: High

Mr. Brocato,

I was asked to reach out to you for the following information:

- how many cities have signed without changes? Cities are just now in the process of scheduling and approving the agreement. I'm not aware of any city that has attempted to make changes. I don't expect any will. If they do, Atmos will likely appeal to the Railroad Commission. Let me know if we need to discuss this further.
- is there anyone who is refusing to sign or made changes? Not that I am aware of. I expect all cities will approve the rates consistent with the agreement.
- If so, could I get a list of those? See above.

Thank you for your time.

Patti Scott Grey, CMC, CAMC
Asst. City Administrator/City Secretary