

MINUTES
CITY COUNCIL MEETING

September 20, 2011

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 Cordina called the meeting to order at 7:03 p.m. with Councilmembers Leamy, Evans and Levine present. Sumrow and Marshall were absent. A quorum was present.

Staff Present: City Attorney James Shepherd, City Secretary Carrie Smith, Finance/HR Manager Johnna Boyd, and Police Chief Tony Fragoso.

PLEDGE OF ALLEGIANCE

American Pledge: Mayor Cordina led the pledge.

Texas Pledge: Councilmember Levine 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 public comments.

INDIVIDUAL CONSIDERATION ITEMS

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FROM SEPTEMBER 6, 2011.

Councilmember Levine requested page 3, item 9, paragraph 3 to be amended to read "The *proposed* action ..."

MOTION: Councilmember Levine moved to approve as amended. Councilmember Leamy seconded with Councilmembers Leamy, Evans and Levine voting for. Motion carried 3-0.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE AMERICAN-JAPAN GRASSROOTS SUMMIT.

Anna McFarland, Executive Director for Japan-America Society of Dallas/Fort Worth and Elaine Browning, Board Member discussed the purpose of the summit and need for host communities.

The Japan-America Grassroots Summit is an annual large-scale meeting of Japanese and American citizens, held alternately in Japan and America. The summit aims to strengthen the peaceful relationship between Japan and America by fostering grassroots friendships. The Summit is managed jointly by the CIE (Center for International Exchange) and the Summit Volunteer Committee. Additional information can be found on their website www.jasdfw.org.

Information on becoming a host community was provided. (See exhibit 5A) The event will be held August 28 – September 3, 2012.

Mayor Cordina will determine if there is citizen interest in the program. And if so, the matter will be brought back before the Council for further consideration.

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 674 ADOPTING THE FY 2011-2012 WATER AND SEWER BUDGET.

Finance/HR Manager Boyd noted no changes have been made to the water/sewer budget since the budget work session.

City Attorney Shepherd noted the water/sewer budget will not be approved by separate ordinance in the future. The ordinance for the general budget will clearly include language approving the water/sewer budget. This is just procedural and has been approved with the general fund budget in previous years.

MOTION: Councilmember Evans moved to adopt Ordinance 674 approving the fiscal year 2011-2012 water and sewer budget. Councilmember Levine seconded with Councilmembers Leamy, Evans and Levine voting for. Motion carried 3-0.

Councilmember Levine noted the proposed purchase of the water meters and meter reading equipment is to be brought back to Council for consideration.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2011-347 REGARDING TIME WARNER FRANCHISE PEG FEES.

City Attorney Shepherd's written statement -

"Parker currently receives a franchise fee of approximately 6.2% from Time Warner Cable. The Texas Legislature amended the law in the last legislative session to require those cities receiving the normal 5% fee, plus a 1% PEG fee to specifically account for the PEG fee, and restrict the use of the 1% PEG fee to expenditures for PEG qualified expenses. Those expenses are primarily for a dedicated cable TV channel for the city's public, education, or governmental (PEG) uses.

As Parker does not have a TV channel, nor would it appear the 1% fee would be sufficient to pay for one, a change is needed. It would be possible, but not advisable, to continue to assess the 1% fee, place the proceeds into a specific reserve account, and be unable to expend those fees except for PEG expenses the City does not have.

To do so would be logical if the Council felt the legislature would reverse course in a future session, and allow the accrued funds to be expended for non-PEG City expenses. Or, that the City could request a TV channel qualifying for PEG.

The total Time Warner Franchise fee for the last year was \$13,867.83. See attached spreadsheet for details. The SICFA amount shown is the PEG fee.

The Council can provide the taxpayers with a small reduction in their Time Warner invoices by waiving the 1% PEG fee, and retaining the remaining franchise fee of approximately 5%.

Possible action could include:

- 1. Pass Resolution 2011-347, as modified from the form proposed by Time Warner. The result is a waiver of the 1% fee, and retention of the 5% fee.*
OR
- 2. Create a restricted account, and place all funds collected equal to the 1% PEG fee into that account. Expenditures would be limited to authorized PEG expenses.*

While I intend to review PURA and the bill that amended it a bit more prior to the Council meeting, I would recommend option 1, above."

MOTION: Councilmember Levine moved to approve Resolution 2011-347 electing not to require the remittance of a PEG fee. Councilmember Leamy seconded with Councilmembers Leamy, Evans and Levine voting for. Motion carried 3-0.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ELECTRONIC VOTING EQUIPMENT FOR THE MAY 2012 GENERAL ELECTION.

City Attorney Shepherd has been in contact with ES&S and was able to negotiate a few changes to the contract. However, there are still significant issues with the contract.

Collin County has contacted staff and they have found additional equipment at a much lower cost. They will provide new cost estimates in mid-October. The previous estimates were worst case scenario and we may see much lower costs.

City Attorney Shepherd will continue negotiations with ES&S. He will talk with Dominion as well. This item is to be brought back with an update at the October 4 meeting.

ROUTINE ITEMS

9. FUTURE AGENDA ITEM REQUESTS.

- Purchase of water meters/meter reader equipment
- Implementation of stage 3 water conservation.

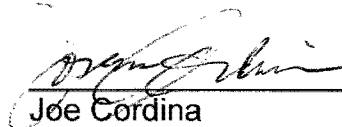
10. UPDATES

Newsletter is in progress and currently on schedule.

11.ADJOURN

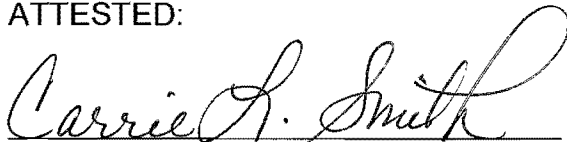
Mayor Cordina adjourned the meeting at 8:25 p.m.

APPROVED:



Joe Cordina
Mayor

ATTESTED:



Carrie L. Smith, TRMC, CMC
City Secretary

APPROVED on the 4th day of
October, 2011.

INSERT EXHIBITS
5A-Grassroots Summit



JAPAN-AMERICA SOCIETY
OF DALLAS/FORT WORTH

22nd America-Japan Grassroots Summit in Dallas/Fort Worth
August 28 – September 4, 2012*

What It Means to Be a Host Community

1. Appoint a **key person** to be the main local coordinator and liaison to the Japan-America Society of Dallas/Fort Worth (JASDFW) and Center for International Exchange (CIE).
2. Provide information, including photos, for summit brochures/website etc.
3. Recruit **volunteer host families** in the community to provide 3-night/3-day home-stays for Japanese guests. Help match host families with Japanese visitors.

Host families should expect to:

- Provide 3 nights of lodging and meals (Aug. 30-31, Sept. 1) in their homes for the Japanese guests. Guests are prepared to pay for any meals eaten outside of the home.
 - Provide transportation for the guests while they stay with host families in the local community Aug. 30 – Sept. 2, as well as provide transportation to Dallas on Sept. 2 for the closing ceremony. Hosts are also invited to the closing ceremony.
 - Share/exchange information about each other's culture. Experiencing everyday life in someone's home in a foreign country is the purpose of this program. Keep schedules as routine as possible, while including guests in family activities, such as walks, grocery shopping, sporting or school events, etc.
 - Attend the planned activities in the local community.
 - Take photographs to share with your guests and others at the closing ceremony.
4. Plan and organize three days of **local session programs**, such as outings or events that are specific to the local community or that showcase the community's unique attributes. For example, a rural town might show the workings of a local ranch or farm, a rodeo team or a football team. A lakeside community might organize a day of boating or fishing. Depending on distance from Dallas or Fort Worth, local sessions may also be able to take the Japanese visitors to sites or events in those cities or elsewhere in the Metroplex. Individual host families may also make their own plans.

* Participants depart DFW on Sept. 3 and arrive Tokyo Sept. 4

City of Parker
Attn Tax Collector
5700 East Parker Road
Parker, TX 75002

Due Date: 08/15/11

Vendor 132094
ACH Vendor #TAS0000093-1

Q2 2011

Net Ad Sales	\$5,106.85
Shopping	226.24
Cable	\$ 53,773.36

Total Revenue Basis	<u>\$59,106.45</u>
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Franchise Fee 5%	\$ 2,955.32
SICFA 1%	\$ 591.06

TOTAL FRANCHISE FEE BASIS	<u>\$ 62,652.84</u>
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Total Franchise Fee Due	<u>\$ 3,132.64</u>
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Less: FF Overpayment Adjustment	\$ (210.00)
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Total Franchise Fee Due	<u>\$ 2,922.64</u>
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Total Franchise Fees - Ad Sales	\$ 270.66
Total Franchise Fees - Cable	\$ 2,651.98

Total SICFA Due	<u>\$ 626.53</u>
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Total SICFA - Ad Sales	\$ 54.13
Total SICFA - Cable	\$ 572.40

TOTAL PAYMENTS DUE	<u>\$ 3,549.17</u>
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Basic Subscribers:	224
Total Subscribers:	420,486
Percentage of Subscribers	0.053%

Other Cable Related Revenue

Home Shopping Account 49030	\$ 424,693.17	\$ 226.24
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