



**AGENDA**  
**CITY COUNCIL REGULAR MEETING**  
**OCTOBER 18, 2022 @ 6:00 P.M.**

Notice is hereby given the City Council for the City of Parker will meet on Tuesday, October 18, 2022, at 6:00 P.M. at the Parker City Hall, 5700 E. Parker Road, Parker, Texas 75002. The City Council meeting will be open to the public and live streamed.

Pursuant to Texas Government Code § 551.127, notice is given that it is the intent of the City Council that a quorum of the Council will be physically present for the above-referenced meeting at Parker City Hall, 5700 E. Parker Road, Parker, Texas. Some council members or City employees may participate in this meeting remotely by means of video conference call in compliance with state law.

**CALL TO ORDER – Roll Call and Determination of a Quorum**

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

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

Government Code Section 551.074 Personnel—To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

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

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).

RECONVENE REGULAR MEETING.

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

**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**

i. REMINDER – HOME HAZARDOUS WASTE - <http://www.parkertexas.us/416/Home-Hazardous-Waste>  
NATIONAL PRESCRIPTION DRUG TAKE BACK EVENT SATURDAY, OCTOBER 29, 2022, 10 AM – 2 PM  
PARKERFEST - SUNDAY, OCTOBER 30, 2022, 3 PM to 6 PM

EARLY VOTING: MONDAY, OCTOBER 24, 2022 - FRIDAY, NOVEMBER 4, 2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
October 23	October 24 Early Voting 8am–5pm	October 25 Early Voting 8am–5pm	October 26 Early Voting 8am–5pm	October 27 Early Voting 8am–5pm	October 28 Early Voting 8am–5pm	October 29 Early Voting 7am–7pm
October 30 Early Voting 11am–5pm	October 31 Early Voting 7am–7pm	November 1 Early Voting 7am–7pm	November 2 Early Voting 7am–7pm	November 3 Early Voting 7am–7pm	November 4 Early Voting 7am–7pm	November 5
November 6	November 7	November 8 <b>Election Day</b> 7am–7pm				

CITY COUNCIL (CC) – TUESDAY, NOVEMBER 1, 2022, 7 PM – CANCELED – DUE TO NOVEMBER 8, 2022 GENERAL ELECTION EARLY VOTING

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, NOVEMBER 9, 2022, 4 PM

HOLIDAZE - HOLIDAY TREE LIGHTING - SUNDAY, NOVEMBER 27, 2022, 4 PM – 6 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 SEPTEMBER 20, 2022.
2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-715 FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S ("ONCOR" OR COMPANY") APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE TO THE COMPANY AND LEGAL COUNSEL.
3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-716 AUTHORIZING THE MAYOR TO EXECUTE A 2023 MEMBERSHIP APPLICATION AND AGREEMENT BETWEEN THE CITY OF PARKER AND THE ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC.
4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-717 REGARDING THE SUSPENSION OF SELECT PARK RULES PURSUANT TO PARKER CODE OF ORDINANCE SECTION 97.11 FOR PARKERFEST 2022 ON SUNDAY, OCTOBER 30, 2022 FROM 1:00 P.M. TO 7:00 P.M. UPON SATISFYING CERTAIN CONDITIONS.

## INDIVIDUAL CONSIDERATION ITEMS

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-706 APPROVING THE CAPITAL ASSET POLICY. [POSTPONED – 07192022]

## ROUTINE ITEMS

6. UPDATE(S):  
ANY COMMITTEE UPDATES, AS NEEDED.  
MONTHLY/QUARTERLY REPORTS  
[September 2022 - Building Permit/Code Report](#)  
[September 2022 – Court Report](#)

[September 2022 – Finance \(monthly financials\) Report](#)

[Investment 3<sup>rd</sup> Qtr. Report 2022](#)

[September 2022 – Police Report](#)

[September 2022 – Republic Services Inc., dba Allied Waste Services of Plan](#)

[September 2022 – Website \(PIWIK\) Report](#)

ACCEPTANCE OF DONATION(S) FOR POLICE, FIRE, AND CITY STAFF FOR THE RECORD (Each valued at between \$0 - \$500)

AJ Siebert of VC3 Inc. Cyber Security donated one half dozen cookies from Tiff's Treats valued at \$10.00.

Paul Lopez & the ARBH Tax Section donated one dozen cookies from Tiff's Treats valued at \$20.00.

Sudheir Sakaria donated snacks valued at \$40.00.

Dublin Road Estates donated \$245 to Parker Police and \$245 to Parker Fire Departments via Charles C. and Kristl A. Pearl.

Phil & JoAnn DeNitto donated \$100 to Parker Police and \$100 to Parker Fire Departments.

Maryam Boroujerdi donated one dozen Bundt cakes valued at \$23.00.

Nina Cook of Houston, TX donated chips valued at \$20.00.

The Regh Family donated Nothing Bundt Bundtinis value \$25.00.

First United Bank of Durant, OK donated \$500 to Parkerfest.

## ROUTINE ITEMS

### [7. FUTURE AGENDA ITEMS](#)

## WORK SESSION

### [8. COUNCIL TERM LENGTH](#)

## 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 October 14, 2022, 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](http://www.parkertexas.us).

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Date Notice Removed

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Patti Scott Grey

City Secretary

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



## Council Agenda Item

Budget Account Code:	Meeting Date:	See above.
Budgeted Amount:	Department/ Requestor:	Council
Fund Balance-before expenditure:	Prepared by:	ACA/CS Scott Grey
Estimated Cost:	Date Prepared:	October 16, 2022
Exhibits:	<u>None</u>	

### AGENDA SUBJECT

REMINDER – HOME HAZARDOUS WASTE - <http://www.parkertexas.us/416/Home-Hazardous-Waste>

NATIONAL PRESCRIPTION DRUG TAKE BACK EVENT SATURDAY, OCTOBER 29, 2022, 10 AM – 2 PM

PARKERFEST - SUNDAY, OCTOBER 30, 2022, 3 PM to 6 PM

EARLY VOTING: MONDAY, OCTOBER 24, 2022 - FRIDAY, NOVEMBER 4, 2022

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CITY COUNCIL (CC) – TUESDAY, NOVEMBER 1, 2022, 7 PM – CANCELED – DUE TO NOVEMBER 8, 2022  
GENERAL ELECTION EARLY VOTING

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, NOVEMBER 9, 2022, 4 PM

HOLIDAZE - HOLIDAY TREE LIGHTING - SUNDAY, NOVEMBER 27, 2022, 4 PM – 6 PM

### SUMMARY

Please review information provided.

Inter – Office Use			
<b>Approved by:</b>	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	10/13/2022
City Attorney:	<i>Trey Lansford</i>	Date:	10/13/2022
City Administrator:	<i>Luke B. Olson</i>	Date:	10/14/2022



## Council Agenda Item

Budget Account Code:	Meeting Date:	See above.
Budgeted Amount:	Department/ Requestor:	City Secretary
Fund Balance-before expenditure:	Prepared by:	ACA/CS Scott Grey
Estimated Cost:	Date Prepared:	September 25, 2022
Exhibits:	<ul style="list-style-type: none"> <li>• <a href="#">Proposed Minutes</a></li> </ul>	

### AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR SEPTEMBER 20, 2022.

### SUMMARY

Please review the attached minutes. If you have any questions, comments, and/or corrections, please contact the City Secretary at [PGrey@parkertexas.us](mailto:PGrey@parkertexas.us) prior to the City Council meeting.

### POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
<b>Approved by:</b>	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	10/13/2022
City Attorney:	<i>Trey Lansford</i>	Date:	10/13/2022
City Administrator:	<i>Luke B. Olson</i>	Date:	10/14/2022



**MINUTES**  
**CITY COUNCIL MEETING**  
**SEPTEMBER 20, 2022**

**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 Pettie called the meeting to order at 6:00 p.m. Mayor Pro Tem Michael Slaughter and Councilmembers Diana M. Abraham, Terry Lynch, Cindy Meyer and Jim Reed, and were present.

Staff Present: City Administrator Luke Olson, Asst. City Administrator/City Secretary Patti Scott Grey, Finance/Human Resources Director Grant Savage (arrived at 6:26 p.m.), City Attorney Trey Lansford, Public Works Director Gary Machado, Fire Chief Mike Sheff (arrived at 6:47 p.m.), and Police Chief Richard Brooks (arrived at 6:28 p.m.)

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

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

Government Code Section 551.074 Personnel—To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

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

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).

Mayor Lee Pettie recessed the regular meeting to Executive Session at 6:01 p.m.

RECONVENE REGULAR MEETING.

Mayor Lee Pettie reconvened the meeting at 6:26 p.m.

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

No action was taken.

**PLEDGE OF ALLEGIANCE**

AMERICAN PLEDGE: Mayor Pro Tem Michael Slaughter led the pledge.

TEXAS PLEDGE: Councilmember Jim Reed 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.

Andy Redmond, 7275 Moss Ridge Road, was unable to attend the meeting and asked that his email be included in the minutes. [**See Exhibit 1 – Andy Redmond’s comments, dated September 20, 2022.**]

Mayor Pettle asked if Syed Hussain, 7506 Forest Bend Drive, was in the audience. Mr. Hussain was not in the audience at that time. The Mayor said if Mr. Hussain returns, he will have an opportunity to address Council.

## ITEMS OF COMMUNITY INTEREST

Mayor Pettle reviewed the items listed below:

REMINDER – HOME HAZARDOUS WASTE - <http://www.parkertexas.us/416/Home-Hazardous-Waste>  
PEANUT BUTTER FOOD DRIVE FOR NORTH TEXAS FOOD BANK – SEPTEMBER 1-30, 2022

In September, there will be a box in the foyer of City Hall, to place food donations with an emphasis on peanut butter and jelly for the North Texas Food Bank.

Mayor Pettle noted the Parkerfest Subcommittee scheduled for Friday, September 23, 2022 has been rescheduled to Wednesday, September 28, 2022, 4:30, at Napoli’s Pizza & Restaurant, 4101 E. Park Boulevard, Plano, TX.

Mayor Pettle asked everyone to mark their calendar for the following events:

NATIONAL NIGHT OUT (NNO) – TUESDAY, OCTOBER 4, 2022, 6 PM – 9 PM

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, OCTOBER 12, 2022, 4 PM

The Wednesday, October 12, 2022, Parks and Recreation Commission (P&R) meeting is being planned, and the agenda will be available on the City’s website, [www.parkertexas.us](http://www.parkertexas.us).

PARKERFEST - SUNDAY, OCTOBER 30, 2022, 3 PM to 6 PM

EARLY VOTING: MONDAY, OCTOBER 24, 2022 - FRIDAY, NOVEMBER 4, 2022

Mayor Pettle noted the last day to register to vote for the November 8, 2022 Election is Tuesday, October 11, 2022. The first business day after Columbus Day.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
October 23	October 24 Early Voting 8am–5pm	October 25 Early Voting 8am–5pm	October 26 Early Voting 8am–5pm	October 27 Early Voting 8am–5pm	October 28 Early Voting 8am–5pm	October 29 Early Voting 7am–7pm
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NATIONAL PRESCRIPTION DRUG TAKE BACK EVENT SATURDAY, OCTOBER 29, 2022, 10 AM – 2 PM

CITY COUNCIL (CC) – TUESDAY, NOVEMBER 1, 2022, 7 PM – CANCELED – DUE TO NOVEMBER 8, 2022 GENERAL ELECTION EARLY VOTING

HOLIDAY TREE LIGHTING - SUNDAY, NOVEMBER 27, 2022, 4 PM – 6 PM

Mayor Pettle added National Faith & Blue will be Sunday, October 9, 2022, 6:30 PM – 8:30 PM at Victory Church, 6301 East Parker Road, Parker, TX 75002 and Council would soon be making appointments and re-appointments for various Boards, Commissions, and Committee. Residents are encouraged to pickup



an application or get an application from the City's website, complete it and return the applications to City Secretary Patti Scott Grey. Applications are kept on file with the City Secretary for 12 months.

**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 6, 2022.
2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESCINDING CANCELAN OF THE OCTOBER 4, 2022 REGULAR MEETING.
3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-713 PROVIDING FOR THE MODIFICATION AND EXECUTION OF THE JAIL SERVICES CONTRACT AMENDMENT TWO (2) BETWEEN THE CITY OF PARKER AND COLLIN COUNTY.
4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-714 DESIGNATING THE DALLAS MORNING NEWS AS THE OFFICIAL NEWSPAPER FOR THE CITY OF PARKER FOR FISCAL YEAR 2022-2023.

MOTION: Councilmember Lynch moved to approve the consent agenda items 1 through 4 as presented. Mayor Pro Tem Slaughter seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

#### INDIVIDUAL CONSIDERATION ITEMS

Mayor Pettie noted the public hearings for items 5. A & B and 6. A-D were advertised for 7:00 PM. Council will consider those items after 7:00 PM. The Mayor moved on to item #7.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 829 AUTHORIZING EXPENDITURES AND APPROVING AMENDMENT(S) TO THE FY 2021-2022 OPERATING BUDGET.

Finance/Human Resources Director Savage reviewed the item, stating the purpose is to amend the FY 2021-2022 budget for the amounts listed on the cover letter provided in tonight's Council meeting packet as follows:

Fund	Account	Description	Budget	Budget Amendment	Revised Budget	Reason
General	01-120-8001	Salary	239,751	53,366	293,117	Hired In-House City Attorney
General	01-120-8019	Medicare	4,498	775	5,273	Hired In-House City Attorney
General	01-120-8023	TMRS	42,516	7,370	49,886	Hired In-House City Attorney
General	01-120-8025	Health Insurance	67,340	3,110	70,450	Hired In-House City Attorney
General	01-120-8027	Dental Insurance	2,524	237	2,761	Hired In-House City Attorney
General	01-120-8029	Life Insurance	297	65	362	Hired In-House City Attorney



General	01-120-8031	Unemployment	882	126	1,008	Hired In-House City Attorney
General	01-120-8113	Hardware/Software	-	2,504	2,504	Hired In-House City Attorney
General	01-900-8605	Prof Services	280,530	33,400	313,930	Workers Comp Audit Adj

**\$ 100,953**

Water	03-600-8001	Salary	192,494	53,366	245,860	Hired In-House City Attorney
Water	03-600-8019	Medicare	6,024	775	6,799	Hired In-House City Attorney
Water	03-600-8023	TMRS	56,933	7,370	64,303	Hired In-House City Attorney
Water	03-600-8025	Health Insurance	77,906	3,110	81,016	Hired In-House City Attorney
Water	03-600-8027	Dental Insurance	4,102	237	4,339	Hired In-House City Attorney
Water	03-600-8029	Life Insurance	483	65	548	Hired In-House City Attorney
Water	03-600-8031	Unemployment	1,512	126	1,638	Hired In-House City Attorney
Water	03-600-8615	Utilities - Electric	1,849,260	21,066	1,870,326	New Pump Station

**\$ 86,115**

Equip Rplc	22-900-8903	Motor Vehicles	54,000	13,486	67,486	Unit #22-201 - Rpl PD Tahoe
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**\$ 13,486**

Court Tech	24-900-8113	Hardware/Software	58	212	270	SSD Drives
Court Tech	24-900-8404	Software Maint	2,500	343	2,843	Brazos Maint Increase

**\$ 555**

Child Safety	25-900-8904	Machines	5,000	3,700	8,700	PD Speed Trailer
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**\$ 3,700**

**MOTION:** Mayor Pro Tem Slaughter moved to approve Ordinance No. 829 authorizing expenditures and approving amendment(s) to the FY 2021-2022 Operating Budget. Councilmember Abraham seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

## ROUTINE ITEMS

Mayor Pettle continued as it was not 7:00 PM.

### 8. UPDATE(S):

ANY COMMITTEE UPDATES, AS NEEDED.

Mayor Pettle announced all Committees not setup by City Ordinance and appointed by Council are dissolved.

## ENTERPRISE FLEET MANAGEMENT UPDATE

City Administrator Olson said City Staff met with Enterprise Fleet Management last week (Tuesday, September 13, 2022) regarding contract replacement vehicles, maintenance and equipment issues. Mr. Olson said he thought the meeting was helpful and he felt issues were addressed. He related there are supply chain issues affecting vehicle availability for everyone and Enterprise is working with the City to resolve many of those issues. Mr. Olson said he would keep Council advised.

## CITY ADMINISTRATOR OLSON UPDATE ON FM2551

City Administrator Olson said he did not really have an update on FM 2551. He and Public Works Director Machado met with Texas Department of Transportation (TxDot) and the project has stalled, waiting on utility providers to get supplies and finish. Mr. Olson did say any updates will be reflected on the City's website at [www.parkertexas.us](http://www.parkertexas.us).

## MONTHLY/QUARTERLY REPORTS

[August 2022 - Building Permit/Code Report](#)

[August 2022 – Court Report](#)

[August 2022 – Finance \(monthly financials\) Report](#)

[Fire 2nd Qtr. Report 2022](#)

[July & August 2022 – Police Report](#)

[July & August 2022 – Republic Services Inc., dba Allied Waste Services of Plano](#)

[July & August 2022 – Website \(PIWIK\) Report](#)

The reports were accepted.

## ACCEPTANCE OF DONATION(S) FOR POLICE, FIRE, AND CITY STAFF FOR THE RECORD (Each valued at between \$0 - \$500)

Hill & Hill PC donated 10 lunches from Abuelos's Mexican Restaurant for City Employees valued at \$200.00.

Mayor Pettie, on behalf of herself, City Council, and City Staff, thanked Hill & Hill PC for their kind and generous donation.

## FUTURE AGENDA ITEMS

### 9. FUTURE AGENDA ITEMS

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

The Mayor noted the City Administrator would update Council on Enterprise Fleet Management. Hearing no additional requests, Mayor Pettie encouraged everyone to email her requests. She noted the next regularly scheduled meeting would be Tuesday, October 4, 2022.

## WORKSHOP

### COMP PLAN COMMITTEE - SURVEY AND COMMERCIAL ZONING

Mayor Pro Tem Slaughter expressed his appreciation for Councilmember Meyer recent help with the Comprehensive Plan and reviewed the information provided in the Council packet. He said there were a couple areas, commercial zoning and the survey, he thought would benefit from a lengthier Council workshop. Councilmember Meyer said she also felt it would be beneficial for Planning and Zoning (P&Z) Commission to be invited to participate in the discussion as well. Assistant City Administrator/City Secretary Scott Grey was asked to get everyone's schedule, determine the best time for a 3 hour COMP Plan Workshop, and advise Council, P&Z Commissioners, and Staff.

**PUBLIC COMMENTS – CONTINUED** 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.

Mayor Pettie noted Mr. Syed Hussain returned.

Syed Hussain, 7506 Forest Bend Drive, and President of McCreary Creek Subdivision Homeowners' Association (HOA) said he felt McCreary Creek Subdivision would benefit from curbs, sidewalks, and better street lighting. Mr. Husain said the residents in his neighborhood walk the neighborhood on a regular basis. The McCreary Creek residents would be safer with the suggested changes. He said he would be happy to do a lengthier presentation if Council desired.

## **INDIVIDUAL CONSIDERATION ITEMS**

Mayor Pettie said it was now 7:00 p.m. and returned to items 5. A & B and 6. A-D.

### **5. LOVEJOY NEW VENTURE LLC PERMANENT ZONING**

#### **A. PUBLIC HEARING FOR LOVEJOY NEW VENTURE LLC PERMANENT ZONING**

Mayor Pettie opened a public hearing regarding the Lovejoy New Venture LLC at 7:21 p. m.

No one came forward.

Mayor Pettie declared the public hearing closed at 7:22 p.m.

#### **B. CONSIDERATION AND/OR AN APPROPRIATE ACTION ON ORDINANCE NO. 825 REGARDING THE LOVEJOY NEW VENTURE LLC PERMANENT ZONING ON APPROXIMATELY 14.926 ACRES OF LAND IN THE CITY OF PARKER, TEXAS, GENERALLY LOCATED IN THE RICHARD SPARKS SURVEY, ABSTRACT NO. 850, TRACTS 1 THROUGH 4, COLLIN COUNTY, TEXAS TO SINGLE-FAMILY RESIDENTIAL (SF).**

**MOTION:** Councilmember Lynch moved to approve Ordinance No. 825 regarding the Lovejoy New Venture LLC permanent zoning on approximately 14.926 acres of land in the City of Parker, Texas, generally located in the Richard Sparks Survey, Abstract No. 850, Tracts 1 through 4, Collin County, Texas to Single-Family Residential (SF). Mayor Pro Tem Slaughter seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

**6. CITY MAPS: (I) THE ANNEXATION/BOUNDARY MAP, (II) THE ZONING MAP, AND (III) THE THOROUGHFARE MAP UPDATE**

**A. PUBLIC HEARING FOR CITY MAPS: (I) THE ANNEXATION/BOUNDARY MAP, (II) THE ZONING MAP, AND (III) THE THOROUGHFARE MAP UPDATE**

Mayor Pettie opened a public hearing regarding the City Maps: (I) The Annexation/Boundary Map, (II) The Zoning Map, And (III) The Thoroughfare Map Update at 7:24 p. m.

No one came forward.

Mayor Pettie declared the public hearing closed at 7:24 p.m.

**B. CONSIDERATION AND/OR AN APPROPRIATE ACTION ON ORDINANCE NO. 826 UPDATING THE ANNEXATION/BOUNDARY MAP**

MOTION: Mayor Pro Tem Slaughter moved to approve Ordinance No. 826 updating the Annexation/Boundary Map with the change of Curtis Drive to the correct position. Councilmember Reed seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

**C. CONSIDERATION AND/OR AN APPROPRIATE ACTION ON ORDINANCE NO. 827 UPDATING THE ZONING MAP**

MOTION: Mayor Pro Tem Slaughter moved to approve Ordinance No. 827 updating the Zoning Map with Ordinance No. 825 noted (Lovejoy New Venture LLC permanent zoning approved earlier tonight). Councilmember Reed seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

**D. CONSIDERATION AND/OR AN APPROPRIATE ACTION ON ORDINANCE NO. 828 UPDATING THE THOROUGHFARE MAP**

MOTION: Councilmember Lynch moved to approve Ordinance No. 828 updating the Thoroughfare Map. Mayor Pro Tem Slaughter seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

**WORKSHOP - CONTINUED**

**DUBLIN ROAD SAFETY ISSUES**

Mayor Pettie inquired about the number of accidents on Dublin Road. City Administrator Olson said there have been 32 accidents in the Dublin "S" curve since 2018. Mayor Pettie discussed the many complaints about Dublin Road, noting the condition of the road and safety issues. Mayor Pettie and Councilmember Lynch asked for information and options. Various options were very costly including going out for a road bond to redo all of Dublin Road with drainage estimated at \$1 million. Council would like additional input from a road study. Staff was asked to gather additional information including speed along

Dublin Road, age of drivers, resident/non-resident, time of day of accident incidents, along with any safety options. Once staff has gathered the information, which may include engineering information to address road design a workshop will be set. It was stressed this information needs to be compiled quickly for safety reasons and for City needs (Comprehensive Plan and Capital Improvements).

## ADJOURN

Mayor Lee Pettie adjourned the meeting at 8:12 p.m.

APPROVED:

\_\_\_\_\_  
Mayor Lee Pettie

ATTESTED:

Approved on the 18th day  
of October, 2022.

\_\_\_\_\_  
Patti Scott Grey, City Secretary

**From:** Andy Redmond  
**Sent:** Tuesday, September 20, 2022 2:58 PM  
**To:**  
**Subject:** 9/20/22 Council Meeting request to be read for citizen input

Hello Mayor Pettle and Council:

I'm Andy Redmond (7275 Moss Ridge Rd.).

My input on tonight's agenda.

Item # 5--approval of plat/development:

Kindly vote no at this time due to the building moratorium and also I do not see any address of the drainage problems that the new neighbors seem to cause for the existing residents.

I'm sure you all are aware that the police/fire will blockage southbound traffic on McCreary, north of McWhirter(sp) during heavy rains due to street flooding and surrounding area flooding.

Item # 7: Budget

Why does an increase in City attorney salary/benefits impact the water department budget changes? Is the Atty's salary allocated to "water department" or is a second attorney salary/bene's within this budget? (i.e. presentation unclear as to why budget allocations are being made).

Item 8:

Enterprise Fleet Report--pertains to budget # 7 above, why are we buying new police (or any vehicles) if the old units are repairable? Modern vehicles have a life cycle for ten years or more. even expensive repairs such as engine or transmission replacement are far less costly and less affected by inflation than being within a bidding war for scare vehicles as is currently the case. Further, if a very new vehicle requires repairs (even if warrantable), the repair parts for new vehicles is impacted by supply chain, whereas slightly older vehicles not as much.

#10. Future workshops:

Comprehensive plan and Dublin Road:

Kudos on accelerating the comprehensive plan, this is long overdue by decades and should be the primary focus of council and city staff until an acceptable plan is provided to the residents.

Dublin Road--yes it needs repairs and that "curve" has been problematic for the approximate twenty five years I've lived in Parker or a nearby city.

The comprehensive plan should dictate road repair/improvement and maintenance budgets and repair priority, not "knee jerk" repairs which often fail within a couple of years.

Thanks for accepting my input.

Regards,  
 Andy



## Council Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: Administration
Fund Balance-before expenditure:	Prepared by: Trey Lansford City Attorney
Estimated Cost:	Date Prepared: 09/19/2022
Exhibits:	<a href="#">Proposed Resolution</a>

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-715 FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S ("ONCOR" OR COMPANY") APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE TO THE COMPANY AND LEGAL COUNSEL.

### SUMMARY

#### Purpose:

On May 13, 2022, Oncor Electric Delivery Company LLC ("Oncor" or "Company") filed an application with cities retaining original jurisdiction seeking to increase system-wide transmission and distribution rates by about \$251 million or approximately 4.5% over present revenues. The Company asks the City to approve an 11.2% increase in residential rates and a 1.6% increase in street lighting rates. The impact of this requested increase on an average residential customer using 1,300 kWh/month would be about \$6.02 per month.

In a prior City action, Oncor's rate request was suspended from taking effect for 90 days, the fullest extent permissible under the law. This time period has permitted the City, through its participation with the Steering Committee of Cities Served by Oncor ("Steering Committee"), to determine that the proposed rate increase is unreasonable. Consistent with



the recommendations of the experts engaged by the Steering Committee, Oncor's request for a rate increase should be denied.

Accordingly, the purpose of the Resolution is to deny the rate change application proposed by Oncor. Once the Resolution is adopted, Oncor will have 30 days to appeal the decision to the Public Utility Commission of Texas where the appeal will be consolidated with Oncor's filing (i.e. PUC Docket No. 53601) currently pending at the Commission.

All cities with original jurisdiction desiring to deny the rate change must adopt the Resolution ***prior to October 30, 2022.***

**Explanation of "Be It Resolved" Sections:**

1. This paragraph finds that the Company's application is unreasonable and should be denied.
2. This section states that the Company's current rates shall not be changed.
3. The Company will reimburse Cities for their reasonable rate case expenses. Legal counsel and consultants approved by Cities will submit monthly invoices that will be forwarded to Oncor for reimbursement.
4. This section merely recites that the resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.
5. This section provides Oncor and counsel for Cities will be notified of the City's action by sending a copy of the approved and signed resolution to counsel.

**POSSIBLE ACTION**

Approve the Resolution to deny Oncor's requested rate change; or

Reject the proposed Resolution allowing Oncor's new rate to take effect for the City.

Inter – Office Use			
<b>Approved by:</b>	Enter Text Here		
Department Head/ Requestor:		Date:	
City Attorney:	<i>Jrey Lansford</i>	Date:	
City Administrator:	<i>Luke B. Olson</i>	Date:	

**RESOLUTION NO. 2022-715**  
***(Denying 2022 Oncor Rate Change Application)***

**A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S ("ONCOR") APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY ONCOR; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO ONCOR AND STEERING COMMITTEE LEGAL COUNSEL; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Parker, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

**WHEREAS**, the City is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee"), a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area; and

**WHEREAS**, on or about May 13, 2022, Oncor filed with the City an application to increase system-wide transmission and distribution rates by \$251 million or approximately 4.5% over present revenues. The Company asks the City to approve an 11.2% increase in residential rates and a 1.6% increase in street lighting rates; and

**WHEREAS**, the Steering Committee is coordinating its review of Oncor's application and working with the designated attorneys and consultants to resolve issues in the Company's filing; and

**WHEREAS**, through review of the application, the Steering Committee's consultants determined that Oncor's proposed rates are excessive; and

**WHEREAS**, the Steering Committee's members and attorneys recommend that members deny the Application; and

**WHEREAS**, the City Council finds that it should adopt the Steering Committee's recommendation;

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

**SECTION 1.** The findings set forth in this Resolution are hereby incorporated herein as it set out fully.

**SECTION 2.** The rates proposed by Oncor to be recovered through its electric rates charged to customers located within the City limits are hereby found to be unreasonable and shall be denied.

**SECTION 3.** Oncor shall continue to charge its existing rates to customers within the City..

**SECTION 4.** The City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of the adoption of this Resolution.

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

**SECTION 6.** A copy of this Resolution shall be sent to Oncor, care of Howard Fisher, Oncor Electric Delivery Company, LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, Counsel to the Steering Committee, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Ave., Suite 1900, Austin, TX 78701.

**SECTION 7.** This Resolution shall become effective immediately upon passage and approval.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Parker, Texas, on this the 18th day of October, 2022.

**CITY OF PARKER:**

\_\_\_\_\_  
Lee Pettle, Mayor

**ATTEST:**

**APPROVED AS TO LEGAL FORM:**

\_\_\_\_\_  
Patti Scott Grey, City Secretary

\_\_\_\_\_  
Larence M. Lansford, III, City Attorney



## Council Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: Administration
Fund Balance-before expenditure:	Prepared by: Trey Lansford City Attorney
Estimated Cost:	Date Prepared: October 10, 2022
Exhibits:	<ol style="list-style-type: none"> <li>1. Proposed Resolution</li> <li>2. ERCOT's Membership Application and Agreement for Membership Year 2023</li> </ol>

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-716 AUTHORIZING THE MAYOR TO EXECUTE A 2023 MEMBERSHIP APPLICATION AND AGREEMENT BETWEEN THE CITY OF PARKER AND THE ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC.

### SUMMARY

#### Purpose:

The City of Parker is a member of the Steering Committee of Cities Served By Oncor (Steering Committee) which has historically intervened in Oncor rate proceedings and electric utility related rulemakings to protect the interests of municipalities and electric customers residing within municipal boundaries.

The Steering Committee recommends that its cities join membership in the Electric Reliability Council of Texas, Inc. (ERCOT). The City of Parker has not previously been an ERCOT member, however in 2022 137 other cities were.

The Resolution attached hereto would approve ERCOT's Membership Application and Agreement for Membership Year 2023, authorize the Mayor to sign said Agreement, and authorize the expenditure of funds for annual dues. If the City seeks to be a voting member, the executed agreement needs to be returned to ERCOT by Friday, November 18, 2022.

#### WHAT IS ERCOT?

ERCOT is the entity that is responsible for operating the electric grid in the deregulated portion of Texas. Furthermore, ERCOT maintains the set of complicated rules that frame the way that electricity is bought and sold in the deregulated wholesale market. Through a process of negotiation and deliberation within committees of interested parties, the ERCOT stakeholder process is constantly reviewing and revising these rules, known as the ERCOT protocols. Most of the issues

addressed at ERCOT are addressed nowhere else—the Public Utility Commission has largely delegated these issues to the ERCOT stakeholder process.

### **WHAT ROLE DO CITIES PLAY IN THE ERCOT PROCESS?**

Consumers, such as cities and other political subdivisions, have a voice in ERCOT’s decision-making process. Each segment of the ERCOT market has a vote on issues before ERCOT, through its representatives on the Technical Advisory Committee (“TAC”), the Wholesale Market Subcommittee (“WMS”), and the Retail Market Subcommittee (“RMS”).

TAC, WMS, and RMS are the bodies responsible for making the most important decisions about the detailed workings of the ERCOT market. These decisions can have bottom-line impacts on electricity prices. A total of 137 cities and other political subdivisions joined ERCOT in 2022. With this membership strength, cities successfully elected two city representatives to TAC and one director to ERCOT’s Board of Directors for 2022. A strong contingent of city members would make continuation of this strong presence likely for 2023.

As you know, consumers in ERCOT face constant efforts by power generators and power marketers to modify the electricity market in ways that would increase prices. In 2023, ERCOT and the PUC will continue their work on several major market redesign initiatives. As a result, Cities’ presence in the ERCOT process as a voice for consumers continues to be important.

### **WHAT DOES AN ERCOT MEMBERSHIP REQUIRE?**

The Membership Application and Agreement, along with payment of a \$100 membership fee.

### **POSSIBLE ACTION**

Approve the Resolution to authorize the execution of Membership Agreement and payment of dues; or

Reject the proposed Resolution and not seek ERCOT membership for year 2023.

Inter – Office Use			
<b>Approved by:</b>	Enter Text Here		
Department Head/ Requestor:		Date:	
City Attorney:	<i>Jrey Lansford</i>	Date:	
City Administrator:	<i>Luke B. Olson</i>	Date:	

**RESOLUTION NO. 2022-716**  
**(ERCOT Membership for 2023)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS AUTHORIZING THE MAYOR TO EXECUTE A 2023 MEMBERSHIP APPLICATION AND AGREEMENT BETWEEN THE CITY OF PARKER AND THE ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC; AUTHORIZING THE PAYMENT OF DUES AS REQUIRED FOR SAID MEMBERSHIP; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Parker, Texas is a regulatory authority under the Public Utility Regulatory Act (PURA) and has exclusive original jurisdiction over the rates and services of Oncor Electric Delivery Company, LLC (Oncor) within the municipal boundaries of the City; and

WHEREAS, the City of Parker is a member of the Steering Committee of Cities Served By Oncor (Steering Committee) which has historically intervened in Oncor rate proceedings and electric utility related rulemakings to protect the interests of municipalities and electric customers residing within municipal boundaries; and

WHEREAS, the Steering Committee recommends that cities join membership in the Electric Reliability Council of Texas, Inc. (ERCOT); and

WHEREAS, the City Council finds that such membership would be in the public interest;

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

**Section 1.** The recitals contained in the preamble of this resolution are incorporated into the body of this resolution as is set out fully herein.

**Section 2.** The City Council approves ERCOT's Membership Application and Agreement for Membership Year 2023 (the "Agreement") in the form attached hereto as Exhibit A and authorizes the Mayor to sign the Agreement on behalf of the City.

**Section 3.** The Mayor and City Administrator are further authorized the carry out all duties and obligations of the City pursuant to the Agreement, including but not limited to the payment of dues as identified in the Agreement.

**Section 4.** This Resolution shall be effective upon passage and approval.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Parker, Texas, on this the 18th day of October, 2022.

\_\_\_\_\_  
Lee Pettie, Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Patti Scott Grey, City Secretary

\_\_\_\_\_  
Larence M. Lansford, III, City Attorney



**ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC.  
MEMBERSHIP APPLICATION AND AGREEMENT FOR MEMBERSHIP YEAR 2023**

This Membership Application and Agreement for Membership Year 2023 (Agreement) is made and entered into by and between Electric Reliability Council of Texas, Inc. (ERCOT) and City of Parker, Tx (Applicant). In consideration of the mutual covenants contained herein Applicant hereby submits its application for ERCOT Membership (Membership) and agrees to be bound by the obligations of Membership as further described herein and the ERCOT Bylaws. ERCOT will review this application and will provide Member services and benefits described herein, subject to the terms and conditions of this Agreement and the ERCOT Bylaws, provided that Applicant meets the requirements to become an ERCOT Member (Member). This Agreement shall be effective as of the date that ERCOT provides written notice approving this application for Membership Year 2023 (Effective Date). Please note that being registered as a Market Participant is independent from being a Member. Membership is completely optional and does not interfere with your Market Participant status.

Capitalized terms that are not defined in this Agreement shall have the meaning as defined in the ERCOT Bylaws, as amended from time to time.

**A. Membership Application Information.**

**1. Legal Name of Applicant.**

Provide full corporate name and, if applicable, assumed “doing business as” name, of Applicant applying for Membership.

City of Parker, Texas

**2. Type of Membership.**

Select **ONE** of three available types of Membership below (that is, Corporate, Associate or Adjunct).

Members who are Affiliates (as defined in the ERCOT Bylaws) may hold only one Corporate Membership among such Members.

Other applicants applying for additional ERCOT Memberships, such as an Associate Membership, must use a separate Agreement for each Membership.

The applicable Annual Member Dues listed below for each Membership type provide Corporate Members with rights pursuant to the ERCOT Bylaws and entitle Members to services ERCOT provides such as hosting ERCOT meetings, providing Members with necessary information and such other Member services as ERCOT may from time-to-time offer.

☒ **Corporate.** Voting. \$2,000 per Membership Year (except Residential and Commercial Consumer Members' Annual Member Dues are \$100 per Membership Year). Corporate Membership includes the right to vote on matters submitted to the general Membership, such as election of Technical Advisory Committee (TAC) Representatives and TAC subcommittee representatives.

☐ **Associate.** Non-voting. \$500 per Membership Year (except Residential and Commercial Consumer Members' Annual Member Dues are \$50 per year). Associate Membership does not provide any voting rights for matters submitted to the general Membership. However, an Associate Member may be elected by Corporate Members to serve as a voting member of TAC or a TAC subcommittee.

☐ **Adjunct.** Non-voting. \$500 per Membership Year. Applicants not meeting the Segment requirements for Membership may join as Adjunct Members upon Board of Directors approval. Adjunct Membership does not provide any voting rights for matters submitted to the general Membership nor any right to be elected or appointed to TAC or a TAC subcommittee. Adjunct Members shall be bound by the same obligations as other Members.

### 3. **Payment of Annual Member Dues.**

The applicable Annual Member Dues must be paid and received by ERCOT by the Record Date, as determined pursuant to the ERCOT Bylaws and defined in Section B.3. below, in order for the Member to participate in the elections for the Membership Year 2023. **ERCOT has reduced staff available onsite to receive, distribute, and manage incoming postal mail, deliveries, faxes on a daily basis. As such, all Annual Member Dues shall be submitted by wire transfer. Please contact ERCOT at [membership@ercot.com](mailto:membership@ercot.com) for electronic funds transfer instructions.**

#### 4. **Segment Eligibility.**

Check **ONE** Segment designation, as further described in the ERCOT Bylaws, for which Applicant believes in good faith that Applicant is eligible.

☒ **Consumer.** Any entity meeting the definition for Residential Consumers, Commercial Consumers or Industrial Consumers as set forth in the ERCOT Bylaws.

Check **ONE** Subsegment designation:

- ☐ **Residential Consumer.** The appointed Board Director representing residential consumer interests, an organization or agency representing the interests of residential consumers in the ERCOT Region, or the Residential Consumer TAC Representative.
- ☒ **Small Commercial Consumer.** A commercial consumer having a peak demand of 1000 KW or less (or an organization representing such consumers).
- ☐ **Large Commercial Consumer** A commercial consumer having a peak demand greater than 1000 KW.
- ☐ **Industrial Consumer.** An industrial consumer with at least one meter with average monthly demand greater than 1 megawatt consumed within the ERCOT Region engaged in an industrial process.

An entity applying for ERCOT membership as a Residential Consumer, Small Commercial Consumer or Large Commercial Consumer is ineligible if that entity has interests in the electric industry in any other capacity than as an end-use consumer or represents the interests of another entity that has interests in the electric industry in any other capacity than as an end-use consumer.

☐ **Cooperative.** An Entity operating in the ERCOT Region that is:

- (i) A corporation organized under Chapter 161 of the Texas Utilities Code or a predecessor statute to Chapter 161 and operating under that chapter;
- (ii) A corporation organized as an electric cooperative in a state other than Texas that has obtained a certificate of authority to conduct affairs in the State of Texas;
- (iii) A cooperative association organized under Chapter 251 of the Texas Business Organizations Code or a predecessor to that statute and operating under that statute; or
- (iv) A River Authority as defined in Tex. Water Code §30.003.

☐ **Independent Generator.** Any entity that is not a Transmission and Distribution Entity (T&D Entity) or an Affiliate of a T&D Entity and that (i) owns or controls generation of at least 10 MW in the ERCOT Region; or (ii) is preparing to operate and control generation of at least 10 MW in the ERCOT Region, and has approval of the appropriate governmental authority, has any necessary real property rights, has given the connecting transmission provider written authorization to proceed with construction and has provided security to the connecting transmission provider.

☐ If Applicant is a Member in the Independent Generator segment for the current Membership Year, check this box to confirm that as of the date of this Application, Applicant and/or one or more Affiliates is registered as a Power Generation Company (PGC) with the Public Utility Commission of Texas (PUCT) with respect to generation of at least 10 MW in the ERCOT Region.

If Applicant is **not** a Member in the Independent Generator segment for the current Membership Year, please include with this Application a copy of PGC registration(s) with the PUCT for Applicant and/or its Affiliates for generation of at least 10 MW in the ERCOT Region.

☐ **Independent Power Marketer.** Any entity that is not a T&D Entity or an Affiliate of a T&D Entity and is registered at the PUCT as a Power Marketer to serve in the ERCOT Region.

☐ **Independent Retail Electric Provider (REP).** Any entity that is certified by the PUCT to serve in the ERCOT Region as a Retail Electric Provider under PURA §39.352 and that is not an Affiliate of a T&D Entity.

☐ **Aggregator.** For purposes of Segment classification, an aggregator may register to participate in this Segment if unable to qualify in any other Segment.

☐ **Investor-Owned Utility.**

- (i) An investor-held, for-profit “electric utility” as defined in PURA §31.002(6) that:
  - (a) Operates within the ERCOT Region;
  - (b) Owns 345 kV interconnected transmission facilities in the ERCOT Region;
  - (c) Owns more than 500 pole miles of transmission facilities in the ERCOT Region; or
  - (d) Is an Affiliate of an entity described in (a), (b) or (c); or
- (ii) A public utility holding company of any such electric utility.

☐ **Municipal.** An entity operating in the ERCOT Region that owns or controls transmission or distribution facilities, owns or controls dispatchable generating facilities, or provides retail electric service and is either:

- (i) A municipally owned utility as defined in PURA §11.003 or
- (ii) A River Authority as defined in Tex. Water Code §30.003.

## 5. Identification of Applicant's Designated Representative and Designated Representative Alternate.

### a. Designated Representative.

ERCOT requires Applicant to designate an official representative in order for ERCOT to conduct ERCOT's corporate business (that is, for ERCOT to provide notice to each of its Members and for Members to participate and/or vote at Membership meetings, as applicable). Applicant identifies its designated representative for required notices to ERCOT Members, participation in meetings of the Corporate Members and voting issues, as applicable, as follows:

Name: Lee Pettle  
 Title: Mayor  
 Address: 5700 E. Parker Road  
 City, State, Zip: Parker, Texas 75002  
 Phone: 972-442-6811  
 Email: lpettle@parkertexas.us

### b. Designated Representative Alternate.

In the event that ERCOT is unable to contact Applicant's designated representative for any reason after reasonable attempts, Applicant identifies a designated representative alternate to receive required notices to ERCOT Members and to participate in meetings of the Corporate Members and voting issues, as applicable, as follows:

Name: Luke Olson  
 Title: City Administrator  
 Address: 5700 E. Parker Road  
 City, State, Zip: Parker, Texas 75002  
 Phone: 972-442-6811  
 Email: lolson@parkertexas.us

## 6. Identification of Other Members who are Affiliates of Applicant.

Applicant identifies other ERCOT Memberships held by Applicant or Affiliates of Applicant, if any (attach extra pages if necessary) as:

(a) Member name: \_\_\_\_\_  
Segment: \_\_\_\_\_

(b) Member name: \_\_\_\_\_  
Segment: \_\_\_\_\_

(c) Member name: \_\_\_\_\_  
Segment: \_\_\_\_\_

## B. Membership Agreement.

1. **Membership.** Any entity that qualifies for any of the Segment definitions set forth in the ERCOT Bylaws is eligible for Membership. Members must be an organization that either operates in the ERCOT Region or represents consumers within the ERCOT Region as provided in the ERCOT Bylaws. Members may join as a Corporate, Associate or Adjunct Member subject to the criteria set forth in the ERCOT Bylaws. Applicants must apply for Membership through an authorized officer or agent.

2. **Term.** The Membership Year 2023 begins on January 1, 2023, and ends on December 31, 2023. The term of this Agreement begins on the Effective Date and ends on December 31, 2023.

3. **Record Date.** The record date for Membership Year 2023 is Friday, November 18, 2022 (Record Date). Only applicants who have been approved as Corporate Members for Membership Year 2023 as of the Record Date shall be provided notice of the Annual Membership Meeting on December 20, 2022.

4. **Membership Dues.** Annual Member Dues are provided in the ERCOT Bylaws. Any change in or waiver of Annual Member Dues must be approved pursuant to the procedures set forth in the ERCOT Bylaws. Any change in Member Dues for a particular category of Members shall automatically become effective as to all ERCOT Members without the necessity of amending this Agreement.

All Memberships must be renewed annually. Annual Member Dues renewals shall be due by the Record Date for the Annual Membership Meeting. Annual Member Dues will not be prorated.

Any Applicant may request that the Member's Annual Member Dues be waived for good cause shown.

5. **Application for Membership.** Applicant must submit the following items in order to apply for Membership:

- (i) Payment of the applicable Annual Member Dues;
- (ii) A copy of this Agreement, signed by an authorized representative of Applicant; and
- (iii) For Independent Generator segment applicants that are not Members in the Independent Generator segment for the current Membership Year, a copy of PGC registration(s) with the PUCT for Applicant and/or its Affiliates for generation of at least 10 MW in the ERCOT Region.

**For the reasons stated in Paragraph 3, all Annual Member Dues shall be submitted by wire transfer and all signed Applications for Membership shall be submitted by email to [membership@ercot.com](mailto:membership@ercot.com).**

Upon receipt of payment and a signed copy of this Agreement, ERCOT will promptly notify Applicant of Membership status in writing, whether approved or not.

6. **Change of Designated Representative or Designated Representative Alternate.** All ERCOT Members shall maintain current contact information on file with ERCOT for their designated representative and designated representative alternate. An ERCOT Member may change its designated representative or designated representative alternate at any time by written request of a duly authorized representative of the ERCOT Member submitted to the ERCOT Legal Department at [membership@ercot.com](mailto:membership@ercot.com).

7. **Changes in Affiliates.** All ERCOT Members are required to notify ERCOT of any changes in their Affiliates in accordance with the ERCOT Bylaws.

8. **Suspension and Expulsion.** All ERCOT Members shall abide by the ERCOT Bylaws, as they may be amended from time to time, and any other rule or regulation duly adopted by the Board of Directors. Any ERCOT Member who violates any provision of this Agreement, the ERCOT Bylaws, or any other rule or regulation duly adopted by the Board of Directors may be reprimanded, suspended, and/or expelled in accordance with procedures adopted by the Board of Directors or set forth in the ERCOT Bylaws. Such action will affect all entities deriving Membership privileges through such ERCOT Member. Suspension and expulsion are cumulative and non-exclusive remedies that may be pursued against Applicant or any other ERCOT Member in addition to any other remedy available under the Standard Form Market Participant Agreement, any other agreement executed by the ERCOT Member, or any other applicable statutes, laws, rules, or regulations.

9. **Amendment.** This Agreement may be amended, modified, superseded, canceled, renewed, or extended and the terms and conditions hereof may be



waived only by a written instrument executed by both parties hereto or, in the case of a waiver, by the party waiving compliance.

10. **Governing Law.** This Agreement shall be governed by and construed and interpreted in accordance with the laws of the State of Texas that apply to contracts executed in and performed entirely within the State of Texas, without reference to any rules of conflict of laws. Parties consent to the exclusive jurisdiction of Texas.

IN WITNESS WHEREOF, Applicant certifies that:

- (i) Applicant meets the requirements for ERCOT Membership in the Segment designated herein;
- (ii) All information provided herein is true and correct to the best of Applicant's knowledge;
- (iii) The signatory for Applicant is a representative authorized by Applicant with authority to bind Applicant contractually; and
- (iv) Through the signature of its authorized representative below, Applicant agrees to be bound by the terms of this Agreement, the ERCOT Bylaws, applicable ERCOT Protocols, and any other requirements duly adopted by the Board of Directors or required by the PUCT or applicable law.

**APPLICANT**

City of Parker, Texas

By: \_\_\_\_\_

Printed Name: Lee Pettie

Title: Mayor

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Larence M. Lansford, III, City Attorney



## Council Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: Administration
Fund Balance-before expenditure:	Prepared by: Trey Lansford City Attorney
Estimated Cost:	Date Prepared: 10/12/2022
Exhibits:	<ol style="list-style-type: none"> <li>1. <a href="#">Proposed Resolution</a></li> <li>2. <a href="#">Copy of Sections 97.11 and 97.14 of the Code of Ordinances</a></li> </ol>

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-717 REGARDING THE SUSPENSION OF SELECT PARK RULES PURSUANT TO PARKER CODE OF ORDINANCE SECTION 97.11 FOR PARKERFEST 2022 ON SUNDAY, OCTOBER 30, 2022 FROM 1:00 P.M. TO 7:00 P.M. UPON SATISFYING CERTAIN CONDITIONS.

### SUMMARY

Parkerfest 2022 is set to be held in The Preserve on Sunday, October 30, 2022 from 3:00 p.m. to 6:00 p.m. Games, activities, food, drink, live music, and vendors are expected to be part of the event.

Because The Preserve is a city park, generally the Park Rules found in Section 97.11 of the Parker Code of Ordinances. Several of these Rules would prohibit several of the expected events and vendors. These Rules include:

- “... (1) No motorized vehicles, except for wheelchairs for the disabled, are allowed in any park, trail, or sidewalk, except within designated parking areas...
- ...(10) To distribute, post, place, or erect any advertising, handbill, circular, bill, notice, paper, or other advertising device...
- ...(11) To sell or offer for sale any food, drinks, confections, merchandise, or services...
- ... (19) To park or operate any truck-tractor, trailer, semitrailer, pole-trailer in a park facility parking lot at any time...
- ... (22) To advertise, solicit, and/or conduct a business in the park in any manner that either creates a disturbance to other park guests, or displaces other park

guests in the park, or involved more than 2 representatives of the business, or which occurs for more than 1 hour in any 3-day period...[and]  
 ...(24) To use or operate mechanical or amplified music, sound or voice.”

Subsection (B) of 97.11 allows the City to approve the waiver of Park Rules for good cause. Further, Section 97.14 states that City sponsored events or use of park facilities may be exempt from the Park Rules as reasonably necessary for the operation of the event.

The proposed resolution would waive the six rules itemized above between the hours of 1:00 p.m. and 7:00 p.m. for the set-up, operation, and clean-up of Parkerfest 2022.

### **POSSIBLE ACTION**

Approve the Resolution or  
 Reject the proposed Resolution.

Inter – Office Use			
<b>Approved by:</b>	Enter Text Here		
Department Head/ Requestor:		Date:	
City Attorney:	<i>Jrey Lansford</i>	Date:	
City Administrator:	<i>Luke B. Olson</i>	Date:	

**RESOLUTION NO. 2022-717**  
*(Park Rules Suspension for Parkerfest 2022)*

**A RESOLUTION SUSPENDING CERTAIN PARK RULES APPLICABLE TO THE PRESERVE, A CITY PARK, PURSUANT TO SECTION 97.11 OF THE PARKER CODE OF ORDINANCES FOR PARKERFEST 2022 ON SUNDAY, OCTOBER 30, 2022 FROM 1:00 P.M. TO 7:00 P.M., UPON SATISFYING CERTAIN CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Parker, Texas (the City) through the Parks and Recreation Commission (“P&R”) will host the Parkerfest 2022 event on Sunday, October 30, 2022 as a community event (“Parkerfest”); and

WHEREAS, P&R has requested that they be allowed to have vendors at the event to sell food, drink, confections, merchandise, and/or services at Parkerfest; and

WHEREAS, P&R has also requested that a live band be allowed to play amplified music at the event; and

WHEREAS, Section 97.11(A) of the Parker Code of Ordinances states, in part, that the following activities are unlawful in the limits of a City park:

“... (1) No motorized vehicles, except for wheelchairs for the disabled, are allowed in any park, trail, or sidewalk, except within designated parking areas...

...(10) To distribute, post, place, or erect any advertising, handbill, circular, bill, notice, paper, or other advertising device...

...(11) To sell or offer for sale any food, drinks, confections, merchandise, or services...

... (19) To park or operate any truck-tractor, trailer, semitrailer, pole-trailer in a park facility parking lot at any time...

... (22) To advertise, solicit, and/or conduct a business in the park in any manner that either creates a disturbance to other park guests, or displaces other park guests in the park, or involved more than 2 representatives of the business, or which occurs for more than 1 hour in any 3-day period...[and]

...(24) To use or operate mechanical or amplified music, sound or voice.” ; and

WHEREAS, pursuant to Section 97.11(B) of the Parker Code of Ordinances, the City may approve in advance the waiver of park rules for good cause; and

WHEREAS, Section 97.14 of the Parker Code of Ordinances states that “City sponsored events or use of park facilities may be exempt from all or a portion of the provisions of § 97.11 as is reasonably necessary for operation of the event”; and

WHEREAS, the City Council deems it in the public interest and that good cause has been shown to waive the six rules specified above for and during Parkerfest on Sunday, October 30, 2022, so long as certain conditions are met;

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

**Section 1.** The findings set forth in the preamble of this Resolution are incorporated by reference into the body of this Resolution as if fully set forth herein.

**Section 2.** Subject to the following conditions, Sections 97.11(A)(1), (10), (11), (19), (22), and (24) are hereby waived for Parkerfest 2022, on Sunday, October 30, 2022, from 1:00 p.m. to 7:00 p.m., to be held at the Preserve, located at 5700 E. Parker Road, Parker, Texas 75002:

1. The Parks & Recreation Commission shall be responsible for rental of any booth or space necessary by vendors.
2. Vendors at the event shall abide by all laws, resolutions, rules, and regulations, and shall be responsible to obtain any temporary license(s) and permit(s) necessary for the selling of their respective items, including but not limited to, alcoholic beverages.
3. Any vendor must agree to indemnify the City of Parker against any liability incident to the selling of their respective products at Parkerfest 2022.

**Section 3.** This Resolution shall be effective upon passage and approval.

**DULY RESOLVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 18TH DAY OF OCTOBER, 2022.**

\_\_\_\_\_  
Lee Pettie, Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Patti Scott Grey, City Secretary

\_\_\_\_\_  
Larence M. Lansford, III, City Attorney

## § 97.11 UNLAWFUL ACTS.

(A) Within the limits of any city park, or designated city open space, it shall be unlawful for any person to do any of the acts hereinafter specified, except as may be otherwise provided:

(1) No motorized vehicles, except for wheelchairs for the disabled, are allowed in any park, trail, or sidewalk, except within designated parking areas.

(2) To damage, move, alter, cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench, equipment, or other structure, apparatus or property, or to pluck, pull up, cut, take, or remove any shrub, bush, plant or flower, or to mark or write upon, paint, or deface in any manner, any building, monument, fence, bench, equipment or other structure;

(3) To cut or remove any wood, turf, grass, soil, rock, sand, gravel, or fertilizer;

(4) To make or kindle a fire except in picnic stoves, braziers, fire pits, or designated areas provided for that purpose;

(5) To place, abandon, or leave garbage, cans, bottles, papers, or other refuse in any park except in proper waste receptacles;

(6) To participate or engage in any activity in any park area when such activity will create a danger to the public or may be considered a public nuisance;

(7) To camp overnight, without written permission of the City Administrator or Mayor;

(8) To possess or consume any alcoholic beverage;

(9) To disturb in any manner any picnic, meeting, service, concert, exercise, or exhibition;

(10) To distribute, post, place, or erect any advertising, handbill, circular, bill, notice, paper, or other advertising device;

(11) To sell or offer for sale any food, drinks, confections, merchandise, or services.

(12) To place or dump any trash, refuse, solid waste, grass clippings, leaves, or other objectionable or unsightly matter in any park; and/or

(13) To conduct or participate in any tournament, camp, or organized sporting activity which has not been specifically authorized by the City Administrator or Mayor or which conflicts with a scheduled activity or event authorized by the City Administrator or Mayor.

(14) To carry a firearm, except those persons who are peace officers or are duly licensed by the State of Texas to carry a concealed handgun in accordance with the provisions of the Texas Concealed Handgun License Laws, as amended.

(15) To discharge firearms, fireworks, BB guns, air guns, bow and arrow, sling shots, blow guns, rockets, or paint ball guns.

(16) To swim, bathe, wade in or pollute the water of any fountain, pond, lake or stream.

(17) To remain, stay or loiter in the area of the park between the hours of 11:00 p.m. and 5:00 a.m. inclusive, every day of the week.

(18) To enter into/onto the wooden structure in the Preserve known as the “Barn,” including its loft, stairs, roof; and/or all other structures or areas as restricted by signage.

(19) To park or operate any truck-tractor, trailer, semitrailer, pole-trailer in a park facility parking lot at any time.

(20) For the owner or person with possession or custody of a domestic animal to allow the animal to defecate in the park without immediate removal and disposal of such feces in proper waste receptacles.

(21) To discard, abandon, litter, or break any glass container. No glass beverage containers are permitted in the park.

(22) To advertise, solicit, and/or conduct a business in the park in any manner that either creates a disturbance to other park guests, or displaces other park guests in the park, or involves more than 2 representatives of the business, or which occurs for more than 1 hour in any 3-day period.

(23) To use or operate any gas operated remote controlled airplanes; boat, car, drone or other motorized, model device, including radio-controlled devices such as helicopters; parasail, hang glider or hot air balloons, in any manner that either creates a disturbance to other park guests, or displaces other park guests in the park.

(24) To use or operate mechanical or amplified music, sound or voice.

(B) One or more of the rules above may be waived for good cause, in advance, by the city, upon written request by an applicant.

(Ord. 608, passed 2-27-2007; Am. Ord. 722, passed 1-20-2015) Penalty, see § [97.99](#)

## **§ 97.14 CITY-SPONSORED EVENTS.**

City sponsored events or use of park facilities may be exempt from all or a portion of the provisions of § [97.11](#) as is reasonably necessary for operation of event.

(Ord. 608, passed 2-27-2007; Am. Ord. 722, passed 1-20-2015)





## Council Agenda Item

Budget Account Code:	Meeting Date: October 18, 2022
Budgeted Amount:	Department/ Requestor: Luke B. Olson City Administrator
Fund Balance-before expenditure:	Prepared by: Luke B. Olson
Estimated Cost:	Date Prepared: July 13, 2022
Exhibits:	<ol style="list-style-type: none"> <li>1. Resolution</li> <li>2. Capital Asset Policy and Procedure (Exhibit A)</li> </ol>

### AGENDA SUBJECT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS ADOPTING THE CAPITAL ASSET POLICY AND PROCEDURES ATTACHED HERETO AS EXHIBIT A; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

### SUMMARY

The goal of the capital asset inventory system and this policy is to provide control and accountability over capital assets the City of Parker owns/leases.

The policy and procedures laid out in the policy are minimum requirements for capital assets the City of Parker departments must meet. City Staff is currently updating/building a capital asset registry. This policy defines requirements for the recording and disposition of capital assets based on valuation criteria.

### POSSIBLE ACTION

1. Approve the Resolution adopting the Capital Asset Policy;
2. Not approve the Resolution adopting the Capital Asset Policy;
3. Postpone the item.

Inter – Office Use			
<b>Approved by:</b>	Enter Text Here		
Department Head/ Requestor:	<i>Luke B. Olson</i>	Date:	Enter Text Here
City Attorney:	<i>Trey Lansford</i>	Date:	Enter Text Here
City Administrator:	<i>Luke B. Olson</i>	Date:	Enter Text Here

**RESOLUTION NO. 2022-706**  
**(2021-2022 Capital Asset Policy)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS ADOPTING THE CAPITAL ASSET POLICY AND PROCEDURES ATTACHED HERETO AS EXHIBIT A; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council has considered the need for a Capital Asset Policy and Procedure (“CAP”) for the City; and

**WHEREAS**, the City Council has reviewed the attached CAP and determined it is in the best interest of the City to approve of the policy;

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

**SECTION 1.** The recitals contained in the preamble of this resolution are incorporated into the body of this resolution as is set out fully herein.

**SECTION 2.** The City of Parker Capital Asset Policy and Procedures, attached hereto as Exhibit A, is hereby adopted and shall govern the tracking, maintenance, and disposal of capital assets for the City from and after the effective date of this resolution.

**SECTION 3.** All provisions of the resolutions of the City of Parker, Texas, in conflict with the provisions of this resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this resolution shall remain in full force and effect.

**SECTION 4.** Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this resolution be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said resolution which shall remain in full force and effect.

**SECTION 5.** This resolution shall become effective immediately from and after its passage.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Parker, Texas, on this the 18<sup>th</sup> day of October, 2022.

**CITY OF PARKER:**

\_\_\_\_\_  
Lee Pettle, Mayor

**ATTEST:**

**APPROVED AS TO LEGAL FORM:**

\_\_\_\_\_  
Patti Scott Grey, City Secretary

\_\_\_\_\_  
Larence M. Lansford, III, City Attorney

# **City of Parker, Texas**

## **Capital Asset Policy and Procedures**

### **Effective October 18, 2022**

#### **1.1 Policy Goal**

The goal of a capital asset inventory system and this policy is to provide control and accountability over capital assets.

These policies and procedures are the minimum requirements for capital assets that departments must meet. A department may maintain its capital asset inventory system in greater detail, or use additional supporting documentation, as long as they meet the required minimum standards.

#### **1.2 Authority**

The City of Parker requires all departments to use this policy to protect and report on assets held by the City.

#### **1.3 Responsibility**

The responsibility for the custody, use, control, and care of City property lies with each City department. The Department Director should ensure that the department maintains adequate internal control procedures, that are approved by the City Administrator or Mayor and City Council. These internal control procedures must comply with City ordinances, resolutions, policies, rules, and requirements. It is each City employee's responsibility to use property only for City purposes and to exercise reasonable care for its safekeeping.

Additions, disposals, and transfer of capital assets will be recorded in accordance with GAAP (Generally Accepted Accounting Principles). The Finance Department will tag capital assets on a regular basis, with the assistance of the department in possession of the capital assets.

#### **2.0 Capital Assets Defined**

Capital assets are real or personal property that have a value equal to or greater than the capitalization threshold for the particular classification of the asset, as hereinafter defined, and have an estimated life of longer than one year.

Assets which are purchased, constructed, or donated that meet or exceed established capitalization thresholds will be recorded by the City.

Capital assets include: land, land improvements, buildings, building improvements, machinery and equipment, computer equipment, vehicles and heavy equipment, infrastructure, and construction in progress.

Fixed asset components having a unit cost under the City's threshold amount should be capitalized if they are originally purchased as part of a system and the system has a value equal to or exceeding the capitalization threshold. To track on a group basis, items must have the same characteristics, purchase/in-line service date, class code, and be visually identifiable as logically belonging to the group.

### **3.0 Capitalization Thresholds**

With the exception of assets acquired with grant funds, which will be capitalized based on grant agreement and guidelines, and the acquisition of vehicles, the capitalization threshold is established for each capital asset category as follows:

<b><u>Asset Category</u></b>	<b><u>Minimum</u></b>
Land	\$1
Land Improvements	\$12,500
Building	\$25,000
Building Improvements	\$25,000
Computer Equipment	\$25,000
Machinery and Equipment	\$2,500
Infrastructure	\$25,000

Donated capital assets will be recorded at their estimated fair market value at the time of acquisition plus ancillary charges.

### **4.1 Capital Asset Categories**

#### **4.2 Land**

Land is to be capitalized but not depreciated. It is recorded at historical cost and remains at that cost until disposal. The following ancillary costs should be included as part of the cost of land: commissions; professional fees; grading; removal, relocation, or reconstruction of property of others; other costs incurred in acquiring the land. All land will be capitalized regardless of cost.

#### **4.3 Land Improvements**

Land improvements consist of re-conditioning, other than buildings that prepare land for its intended use. Examples include retaining walls, parking lots, sidewalks, outdoor lighting, fencing/gates, landscaping, sprinkler systems, fountains, sport fields, or bleachers.

#### **4.4 Buildings**

Buildings should be recorded at either their acquisition cost or construction cost. Ancillary costs for buildings include professional fees, damage payments, costs of fixtures permanently attached to a building or structure, insurance premiums, interest, and related costs incurred during construction, and any other cost necessary to place a building or structure into its intended location and condition for use.

#### **4.5 Building Improvements**

Building improvements that extend the useful life of the building by more than 25% should be capitalized. Examples of building improvements

include major roofing projects that tear the original roof down to the joints or peak a flat roof, major energy conservation projects, or additions to buildings.

#### **4.6 Machinery and Equipment**

Machinery and equipment are tangible assets to be used for operations, the benefits of which extend beyond one year from date of acquisition and rendered into service. Examples of this category are office equipment, audiovisual equipment, machinery, furniture and fixtures, and lawn equipment. Ancillary costs include freight and storage costs, installation costs, and professional fees.

#### **4.7 Computer Equipment**

Computers and software which meet or exceed the capitalization threshold will be capitalized. Ancillary costs for computer equipment will follow the same basic guidelines as the machinery and equipment category.

#### **4.8 Vehicles and Heavy Equipment**

Motored vehicles and heavy equipment will be capitalized regardless of cost or value. Any additional equipment required in placing the vehicle in operation and that adds value to the vehicle will be capitalized. Examples of these additions are lettering, sirens, light bars, and tool boxes.

#### **4.9 Infrastructure**

Infrastructure assets are long-lived assets that normally are stationary in nature and can be preserved for a significantly greater number of years than most capital assets. Examples of infrastructure assets include streets, roads, bridges, sidewalks, street signs, street and traffic lighting, and storm, water, and sewer drainage systems.

#### **4.10 Construction in Progress**

Construction in progress is the economic construction activity status of buildings and other structures, infrastructures, additions, reconstruction, which are substantially incomplete. Construction in progress assets should be capitalized to their appropriate capital asset categories upon the completion or when the asset is placed into service.

### **5.0 Repairs and Maintenance**

The following will determine if maintenance or repair should be capitalized or expensed. With respect to asset improvements, costs over \$5,000 should be capitalized if:

1. The estimated life of the asset is extended by more than 25%;
2. The cost results in an increase in the capacity of the asset;
3. The efficiency of the asset is increased by more than 10%; or
4. Significantly changes the character of the asset.

Maintenance costs allow an asset to continue to be used during its originally established useful life. Maintenance costs are expenses in the period incurred. The following improvements will not significantly increase the estimated life, capacity, or efficiency of the asset and therefore will be considered maintenance and will not be capitalized: tuckpointing, roof repair or replacement (unless it extends the life of the building by more than 25%, such as replacing a flat roof

with a pitched roof), window replacement (unless replaced with energy efficient windows), repainting, re-carpeting, remodeling (converting) a building to a different use, where remodeling does not extend the useful life of the structure itself, etc. For equipment, maintenance contracts will not be capitalized.

## **6.0 Depreciation**

Depreciation is the process of allocating the cost of tangible property over its estimated useful life. Depreciation will be calculated using the straight-line method. In straight-line depreciation, the cost of the asset is pro-rated over the estimated useful life of the asset. The salvage value of all depreciable assets will be zero. For proprietary type funds, the depreciation amounts calculated are reported in the general ledger. For governmental type funds, the depreciation amounts are not reported at the fund level in the account of the governmental funds, only in the Comprehensive Annual Financial Report (C.A.F.R.).

All assets will be reported until disposal. When capital assets are sold, or otherwise disposed of, the historical cost of such assets and any accumulated depreciation are removed from asset accounts. Land is deemed to be inexhaustible; therefore, it will not be depreciated. Construction in progress is not depreciated until the asset is placed into service.

## **7.0 Tagging of Capital Assets**

The purpose of capital asset tagging is to facilitate accounting for the asset, aid in its identification if the asset is stolen, and to discourage theft. All movable capital assets will be physically tagged by using a standardized adhesive tag with the following information:

City of Parker Property, optional bar code, and an assigned control number (capital asset number).

Occasionally, it will be impractical to physically tag items such as vehicles, land, buildings, infrastructure, and improvements other than building assets. Instead, a capital asset number will be assigned.

Control and accountability of vehicles will be based on the VIN number and unit number assigned by the City's Fleet Management.

## **8.0 Capital Asset Recording**

Once assets are assigned an identification number, the Finance Department will update the Fixed Asset System by entering each capital asset in the system and including the following information:

Asset Identification Number  
Asset Description Serial  
Number (if applicable)  
Date of Acquisition  
Acquisition cost  
Asset Class Type  
Purchase Order Number (if applicable)  
Physical Location  
Asset Life  
Vendor Name (if applicable)



Department Responsible for Asset  
Fund/Account Purchasing Asset  
Method of Acquisition  
Date and Method of Disposition  
Asset Classification (Government/Proprietary)

## **9.0 Disposal of Capital Assets Owned**

Disposal of Capital Assets other than Real Property shall be in accordance with Resolution No. 2010-295 as may be amended.

Disposal of Real Property Capital Assets shall be in accordance with State Law.

## **10.0 Leased Equipment**

Equipment should be capitalized if the lease agreement is non-cancelable and meets any one of the following criteria:

1. The lease transfers ownership of the property by the end of the lease term.
2. The lease contains a bargain purchase option. The lease term is equal to 75% or more of the estimated economic life of the leased property.
3. The present value of the minimum lease payments at the inception of the lease, excluding executory costs, equals at least 90% of the fair value of the leased property.

## **11.0 Leased Vehicles**

Disposal of leased vehicles will be in accordance with the terms and conditions of the lease. Department directors will review and make sure any equipment owned by the City of Parker will be removed before turning leased vehicle back over to leasing company.

**RESOLUTION NO. 2010-295**  
***(City Surplus and Salvage Items)***

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER,  
COLLIN COUNTY, TEXAS PROVIDING A PROCEDURE FOR THE  
DISPOSITION OF SURPLUS OR SALVAGE PROPERTY OF THE CITY.**

**WHEREAS,** the City Council of the City of Parker is authorized to remove from service any City property that is deemed unserviceable, unusable or surplus; and

**WHEREAS,** the City Council of the City of Parker desires to establish a revised procedure for disposal of salvage and surplus property;

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

**SECTION 1. Limit of Application.** The provisions of this Resolution shall not apply if real property is involved.

**SECTION 2. Selection and Valuation of Property; Notice to Mayor.** When a department head of the city has property to dispose of, the Mayor, or his designee, shall be notified of that fact. The information on a form prepared for the purpose shall fairly describe each item of personal property by make, model, year, size or other appropriate identifier, along with the department head's estimate of the present market value of the property, and the basis of that estimate. The form shall also state the proposed method of disposition (public sale, sealed bids, auction (live or Internet), exchange, donation, or other). If the property is to be exchanged, then the notice shall fully describe the property to be acquired in the exchange. Disposition methods proposed shall favor re-use, or recycling of surplus and salvage property.

**SECTION 3. Disposition Approval.**

(A) If the estimated present market value of the property is less than or equal to One Thousand Dollars (\$1,000.00), the City Administrator's office may proceed to dispose of the personal property, in accordance with the procedures stated below. The property may not be disposed of prior to the third business day after giving notice to the Mayor, unless the Mayor objects to the disposition during that time period.

(B) If the estimated present market value is more than One Thousand Dollars (\$1,000.00), the Mayor must approve of the disposal of the property, in writing. The City Administrator shall then proceed to sell the property to the highest bidder by auction, public sale, or similar means consistent with the procedures stated below.

**SECTION 4. Method of Disposal.** The method of disposal for items valued at less than One Thousand Dollars (\$1,000.00) shall be by public sale, sealed bid, auction, exchange, donation,

or other as approved by the Mayor or his designee. There is no requirement to advertise the disposition of city-owned surplus property prior to disposal other than advertisement mechanisms provided by auctioneer and/or local newspaper for a minimum of two weeks. However, before disposing of abandoned or confiscated property seized by the police department, compliance with the notice requirements of article 18.17 of the Texas Code of Criminal Procedures is required.


**SECTION 5. Acceptance or Rejection of Bids and Award Thereof.** In a disposition based on sealed bids or auction, at the city administrator's discretion, all bids may be rejected, if they do not represent adequate compensation to the city for the property involved. If the city administrator desires to award the bid, it shall be awarded to the highest and best bid.

**SECTION 6. Effective Date.** This Resolution shall become effective upon its passage. Prior Resolution No. 2008-283 is repealed.


**APPROVED** by the City Council of the City of Parker, Collin County, Texas on this the 12<sup>th</sup> day of July, 2010.

APPROVED:




  
Joe Cordina, Mayor

ATTEST:

  
Carrie Smith, City Secretary

APPROVED AS TO FORM:

  
James E. Shepherd, City Attorney



## Council Agenda Item

Budget Account Code:	Meeting Date:	See above.
Budgeted Amount:	Department/ Requestor:	Council
Fund Balance-before expenditure:	Prepared by:	ACA/CS Scott Grey
Estimated Cost:	Date Prepared:	October 9, 2022
Exhibits:	<b><u>None</u></b>	

### AGENDA SUBJECT

#### UPDATE(S):

ANY COMMITTEE UPDATES, AS NEEDED.

#### MONTHLY/QUARTERLY REPORTS

[September 202 - Building Permit/Code Report](#)

[September 2022 – Court Report](#)

[September 2022 – Finance \(monthly financials\) Report](#)

[Investment 3rd Qtr. Report 2022](#)

[September 2022 – Police Report](#)

[September 2022 – Republic Services Inc., dba Allied Waste Services of Plan](#)

[September 2022 – Website \(PIWIK\) Report](#)

ACCEPTANCE OF DONATION(S) FOR POLICE, FIRE, AND CITY STAFF FOR THE RECORD (Each valued at between \$0 - \$500)

AJ Siebert of VC3 Inc. Cyber Security donated one half dozen cookies from Tiff's Treats valued at \$10.00.

Paul Lopez & the ARBH Tax Section donated one dozen cookies from Tiff's Treats valued at \$20.00.

Sudheir Sakaria donated snacks valued at \$40.00.

Dublin Road Estates donated \$245 to Parker Police and \$245 to Parker Fire Departments via Charles C. and Kristl A. Pearl.

Phil & JoAnn DeNitto donated \$100 to Parker Police and \$100 to Parker Fire Departments.

Maryam Boroujerdi donated one dozen Bundt cakes valued at \$23.00.

Nina Cook of Houston, TX donated chips valued at \$20.00.

The Regh Family donated Nothing Bundt Bundtinis value \$25.00.

First United Bank of Durant, OK donated \$500 to Parkerfest.

### SUMMARY

Please review information provided.

### POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
<b>Approved by:</b>	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	10/13/2022
City Attorney:	<i>Trey Lansford</i>	Date:	10/13/2022
City Administrator:	<i>Luke B. Olson</i>	Date:	10/14/2022

**CHARLES C PEARL**  
**KRISTL A PEARL**  
 5303 ESTATE LN  
 PARKER, TX 75094-3018

1528  
 30-7426/3140

5/5/22 Date

Pay to the  
 Order of

City of Parker

\$ 245.<sup>00</sup>

Two Hundred Forty-five and <sup>00</sup>/<sub>100</sub> — Dollars



**USAA FEDERAL SAVINGS BANK**  
 10750 McDERMOTT FWY  
 SAN ANTONIO, TEXAS 78268-0544  
 (210) 456-8000 1-800-832-3724

For

Donation from Dublin  
 Road Estates NNO

Harland Clarke

**CHARLES C PEARL**  
**KRISTL A PEARL**  
 5303 ESTATE LN  
 PARKER, TX 75094-3018

1527  
 30-7426/3140

5/5/22 Date

Pay to the  
 Order of

City of Parker

\$ 245.<sup>00</sup>

Two Hundred Forty-five and <sup>00</sup>/<sub>100</sub> — Dollars





**USAA FEDERAL SAVINGS BANK**  
 10750 McDERMOTT FWY  
 SAN ANTONIO, TEXAS 78268-0544  
 (210) 456-8000 1-800-832-3724

For

Donation from Dublin  
 Road Estates NNO

Harland Clarke

<b>Phil &amp; JoAnn DeNitto</b> 5400 Estate Ln Parker, TX 75094-3019		32-61/1110 10641
		10/4 2022 
PAY TO THE ORDER OF	City of Parker Police \$ 100.00 ONE HUNDRED & 00/100	
		DOLLARS 
<b>Chase Bank</b> 206 W FM 544 Murphy, TX 75094 972-424-3850		
FOR	Police	

<b>Phil &amp; JoAnn DeNitto</b> 5400 Estate Ln Parker, TX 75094-3019		32-61/1110 10640
		10/4 2022 
PAY TO THE ORDER OF	City of Parker - Fire \$ 100.00 ONE HUNDRED & 00/100	
		DOLLARS 
<b>Chase Bank</b> 206 W FM 544 Murphy, TX 75094 972-424-3850		
FOR	FIRE DEPT	



THIS DOCUMENT HAS A MICRO-PRINT SIGNATURE LINE, WATERMARK, ORIGINAL DOCUMENT SECURITY SCREEN AND A THERMOCHROMIC ICON; ABSENCE OF THESE FEATURES WILL INDICATE A COPY

**First United**  
SPEND LIFE WISELY®  
DURANT, OKLAHOMA 74701

86-88/1031  
2222224

No. 220616

CHECK NO.	DATE	CHECK AMOUNT
220616	10/7/2022	\$500.00

**EXPENSE CHECK** Void if not cashed within 90 days

**PAY** FIVE HUNDRED and 00/100\*\*\*\*\*

TO THE ORDER OF City of Parker  
5700 E Parker Rd  
Parker, TX 75002

**EXPENSE CHECK**  
TWO SIGNATURES REQUIRED OVER \$5000.00

Security Features  
- Details on back

If you have questions regarding this check, please call 580-634-6340.

**Office Copy - AP Check#:** 220616

**Paid To -** City of Parker

**Date:** 10/7/2022

<u>Date</u>	<u>Invoice Number</u>	<u>Description</u>	<u>Amount</u>
9/29/2022	09292022	Donation - Parkerfest	500.00

VERSATEC ©2007 FLB030

Amount Due: 500.00

W/H Amount: 0.00

Net Amount: 500.00



## Council Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: Council
Fund Balance-before expenditure:	Prepared by: ACA/CS Scott Grey
Estimated Cost:	Date Prepared: October 9, 2022
Exhibits:	<a href="#">Future Agenda Items</a>

### AGENDA SUBJECT

FUTURE AGENDA ITEMS

### SUMMARY

Please review information provided.

### POSSIBLE ACTION

City Council may direct staff to take appropriate action.

#### Inter – Office Use

<b>Approved by:</b>	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	10/13/2022
City Attorney:	<i>Trey Lansford</i>	Date:	10/13/2022
City Administrator:	<i>Luke B. Olson</i>	Date:	10/14/2022



**CITY COUNCIL  
FUTURE AGENDA ITEMS**

Meeting Date: 10/18/2022 Item 7.

AGENDA DATE	ITEM DESCRIPTION	CONTACT	Notes
<b>2022</b>			
Feb(Mar), May (July), Aug, Nov	Fire Department Quarterly Report	Sheff/Miller	2nd Qtr 2022 0920 CC Agenda
Feb(Mar), May (July), Aug, Nov	Investment Quarterly Report	Savage	2nd Qtr 2022 0816 CC Agenda
	<b>Council Committee Updates</b>	Council	2022 0126 Any Committees updates, as needed
Tentatively - Nov. 15, 2022	Water Rate Analysis - Ongoing	Olson/Machado	0810 Ord739 2016 Water Rate Amendments for 2016-2020; Waiting on numbers; Finalizing Requested @ 2022 0802 CC Mtg
Tentatively - Nov. 15, 2022	Fences in Drainage Easements	Lynch	MLP added 2022 0713; 2022 0720 MLP - after budget; Workshop
Tentatively - Nov. 15, 2022	CIP	Lynch	Expiring 11/30
Tentatively - Nov. 15, 2022	Making Appointments: P&Z, ZBA, & P&R	C'Sec	Work in Progress; CALO - no contract - reviewing pricing options
Tentatively - Nov 15, 2022	Civic Plus Contract?	Pettie	2022 0906 CC Mtg
Tentatively - 2022	Water Rate/Usage Education	Lynch	2021 0615 added - When due
Tentatively - 2022	Oncor & Frontier Franchise (All?) - Review Ongoing	Savage	Added 2022 1012 Agenda Meeting
Tentatively - 2022	Workshop - Animal Control Procedures - within contract	Mayor	Added 2022 1012 After Agenda Meeting
Tentatively - 2022	Workshop - Facility	Mayor	Check w/Mayor Pettie
Tentatively - December 6, 2022	Cancel/Reschedule 2022 1220 due to Christmas Holiday?	Mayor	Check w/Mayor Pettie
Tentatively - December 6, 2022	Cancel/Reschedule 2023 0103 due to New Year's Holiday?	Mayor	Last Day to Order GE - Friday, Feb. 17, 2023
February 17, 2023	Facility Bond & Sales Tax	Council	



## Council Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: Council
Fund Balance-before expenditure:	Prepared by: City Attorney Trey Lansford
Estimated Cost:	Date Prepared: October 12, 2022
Exhibits:	<a href="#">Presentation</a>

### AGENDA SUBJECT

WORKSHOP

COUNCIL TERM LENGTH

### SUMMARY

The purpose of this presentation is to give an overview of Council term limits and the laws that affect the changing thereof.

### POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
<b>Approved by:</b>	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	10/13/2022
City Attorney:	<i>Trey Lansford</i>	Date:	10/13/2022
City Administrator:	<i>Luke B. Olson</i>	Date:	10/14/2022

# Changing Council Term Length

# Basic Rule

- Texas Local Government Code § 22.035
  - The mayor and aldermen of the municipality are elected for a term of two years unless a longer term is established under Article XI, Section 11, of the Texas Constitution.
- This is what the City is operating under now. No additional ordinance or resolution is necessary because it is established by state law.

# Texas Constitution

- ▶ Article XI, Section 11, Subsection (a):
  - ▶ ... a [general law city] may provide by majority vote of the qualified voters voting at an election called for that purpose, for a longer term of office than two (2) years for its officers, either elective or appointive, or both, but not to exceed four (4) years...
- ▶ Therefore, council could call an election for the voters to consider extending council terms to either 3 or 4 years in length
- ▶ The terms could still be staggered as they are now.

# Effects of Changing the Terms

- ▶ Article XI, Section 11
  - ▶ Subsection (b): A municipality so providing [extended terms] for any of its non-civil service officers must elect all of the members of its governing body by majority vote of the qualified voters in such municipality.
  - ▶ Subsection (c): Any vacancy or vacancies occurring on such governing body shall not be filled by appointment but must be filled by majority vote of the qualified voters at a special election called for such purpose within one hundred and twenty (120) days after such vacancy or vacancies occur...
    - ▶ Confirmed by Texas Attorney General Opinion GA-0046.
- ▶ The first is already in place; the second would be a change from operating under Texas Local Government Code § 22.010 which allows vacancies to be filled by appointment instead of election.



# Important Dates

- ▶ Should Council decide it wants the voters to consider longer terms:
  - ▶ Next general election date: May 6, 2023
    - ▶ Last day to call election for that date: February 17, 2023
  - ▶ Subsequent general election date: November 7, 2023
    - ▶ Last day to call election for that date: August 21, 2023

The End