

MINUTES
CITY COUNCIL MEETING

August 29, 2011

CALL TO ORDER – Roll Call and Determination of a Quorum

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

Mayor Cordina called the meeting to order at 6:00 p.m. with Councilmembers Leamy, Sumrow, Marshall, Evans and Levine present. A quorum was present.

Staff Present: City Attorney James Shepherd, Interim City Administrator Jeff Flanigan, City Secretary Carrie Smith, Finance/HR Manager Johnna Boyd, Police Chief Tony Fragoso and Police Sergeant Kenneth Price.

EXECUTIVE SESSION 6:00 P.M. – 7:00 P.M.

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

Mayor Cordina recessed into a closed meeting at 6:00 p.m.

1. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN TEXAS GOVERNMENT CODE SECTION 551:
 - a) 551.074 GC; Personnel—consideration of replacement of the city administrator, terms of the appointment of the interim administrator, and terms and qualifications of a future permanent city administrator.
 - b) 551.071 and 551.074 Govt. Code—Discussion regarding terms of separation of former employee.
2. RECONVENE REGULAR MEETING.

Mayor Cordina reconvened the regular meeting at 7:00 p.m.

3. CONSIDERATION AND/OR ANY ACTION REQUIRED AS A RESULT OF THE EXECUTIVE SESSION.
No action was taken.

PLEDGE OF ALLEGIANCE

American Pledge: Resident Lee Pettie led the pledge.

Texas Pledge: Mayor Cordina led the pledge.

PUBLIC COMMENTS The City Council invites any person with business before the Council not scheduled on the agenda to speak to the Council. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

No comments at this time.

PUBLIC HEARING

4. PUBLIC HEARING ON THE PROPOSED TAX RATE AND THE BUDGET FOR FISCAL YEAR 2011-2012.

Mayor Cordina opened the public hearing at 7:03 p.m.

Finance/HR Manager Boyd gave a brief review of proposed budget. (see Exhibit 4A)

Council agreed to amend the proposed budget election costs from \$8,500 to \$11,500. The additional \$3, 000 will be moved from Council Contingency.

Resident Ed Standridge asked Council for the cost analysis on mowing the City green spaces. Interim City Administrator Flanigan had spoke with one contractor that would not mow the road medians due to the liability and risks involved. An analysis will be complete prior to the purchase of new tractors.

The police vehicles will remain as requested at the planning session, one Charger and one Tahoe.

The sale of Fire Engine 10 was a portion of the justification for the purchase of the Quint Engine in 2009. Resident Ed Standridge asked why Engine 10 was never sold. City Secretary Smith was directed to speak with Chief Sheff and place the item on a future agenda for Council discussion.

Adding a front door to City Hall was completely removed from the proposed budget. Staff has and will continue to use bug control granules and clean up the area daily.

Resident Lee Pettle asked if the City's water "take or pay" rates had increased due to higher usage over the past year. Interim City Administrator Flanigan said yes; however, the NTMWD water board has not voted on the new rate.

Mayor Cordina closed the public hearing at 7:36 p.m.

Mayor Cordina announced the Council will vote on the proposed tax rate and budget at the September 6 meeting, beginning at 7:00 pm at City Hall.

INDIVIDUAL CONSIDERATION ITEMS

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FROM AUGUST 9, 2011.

Item 9 – “Council” was amended to read Councilmember Leamy.
Item 10 – “Sumrow” was added after Councilmember.

MOTION: Councilmember Sumrow moved to approve the minutes as amended. Councilmember Leamy seconded with Councilmembers Leamy, Sumrow, Evans and Levine voting for. Motion carried 4-0. Marshall abstained.

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FROM AUGUST 16, 2011.

MOTION: Councilmember Sumrow moved to approve the minutes as written. Councilmember Leamy seconded with Councilmembers Leamy, Sumrow, Marshall, Evans and Levine voting for. Motion carried 5-0.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 671 APPROVING A NEGOTIATED RESOLUTION BETWEEN THE ATMOS CITIES STEERING COMMITTEE AND ATMOS ENERGY CORP., MID-TEX DIVISION.

Joanie Siedelmann, Public Affairs for Atmos Energy, 2697 Maple Shade Ln, Plano TX 75075- was present to answer questions. The rate increase is .31 per customer. Ms. Siedelmann believes the steel line replacement is included in the rate increase. This is the 4th RRM settlement since 2002.

MOTION: Councilmember Leamy moved to approve Ordinance 671 as written. Councilmember Levine seconded with Councilmembers Leamy, Sumrow, Marshall, Evans and Levine voting for. Motion carried 5-0.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON FUTURE PROCEDURE FOR CONDUCTING THE GENERAL ELECTION TO ELECT MUNICIPAL OFFICERS IN THE CITY OF PARKER.

City Secretary Smith presented the City Council with their options for future city elections. (see Exhibit 8A)

Council discussion ensued. An election will be held in May 2012 and then Council will re-evaluate whether they will continue with the uniform May election date or change future elections. The deadline for such changes is December 31, 2012.

MOTION: Councilmember Leamy moved to hold an election in May of 2012, have staff request a contract from ES&S and Dominion for the rental of election equipment and forward to City Attorney for legal review. Councilmember Evans seconded with Councilmembers Leamy, Sumrow, Marshall, Evans and Levine voting for. Motion carried 5-0.

Staff will bring the contracts back for review and possible action at the September 6, 2011 regular Council meeting.

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON AMENDING RESOLUTION 2010-315 REGARDING A MEMBER AND OFFICER APPOINTMENT PROCESSES FOR CITY BOARDS AND COMMISSIONS.

Councilmember Sumrow and Mayor Pro-tem Marshall reviewed Resolution 2010-315, "Boards and Commission Membership", and provided Council with recommended amendments to better define and standardize the appointment process. (see Exhibit 9A)

City Attorney Shepherd advised Council not to delegate appointment of members or officers to the boards, allow them to make recommendations to the Council.

Remove from Section 4. 4) "and have appointment validated or not."
Amend Section 5. 2) by re-wording the section to state the boards will make recommendation of appointments and officer's to Council.

MOTION: Councilmember Leamy moved to amended the proposed Resolution 2010-315 Amended subject to the following changes; remove from Section 4. 4) "and have appointment validated or not.", re-word Section 5. 2) to state the boards will make recommendation of officer's to Council, and correct numbering. Councilmember Marshall seconded with Councilmembers Leamy, Sumrow, Marshall and Evans voting for. Levine opposed. Motion carried 4-1.

10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ESTABLISHING A BOARD/COMMISSION EVALUATION PROCESS AND A MEANS OF IMPLEMENTING THE PROCESS.

In an effort to have a consistent evaluation process Mayor Pro-tem Marshall and Councilmember Sumrow proposed a standardized peer evaluation process.

A lengthy discussion was held with regard to the peer evaluations being subject to the Public Information Act.

Council discussion ensued. Council tabled the item to a later date.

11. CONSIDERATION AND/OR ANY APPROPRIATE ACTION DEFINING ROLES AND DUTIES OF BOARD AND COMMISSION MEMBERS.

Councilmember Sumrow and Mayor Pro-tem Marshall reviewed the City ordinances and State mandates on the roles and duties of Parker's various boards and prepared a user friendly version for future board members.

Council discussion ensued. Council tabled the item to a future date to allow for legal review.

12. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE SALE OF THE OLD WATER TOWER.

Colorado City, Texas chose not to purchase the old tower as previously discussed. Since that time the City has received a new offer from ALL, Industrial Services. They have offered the City \$1.00 for the tower and it includes demolition, removal of all debris, rough grade of area and replacement of fence.

MOTION: Councilmember Leamy moved to authorize Interim City Administrator Flanigan to accept ALL Industrial Services offer; subject to legal review by City Attorney Shepherd. Councilmember Evans seconded with Councilmembers Leamy, Sumrow, Marshall, Evans and Levine voting for. Motion carried 5-0.

13. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE OCTOBER 1, 2011 NEWSLETTER.

The Council directed the newsletter committee to re-design and publish a fall newsletter.

Resolution 2011-336, Newsletter Committee and Processes, will be brought before Council at a later date and time to be amended.

MOTION: Councilmember Leamy moved to authorize the Newsletter Committee to proceed with a new design and publication of a fall newsletter. Councilmember Evans seconded with Councilmembers Leamy, Sumrow, Marshall, Evans and Levine voting for. Motion carried 5-0.

ROUTINE ITEMS

14. FUTURE AGENDA ITEM REQUESTS.

15. UPDATES

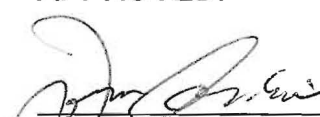
- a. AISD Bus Maintenance Facility Status- Mayor Cordina announced Allen ISD has moved the proposed location of the Bus Barn to US 75 and Exchange Parkway.

16. ADJOURN

Mayor Cordina adjourned the meeting at 10:12 p.m.



APPROVED:


Joe Cordina
Mayor


ATTESTED:



APPROVED on the 6th day of
September, 2011.

Carrie L. Smith, TRMC, CMC
City Secretary

INSERT EXHIBITS
4A - Short Budget Presentation
8A - Election Presentation
9A - Res 2010-315 Amended



Facing the Challenge

Fiscal Year 2011-2012

Proposed Budget

BUDGET OVERVIEW	
10-11 Total Taxable Value	\$495,341,170
11-12 Total Taxable Value	\$501,577,999
10-11 Total Budgeted Revenue	\$ 3,045,232
11-12 Total Proposed Revenue	\$ 2,681,102
10-11 Total Budgeted Expense	\$ 3,045,232
11-12 Total Proposed Expense	\$ 2,681,102
City of Parker - Budget Session 2011	

REVENUE	
<i>Items that significantly changed from FY10/11 budget:</i>	
•Fund Balance/Restricted Transfer	\$ 49,000
•Building Permits Increased	\$ 40,000
• Fines Decreased	\$ 45,000
•Interest Income Decreased	\$ 42,150
City of Parker - Budget Session 2011	

ADMINISTRATION

Items that significantly changed from FY10/11 budget:

- Tech support – Increased \$10,000
- City Council Contingency- \$40,000 in Budget
- Training for P&Z and Council – Decreased \$ 500

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POLICE DEPARTMENT

Items that significantly changed from FY 10/11 budget:

- Fuel/Wash/Oil/Tracking -- Increased \$12,000
 - Rising fuel costs
- Inmate Boarding - Increased \$1,500
 - Doubled based on trend
- Capital Requests - \$ 64,000
 - 2 Vehicles - 1 Tahoe, 1 Charger

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MUNICIPAL COURT

Items that significantly changed from FY10/11 budget.

- Technology Fund – Decreased \$7,500
 - Training & Licensing
- State Court Costs Decreased \$22,500
 - Based on 4 year trend and fine collections
- Security Fund – Decreased \$7,000
 - Training

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FIRE DEPARTMENT

Items that significantly changed from FY10/11 budget:

- Reimbursement per Call – Increased \$5,000
- Training – Increased \$6,500
- Radio & Air Tank Replacement – Decreased \$6,000

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BUILDING AND CODE ENFORCEMENT

Items that significantly changed from FY10/11 budget:

- No Significant Change to Budget

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PARKS & RECREATION

Items that significantly changed from FY10/11 budget:

- Preserves & Trails – Decreased \$155,000
– New Grant applied for, if approved - \$25,000
- Scouting Projects – Increased \$ 1500
- Consulting/Engineering – Decreased \$2,000

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PUBLIC WORKS

Items that significantly changed from FY10/11 budget.

- Vehicle & Tractor Expense – Increased \$2,000
–Based on Trends
- Engineering Fees – Decreased \$25,000
- Two Replacement Mowers – \$20,000

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CITY PROPERTY

Items that significantly changed from FY10/11 budget.

- Maintenance & Operations – Increased \$3,800
–Based on Trends
- Communications – Increased \$2,200
–Based on Trends
- Utilities – Decreased \$6,500
–Based on current year actual

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FUTURE CAPITAL IMPROVEMENTS

Items that significantly changed from FY10/11 budget.

- Fire Truck/Heavy Equipment Reserve
(Rename to Future Capital Improvements)
–Contribution – \$3,985

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DEBT SERVICE

Items that significantly changed from FY10/11 budget.

- 2010 / 2011 Debt Service
 - \$453,678
- 2011 / 2012 Debt Service
 - \$337,824
 - Refunding of 2008 Bonds

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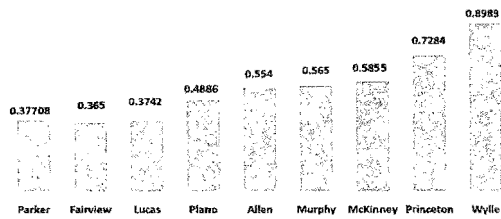
Deep Reserves

- Target Deposits in Unrestricted Accounts
 - 6 months operating expenses (2010 / 2011 budget)
- Current Deposits in Unrestricted Accounts
 - 14 months operating expenses

8 Months Excess Reserves

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CURRENT FY10/11 CITY TAX RATES



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Facing the Challenge
Fiscal Year 2011-2012
Proposed Water Budget

ANNUAL CONSUMPTION

2001	211,304,000 Gallons
2002	228,969,000 Gallons
2003	306,201,000 Gallons
2004	344,660,000 Gallons
2005	392,852,000 Gallons
2006	470,812,000 Gallons
2007	306,839,000 Gallons
2008	383,239,000 Gallons
2009	416,000,000 Gallons
2010	417,637,000 Gallons
2011	533,654,000 Gallons

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WATER BUDGET OVERVIEW

- 10-11 Total Budgeted Revenue \$3,135,000
- 11-12 Total Budgeted Revenue \$3,150,000

- 10-11 Total Budgeted Expense \$3,135,000
- 11-12 Total Budgeted Expense \$3,150,000

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WATER REVENUE

Items that significantly changed from FY10/11 budget:

- **Transfer from Capital Improvements and Fund Balance from C/O – Line Looping and Water Meter Technology \$550,000**

- **Water Sales – Increased \$150,000**
 - Based on rate increase and trend

- **Meter Installations – Increased \$10K**
 - Based on trend

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WATER EXPENSES

Items that significantly changed from FY 10/11 budget:

- **Cost of North Texas Water – Increased \$65,000**

- **Truck Expense – Increased \$2,500**
 - Fuel costs

- **Water System Improvements – \$560,000**
 - Offset by County Funds - \$290,000
 - Offset by C/O Funds - \$175,000

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SEWER EXPENSES

Items that significantly changed from FY 10/11 budget:

- **Sewer Operating Expense – Decreased \$4,000**
 - Based on trends

- **No Other Significant Change**

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SANITATION EXPENSES

No change

Items that significantly changed from FY 10/11 budget:

- **No Significant Change**
 - Adjustments made previous year

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WATER DEBT SERVICE

Items that changed from FY10/11 budget.

- **2010 / 2011 DEBT SERVICE**
 - \$424,494
- **2011 / 2012 DEBT SERVICE**
 - \$412,883

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Deep Reserves

- **Target Deposits in Unrestricted Accounts**
 - 3 months operating expenses (2010/2011 budget)
- **Current Deposits in Unrestricted Accounts**
 - 1 ½ months operating expenses

1 ½ Months Deficit Reserves
 (Same as last year)

Thank You

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Senate Bill 100

What does it mean for future City elections?



History

- Prior to 2006 Staff conducted all City elections
- In 2006 the City began contracting with the County to comply with "Help America Vote Act"
- 2012 the City must review how future elections will be conducted to comply with S.B. 100.



Federal "MOVE" Act


Military & Overseas Voter Enhancement Act

- Goal of the "MOVE" Act: To make the voting process easier and faster for military and overseas voters.
- Directly affects the general and primary runoff dates
- Resulting in S.B. 100 for Texas




Understanding S.B. 100

- Purpose: To Implement Federal "MOVE" Act
- The Election Code was amended to NOT require a county elections administrator to enter into a contract for election services for elections that are held the second Saturday in May in even number years.




Change to November

- Change elections to November beginning in 2012
- Mayor and two members-at-large would have their current term extended 6-months to end in November 2012
- City election would be added to the ballot for County, State and Federal election




November

Pros <ul style="list-style-type: none"> ◦ Higher voter turnout ◦ Cost shared with County and other entities ◦ Voter convenience ◦ Citizens vote in local elections every year ◦ No election expense in FY 2011-2012 ◦ Continue to contract with County - Cost \$8500 - \$9000 	Cons <ul style="list-style-type: none"> ◦ Possibility voters not voting city ballot due to straight party voters ◦ Hard to educate with publicity
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May Election in Odd Years

- Change term length to hold elections every other May, only in odd numbered years
- Un-stagger seat terms
- The seats with terms expiring in May 2012 would holdover in office until May 2013.




May Election Odd Years

<p><u>Pros</u></p> <ul style="list-style-type: none"> ◦ Keep the May election date in odd number years ◦ Reduced election costs since elections would be held only once every two years instead of annually ◦ No Election expense for FY 2011-2012 ◦ Continue to contract with the County for \$8500 - \$9000 	<p><u>Cons</u></p> <ul style="list-style-type: none"> ◦ Risk of having an entirely new governing body at one time ◦ Residents only participate in elections every two years
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Annual May Elections

- Continue to hold elections each May.
- Rent or purchase the voting machines
- City staff conduct election




Annual May Elections

Pros

- No changes for voters
- Keep current terms

Cons


- Only one early voting location for voters
- Higher election costs
- Availability of voting equipment if renting
- Storage of voting equipment if purchased
- Possibility of purchased equipment becoming de-certified or obsolete
- Additional work load for City staff



Rental Cost Estimates for May 2012

Election Systems & Software (ES&S)


- Different Equipment requiring additional training.
- 4 DREs, programmed, \$4,579 plus shipping cost (estimated \$800).
- Other cost(s) for workers, contingency, and advertising, \$6,997.
- **TOTAL ESTIMATED COST: \$11,576**



Rental Cost Estimates for May 2012

Dominion Voting Systems

- Same supplier that Collin County uses.
- Same equipment voters have used in past elections.
- An office is located in McKinney for more efficient service and no shipping cost.
- 4 DREs, programmed, onsite tech support \$9000
- Other cost(s) for workers, contingency, and advertising, \$6,997.
- **TOTAL ESTIMATED COST: \$15,997**



Cost Estimates for May 2012

Contract with Collin County

- Voters are accustomed to the equipment
- Additional early voting locations
- Full Service as provided in the past,
\$20,937
- Other cost(s) for advertising, \$1200
- **TOTAL ESTIMATED COST:**
\$22,137



Purchase from Dominion

- Same equipment voters have used in past elections.
- Proposed cost to purchase 4 new DREs with service for first election, \$10,124.
- Annual maintenance and programming fees \$3,000.
- Other cost(s) for workers, contingency and advertising, \$6,997
- **TOTAL ESTIMATED COST: \$17,121**
- Estimated annual cost(s) after initial purchase:
\$9,997



Purchase from Hart Intercivic

❖ Hart Intercivic - Purchase

- ❖ Does not have rental service, so would have to purchase equipment and pay for services for each election, approximately \$5,410 per election.
- ❖ This would not be the same type equipment that voters have used during past elections.
- ❖ Recommend purchase of 2 used and 2 new DREs with a replacement plan.
- ❖ Proposed cost to purchase 2 used and 2 new DREs with service for first election, \$25,916.
- ❖ Other cost(s) for workers, contingency, and advertising, \$6,997 **TOTAL ESTIMATED COST: \$33,915**
- ❖ Estimated annual cost(s) after initial purchase: **\$12,407**



Recap

- Change to annual November elections
 - Cost with County - \$8500 - \$9000
 - Convenience for voters to vote in multiple elections at one location
- Change to May election in odd years
 - Cost with County - \$8500 - \$9000
 - Voters would only participate in municipal elections every two years
- Continue to hold election in May each year
 - Cost varies – Rent or Purchase
 - No change for our voters



Resources

- TML - http://www.tml.org/legal_topics/legal_elections.asp



RESOLUTION NO. 2010-315 Amended
(Boards and Commissions Membership)

**A RESOLUTION DEFINING MEMBERSHIP ON BOARDS AND COMMISSIONS OF
THE CITY OF PARKER, COLLIN COUNTY, TEXAS.**

WHEREAS, the City Council of the City of Parker, Collin County, Texas desires to expand the involvement of residents of the City of Parker on the boards and commissions appointed by the City Council.

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

SECTION 1. Candidate Pool. The Parker City Council will seek to appoint the best qualified candidate to each of the boards and commissions of the City. Candidates may be considered, in the following order, from:

- Board and Commission Alternates currently serving on the board which has a vacancy, who are interested in becoming full board or commission members, and who are in good standing in their current assignment
- Members of other boards or commissions who are interested in transferring to the open board or commission
- Recent board or commission applicants
- Citizens of Parker who are not yet on a board or commission, or who have not submitted an application within the past 12 months

SECTION 2. Simultaneous Membership Prohibition. In order to promote diverse membership among the boards and commissions, no individual resident shall serve on more than one board or commission simultaneously, unless no other qualified candidates are available. If no qualified candidates are immediately available, the City will seek new applicants, through website notifications, announcements at Council, discussions with Board and Commission chairpersons, and through requests of citizens. If, after 30 days of searching, no qualified candidates are available, then an individual who is already serving on one Board or Commission may be appointed to another Board or Commission, with the preferred appointment as an alternate member. However, no one individual shall serve simultaneously as a member on both P&Z and ZBA.

SECTION 3. Interview Process - Each Board will interview, select and present final recommendations to Council, when Board positions are vacant. The following steps will be taken:

- 1) City Staff will screen candidates for basic qualifications (residency, other Board membership in Parker, etc), and will present qualified candidates to each Board.
- 2) Current Board members conduct initial set of interviews, using standard questions, plus any additional they feel are appropriate for each individual
- 3) Current Board members will provide their recommendation to Council
- 4) Recommended appointee will meet with Council answer questions from Council about their candidacy, and have appointment validated, or not.

Backup for Agenda Item 6

SECTION 4. Interview Questions. The following questions will be the standard questions for all candidates for Board or Commission positions. These questions are required, but are not exclusive:

- Please provide a brief summary of your background, including professionals, volunteer and community roles you've held. (If you'd like to submit a resume, please do so, but also please give details about municipal experiences you've had.)
- Why did you move to Parker?
- What is your vision for the future of Parker?
- How would you describe the role of a (P&Z, P&R, ZBA) member?
- Please describe your personal style when working on volunteer committees?
- How do you manage conflict or difference of opinion in committee/small group settings?
- Why are you interested in serving on (P&Z, P&R, ZBA)? What changes do you think are needed in Parker?

- Specific to P&Z: What is your philosophy for future development and land use within Parker?
- How do you feel about retail developments within Parker?
- Specific to P&R: What is your philosophy on parks and open spaces within a city?
- Specific to ZBA: What thought process will you use to rule on issues brought to ZBA?

SECTION 4. Officer Appointment process - Board members will appoint Board Officers, according to the pre-defined Officer appointment schedule. The following steps will be taken:

- 1) Board members will review and communication qualifications and responsibilities of each Officer position.
- 2) The current Board Chair will solicit candidates for all open Officer positions, other than the Chair, and will lead discussions with the Board about the qualifications of each candidate. The Board will decide on the candidate and will communicate the appointment to City Staff and Council.
- 3) The Board Vice Chair will solicit candidates for the Board Chair position, and will lead discussions with the Board about the qualifications of each candidate. The Board will decide on the candidate and will communicate the appointment to City Staff and Council.

SECTION 3. This resolution is effective upon its passage.

APPROVED AND ADOPTED this 29th day of August, 2011.