



AGENDA

CITY COUNCIL MEETING February 7, 2012 @ 6:00 PM

Notice is hereby given the City Council for the City of Parker will meet in a Regular Meeting on Tuesday, February 7, 2012 at 6:00 P.M. at Parker City Hall, 5700 E. Parker Road, Parker, Texas 75002.

CALL TO ORDER – Roll Call and Determination of a Quorum

EXECUTIVE SESSION 6:00 – 7:00 PM

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

1. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:
 - a. Govt. Code 551.074— Personnel--to deliberate the appointment and employment of a City Administrator.
2. RECONVENE REGULAR MEETING.
3. 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.

INDIVIDUAL CONSIDERATION ITEMS

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FROM JANUARY 17, 2012.
5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE ANNUAL AUDIT REPORT.
6. PRESENTATION, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON WAL-MART SITE IN THE CITY OF LUCAS.
7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2012-362 AN INTERLOCAL AGREEMENT WITH LOVEJOY ISD FOR SEWER SERVICE.
8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2012-364 ADOPTING A CITY EMERGENCY MANAGEMENT PLAN.
9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 678, ORDERING A MAY 12, 2012 GENERAL ELECTION.
10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION AS A RESULT OF DAMAGE TO THE TRAILS FROM RECENT FLOODING.

ROUTINE ITEMS

11. FUTURE AGENDA ITEM REQUESTS.

12. UPDATES

13. 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 February 3, 2012 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.

Date Notice Removed

Carrie L. Smith, TRMC, CMC
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: February 7, 2012
Budgeted Amount:	Department/ Requestor: City Secretary
Fund Balance-before expenditure:	Prepared by: C Smith
Estimated Cost:	Date Prepared: 2/2/2012
Exhibits:	1) Proposed Minutes

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES
FROM JANUARY 17, 2012.

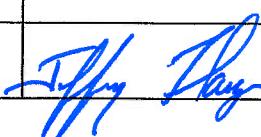
SUMMARY

Please review the attached meeting minutes for the January 17 Council meeting. I will contact you prior to the meeting for any changes or comments.

Carrie

POSSIBLE ACTION

Approve
Table
Deny

Inter - Office Use			
Approved by:			
Department Head:		Date:	
City Attorney:		Date:	
City Administrator:		Date:	2-3-12

MINUTES

CITY COUNCIL MEETING

January 17, 2012

CALL TO ORDER – Roll Call and Determination of a Quorum

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

Mayor Cordina called the meeting to order at 6:30 p.m. with Councilmembers Leamy, Sumrow, Evans and Levine present. Marshall was absent. A quorum was present.

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

EXECUTIVE SESSION 6:30 – 7:00 PM

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

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

Mayor Cordina recessed the regular meeting at 6:30 p.m.

- a. Govt. Code 551.074— Personnel--to deliberate the appointment and employment of a City Administrator.

2. RECONVENE REGULAR MEETING.

Mayor Cordina reconvened the regular meeting at 7:36 p.m.

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

No action.

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Councilmember Leamy led the pledge.

TEXAS PLEDGE: City Attorney Shepherd led the pledge.

PRESENTATION

4. PRESENTATION BY KIM DUFFY, STUDENT FROM ART INSTITUTE OF DALLAS WHO HAS DONE A PHOTOGRAPHIC SERIES ON PARKER.

Kim Duffy a Plano resident and senior in the photography department at the Art Institute of Dallas was in a documentary photography class and given a ten week assignment to choose a small town 'without a Wal-Mart'. Having grown up on the edge of Parker and Plano, she decided Parker would be a perfect town rich with scenery and history to document. Kim is set to graduate in June with her BFA in Photography and plans to go to graduate school this coming fall.

It was recommended that Ms. Duffy speak with Interim City Administrator Flanigan regarding the purchase of prints for City Hall.

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.

Resident Ed Standridge requested the Council sign the last two copies of the Historical Society's 2012 Calendars for a special gift or auction item at the VFD fundraiser.

INDIVIDUAL CONSIDERATION ITEMS

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FROM JANUARY 3, 2012.

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

6. DISCUSSION AND UPDATE ON THE 2012 JAPAN GRASSROOTS SUMMIT BY COORDINATOR SHARON HARGROVE.

Summit Coordinator Sharon Hargrove gave a brief update on the progress of the planning for the 2012 Japan Summit. Currently there are 7 to 8 host homes participating and the complete number is to be submitted by the end of March. The activities agenda is to be completed and submitted to the program committee by the end of January.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE WAL-MART SITE IN THE CITY OF LUCAS.

Council was provided with a copy of the City of Allen and Wal-mart agreement for improvements to FM 2551, Lucas' Dark Sky Ordinance, and Wal-mart site plan. (Exhibit 7A)

The City of Allen and Wal-Mart have an agreement to improve FM 2551 north and south bound to 3-lanes. Also, 500-feet south of Lucas Road there will be a left turn stacking

lane with the same from the north. FM 2551 is a State highway and is planned for improvement in the future, so the improvements will be asphalt. The City of Lucas is looking at plans to improve east of FM 2551 in front of Wal-Mart with a deceleration and an acceleration lane. The road improvements have not been approved by the Lucas Council.

Councilmember Levine feels the immediate problem is the roadway and the turn lane off W. Lucas Road will be a safety and traffic flow hazard. He requested Interim City Administrator Flanigan to find out if a traffic study has been completed.

The construction plans and permit have been submitted to the City of Lucas and are under review. The original site plan, approved in 2006, complied with the City's ordinances and was approved for commercial business.

The Mayor of Lucas told Councilmember Leamy Lucas would like to be a good neighbor and meet with Parker Lake Estates and the City of Parker to discuss the plans. A meeting has not been scheduled at this time.

City Attorney Shepherd recommended the Parker Lake Estates HOA prepare a list of wants, that are reasonable and attainable, to discuss with Lucas and then Wal-mart. Once the list is prepared a meeting will be scheduled with a few Parker representatives and Lucas to discuss the issues, and then meet with Wal-Mart.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2012-361 AN INTERLOCAL AGREEMENT WITH LOVEJOY ISD FOR SEWER SERVICE.

There was discussion regarding the City of Lucas previously denying Lovejoy ISD's request for sewer. LISD Representative Donna Wasburn said the ISD has not gone back to the City of Lucas to request sewer service.

Council tabled this item to a future date to allow LISD to return to Lucas and discuss the possibility of Lucas providing sewer for the school site.

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ELECTION EQUIPMENT, SUPPLIES AND SERVICE FOR THE MAY, 2012 ELECTION.

After reviewing the costs and services that would be provided by the County Elections office, staff now believes it to be most economical to go with Option 2 (see below), saving the City an estimated \$5,418.

Option 2) Renting Voting Equipment from Collin County will include:

- Renting voting equipment (includes all programming)
- City staff run the election
- City hire and appoint judges, clerks and Early Voting Ballot Board for the election

Estimated cost \$8,248.04

MOTION: Councilmember Leamy moved to approve Option 2 for the May 12, 2012 General Election. Councilmember Levine seconded with Councilmembers Leamy, Sumrow, Evans and Levine voting for. Motion carried 4-0.

10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE ROLES AND DUTIES OF PARKER BOARDS AND COMMISSIONS.

MOTION: Councilmember Leamy moved to: 1) Adopt the three proposed summaries of the roles and duties; 2) Provide specific training to each board, and each new member, on at least a yearly basis; and 3) Provide copies of, or the online link to, the Parker code sections relevant to the boards. Councilmember Evans seconded with Councilmembers Leamy, Sumrow, Evans and Levine voting for. Motion carried 4-0.

ROUTINE ITEMS

11. FUTURE AGENDA ITEM REQUESTS.

Update on Lucas Wal-mart site.
LISD Sewer Service Agreement.

12. UPDATES

- a. November Department Reports – Finance, Police, Animal Control, Fire, Building, website
- b. Police Chief Fragoso noted the type of calls the City receives is changing. There have been 21 arrests, 8 DWI arrests, 2 burglaries (in the Knolls and Parker Village), recovery of a stolen vehicle and recovery of a stolen weapon. The two burglaries are un-related.

13. ADJOURN

Mayor Cordina adjourned the meeting at 9:12 p.m.

APPROVED:

Joe Cordina
Mayor

ATTESTED:

Carrie L. Smith, TRMC, CMC
City Secretary

APPROVED on the _____ day of
_____, 2012.

STATE OF TEXAS §
COUNTY OF COLLIN §

FACILITIES AGREEMENT

This agreement (“Agreement”) is made by and among the City of Allen, Texas (the “City”), and Wal-Mart Real Estate Business Trust, a Delaware statutory trust (the “Developer”) (collectively, the “Parties”), acting by and through their duly authorized representatives.

RECITALS:

WHEREAS, the City has, as part of its Capital Project Program, had plans prepared to widen Bethany Road and improve the Intersection of Bethany Road and FM 2551 (the "City Project"); and

WHEREAS, Developer is the owner of real property in Lucas, Texas, described in Exhibit "A" (the "Developer Property") which property borders on the City limits and is immediately adjacent to the City Project; and

WHEREAS, Developer anticipates constructing a retail store on the Developer Property that will require access to FM 2551 at the location of the City Project; and

WHEREAS, inconvenience to the traveling public will be avoided and the public interest served if road construction by the City and improvements by Developer are coordinated in one construction project; and

WHEREAS, the City is willing to include improvements to FM 2551, which would otherwise occur at a future date with the construction of retail improvements to the Developer Property, with the City Project subject to City receiving reimbursement of one hundred percent (100%) of the additional costs attributable to the improvements for the benefit of the Developer Property as set forth herein; and

WHEREAS, Developer agrees to reimburse the City for such additional costs on the terms set forth herein;

NOW THEREFORE, in consideration of the premises and the mutual covenants contained herein and other valuable consideration the sufficiency and receipt of which are hereby acknowledged, the Parties agree as follows:

Article I

1.1 The term of this Agreement shall commence on the last date of execution hereof (the "Effective Date") and shall continue until all Parties have fully satisfied all terms and conditions of this Agreement unless sooner terminated as provided herein.

1.2 This Agreement may be terminated by the mutual written agreement of the Parties. The City may terminate this Agreement if Developer breaches any of the terms and conditions of this Agreement, and such breach is not cured by such party within sixty (60) days after receipt of notice thereof. This Agreement shall terminate without further action by the Parties if Commencement of Construction (hereinafter defined) of the City Project, including the Developer Improvements, has not occurred by the Outside Commencement Date (hereinafter defined).

Article II Definitions

Wherever used in this Agreement, the following terms shall have the meanings ascribed to them:

“Approved Plans” shall mean the plans and specifications for the construction of the City Project as approved by the City and including Developer Improvements approved by Developer.

“City Engineer” shall mean the City of Allen City Engineer, or designee.

“Commencement of Construction” shall mean that (i) the plans for the City Project, including the Developer Improvements, have been prepared and all approvals thereof required by applicable governmental authorities have been obtained; (ii) the contract for construction has been awarded by the City; (iii) all necessary permits for construction of the City Project, including the Developer Improvements, pursuant to the respective plans therefore having been issued by all applicable governmental authorities, and (iv) the grading and/or preparation of right-of-way, or land as applicable, for the construction of City Project, including the Developer Improvements, has commenced.

“Completion of Construction” shall mean: (i) the City Project, including the Developer Improvements, has been substantially completed in accordance with the Approved Plans; and (ii) the City Project, including the Developer Improvements, has been accepted by the City in writing.

“Developer Improvements” shall mean the improvements added to the City Project for the benefit of the Developer Property as listed and described in Exhibit “B”, attached hereto and in accordance with the sketch depicted in Exhibit “C”, which Developer Improvements include, without limitation, a continuous left turn lane, right turn lanes, drainage, signs and markings etc. on FM 2551. Upon approval of the sketch depicted, the City of Allen, through its Engineer, will develop final engineering plans and specifications for construction.

“Force Majeure” shall mean any contingency or cause beyond the reasonable control of a party including, without limitation, acts of God or the public enemy, war, terrorist act, or threat thereof, riot, civil commotion, insurrection, government action or inaction (unless caused by the intentionally wrongful acts or omissions of the party), fires, earthquake, tornado, hurricane, explosions, floods, strikes, slowdowns or work stoppages.

“Outside Commencement Date” shall mean July 1, 2012.

“Verified Developer Costs” shall mean the total actual costs of the Developer Improvements verified and approved by the City (including a proportionate share of costs for engineering services by the City Engineer, permitting through TxDOT, 3.2% City construction fee, construction management, legal fees, surveying, and materials testing, in no event exceeding fifteen percent (15%) of the unit bid amounts for the Developer Improvements), but in no event shall Developer be responsible for any Verified Developer Costs exceeding Three Hundred Thousand and No/100 Dollars (\$300,000.00). The City shall provide reasonable back-up documentation to Developer to verify the Verified Developer Costs, such as paid invoices for the Developer Improvements.

Article III Project Development

3.1 Project Construction. Subject to the terms and conditions set forth herein and events of Force Majeure, the City agrees to cause the Commencement of Construction to occur on or before Outside Commencement Date and the Completion of Construction of the City Project, including the Developer Improvements, as set forth herein to occur on or before March 13, 2013. The Verified Developer Costs associated with the Developer Improvements shall be paid by the Developer as set forth in Section 3.2 below. In the event that the City fails to complete the City Project, including the Developer Improvements, on or before March 13, 2013 (subject to Force Majeure), Developer shall have the right, but not the obligation, to complete the Developer Improvements at Developer’s sole cost and expense. In such event, the City agrees to cooperate with Developer in obtaining the permits, approvals and easements necessary to complete the Developer Improvements.

3.2 Temporary City Cost Participation. Developer agrees, within thirty (30) days, after Completion of Construction of the City Project, including the Developer Improvements, to pay to the City one hundred percent (100%) of the Verified Developer Costs. The City shall submit a written invoice to the Developer for the Verified Developer Costs (not to exceed \$300,000.00), which shall be paid by Developer to the City.

Article IV Miscellaneous

4.1 Notice. Any notice required or permitted to be delivered hereunder shall be deemed received three (3) days thereafter if sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the party at the address set forth below (or such other address as such party may subsequently designate in writing) or on the day actually received if sent by courier or otherwise hand delivered.

If intended for City, to:

City of Allen, Texas
Attn: Peter H. Vargas
City Manager
305 Century Parkway
Allen, Texas 75013
Facsimile: 214.509.4590

With a copy to:

Peter G. Smith
Nichols, Jackson, Dillard, Hager & Smith, LLP
1800 Lincoln Plaza
500 N. Akard
Dallas, Texas 75201
Facsimile: 214.965.0010

With a copy to Engineer:

City of Allen, Texas
Attn: City Engineer
305 Century Parkway
Allen, Texas 75013
Facsimile: 214.509.4590

If intended for Developer, to:

Wal-Mart Real Estate Business Trust (Store No. 5672-00)
Attention: Real Estate Manager, State of Texas
2001 S.E. 10th Street
Bentonville, AR 72716-0550

With a copy to:

Wal-Mart Real Estate Business Trust (Store No. 5672-00)
Attention: Legal Department, State of Texas
2001 S.E. 10th Street
Bentonville, AR 72716-0550

With a copy to:

Haynes and Boone, LLP
Attention: Susan A. Huddleston
2323 Victory Avenue, Suite 700
Dallas, Texas 75219
Reference: Store No. 5672-00

4.2 Successors and Assigns. All obligations and covenants of the Developer under this Agreement shall be binding on the Developer, its respective successors and permitted assigns. The Developer may not assign this Agreement without the prior written consent of the City Manager, which shall not be unreasonably withheld, denied or delayed.

4.3 Severability. In the event any section, subsection, paragraph, sentence, phrase or word herein is held invalid, illegal or unconstitutional, the balance of this Agreement shall be

enforceable and shall be enforced as if the parties intended at all times to delete said invalid section, subsection, paragraph, sentence, phrase or word.

4.4 Governing Law. The Agreement shall be governed by the laws of the State of Texas, without giving effect to any conflicts of law rule or principle that might result in the application of the laws of another jurisdiction; and exclusive venue for any action concerning this Agreement shall be in the State District Court of Collin County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of said court.

4.5 Entire Agreement. This Agreement embodies the complete agreement of the parties hereto, superseding all oral or written, previous and contemporary agreements between the parties and relating to the matters in this Agreement, and except as otherwise provided herein cannot be modified without written agreement of the parties to be attached to and made a part of this Agreement. Nothing herein shall be construed in any way to require Developer to construct or operate retail improvements on the Developer Property.

4.6 Agreement Personal to Owner. The interests, easements, and covenants contained in this Agreement shall be personal with respect to Developer and shall not run with and against the Developer Property.

4.7 Recitals. The recitals to this Agreement are incorporated herein.

4.8 Exhibits. All exhibits to this Agreement are incorporated herein.

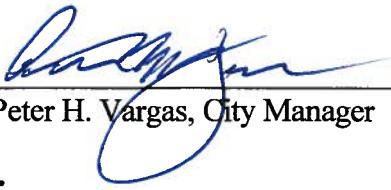
4.9 Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.

(Signature Page to Follow)

Lucas, Texas
Store No. 5672-00

EXECUTED in duplicate originals this, the 14th day of December, 2011.

City of Allen, Texas

By: 

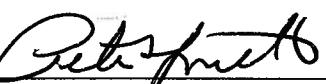
Peter H. Vargas, City Manager

ATTEST:

By: 

Shelley B. George, City Secretary

APPROVED AS TO FORM:

By: 
Peter G. Smith, City Attorney

EXECUTED in duplicate originals this, the 29 day of November, 2011.

**Wal-Mart Real Estate Business Trust,
a Delaware statutory trust**

By: 

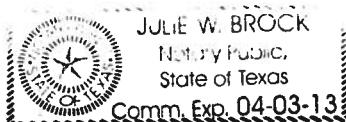
Name: Brian Hooper

Title: Vice President- Real Estate

City Acknowledgment

STATE OF TEXAS §
COUNTY OF COLLIN §

This instrument was acknowledged before me on 14 day of December, 2011, by
Peter H. Vargas, City Manager of the City of Allen, Texas, on behalf of said municipality.



Julie W. Brock
Notary Public, State of Texas
My Commission Expires: 4-3-13

Wal-Mart Acknowledgment

STATE OF ARKANSAS **§**
COUNTY OF BENTON **§**
§

This instrument was acknowledged before me on the 29 day of November, 2011, by Brian Hooper, Vice President of Wal-Mart Real Estate Business Trust, a Delaware statutory trust, on behalf of said statutory trust.



Josie M. Garcia
Notary Public State of Arkansas

EXHIBIT "A"

(Developer Property)

LEGAL DESCRIPTION

BEING a tract of land situated in the William Snider Survey, Abstract No. 821, City of Lucas, Collin County, Texas and being part of a tract of land described in deed to Roberta O. Crumpton recorded in Volume 897, Page 39, Deed Records of Collin County, Texas and part of a tract of land described in Special Warranty Deed to SC Lucas Road, LP, recorded in Instrument No. 20060410000467670, Land Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with aluminum cap found at the northernmost end of a right-of-way corner clip at the intersection of the east right-of-way line of F.M. 2551 (a variable width right-of-way) and the north right-of-way line of West Lucas Road (a variable width right-of-way);

THENCE with said east right-of-way line, North 00°46'08" West, at a distance of 449.06 feet passing the northwest corner of said Crumpton tract, continuing in all a total distance of 1266.29 feet to a 5/8" iron rod with aluminum cap found at the southeast corner of a tract of land described in Special Warranty Deed to SC Lucas Road, LP, recorded in Instrument No. 20070604000748030, Land Records of Collin County, Texas;

THENCE departing said east right-of-way line and with the south line of said second reference SC Lucas Road, LP, tract, North 89°44'30" East, a distance of 955.59 feet to a point for corner;

THENCE with the west line of said Ahmandi tract, South 00°42'39" East, a distance of 548.98 feet to a 5/8" iron rod with "KHA" cap set at the southwest corner of said Ahmandi tract and the northwest corner of a tract of land described in deed to Billy James Stratton recorded in Volume 770, Page 183, Deed Records of Collin County, Texas;

THENCE with the west line of said Stratton tract, South 01°08'43" East, a distance of 398.40 feet to a 3/8" iron rod found at the southwest corner of said Stratton tract and the northwest corner of a tract of land described in deed to Patti Stratton Frie recorded in Volume 1745, Page 556, Land Records of Collin County, Texas;

THENCE with the west line of said Frie tract, South 01°01'20" East, a distance of 347.33 feet to a 5/8" iron rod with aluminum cap found in said north right-of-way line of West Lucas Road at the northeast corner of a tract of land described in Right-Of-Way Deed to County of Collin, recorded in Volume 3465, Page 272, Land Records of Collin County, Texas;

THENCE with said north right-of-way line, South 89°33'32" West, at a distance of 454.46 feet, passing a 5/8" iron rod with aluminum cap found at the southeast corner of said Crumpton tract, continuing in all a total distance of 926.37 feet to a 5/8" iron rod with aluminum cap found at the southernmost end of said right-of-way corner clip;

THENCE with said right-of-way corner clip, North 46°48'54" West, a distance of 45.55 feet to the **POINT OF BEGINNING** and containing 28.448 acres or 1,239,197 square feet of land.

EXHIBIT “B”

(Developer Improvements)

Lucas, Texas
Store No. 5672-00

EXHIBIT "C"

(Approved Plans for Project)

**CITY OF LUCAS
LIGHTING ORDINANCE**

Division 7. Lighting

Sec. 14.04.251 Purpose and intent

It is the intent of this division to preserve, protect, and enhance the lawful nighttime use and enjoyment of any and all property through the use of appropriate lighting practices and systems. Such individual fixtures and lighting systems are designed, constructed, and installed to: control glare and light trespass, minimize obtrusive light, conserve energy and resources while maintaining safety, security and productivity, and curtail the degradation of the nighttime visual environment.

Sec. 14.04.252 Definitions

Cut-off angle (of a luminaire). The angle, measured up from the nadir, between the vertical axis and the first line of sight at which the bare source is not visible.

Footcandle. A unit of illuminance amounting to one lumen per square foot.

Full cut-off type fixture. A luminaire or light fixture that, by design of the housing, does not allow any light dispersion or direct glare to shine above a 90-degree horizontal plane from the base of the fixture. Full cut-off fixtures must be installed in a horizontal position as designed, or the purpose of the design is defeated.

Fully shielded. A fully shielded luminaire is a luminaire constructed or shielded in such a manner that all light emitted by the luminaire, either directly from the lamp or indirectly from the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part as determined by photometry test or certified by the manufacturer. Fixtures will be installed in a horizontal position as designed, or disability glare will result.

Glare. The sensation produced by luminance within the visual field that is sufficiently greater than the luminance to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance and visibility.

Illuminance. The quantity of light, or luminous flux, arriving at a surface divided by the area of the illuminated surface, measured in lux or footcandles.

Light trespass. Light emitted by a lighting installation which falls outside the boundaries of the property on which the installation is sited.

Luminaire. A complete lighting unit consisting of a lamp or lamps together with the parts designed to distribute the light, to position and protect the lamps and to connect the lamps to the power supply.

Luminance. The physical quantity corresponding to the brightness of a surface (e.g., a lamp, luminaire, sky, or reflecting material) in a specified direction. It is the luminous

intensity of a area of the surface divided by that area. The unit is candela per square meter.

Lux (lx). The SI unit of illuminance. One lux is one lumen per square meter.

Obtrusive light. Spill light which, because of quantitative, directional or spectral context, gives rise to annoyance, discomfort, distraction or a reduction in the ability to see essential information.

Spill light. Light emitted by lighting installation that falls outside the boundaries of the property on which the installation is sited.

Up-lighting. Any light source that distributes illumination above a 90-degree horizontal plane.

(Ordinance 1999-12-00426.1 adopted 12/6/99)

Sec. 14.04.253 General provisions

(a) *Curfew.* All nonessential lighting in any district will be required to be turned off after business hours in the commercial zones and after midnight in residential areas, leaving only the necessary lighting for site security. The nonessential lighting shall remain off until dawn or one-half hour before a business opens, whichever is earlier. (“Nonessential” can apply, but is not limited to: display, aesthetic, parking, sign lighting, playground, or yard lights) excluding seasonal lighting in residential.

(b) *Light trespass limits.* No use or operation in any district shall be located or concentrated so as to produce intense glare or direct illumination across the bounding property line for a visible source of illumination nor shall any such light be of such intensity as to create a nuisance or detract from the use and enjoyment of adjacent property. The pre-curfew illuminance level measured on the property line at eye height on a plane perpendicular to the line of sight shall be no greater than 3 lux. The post-curfew illuminance level measured on the property line at eye height on a plane perpendicular to the line of sight shall be no greater than 1 lux.

(c) *Streetlights.* All street or other common or public area pole-mounted lights shall be fully shielded.

General requirements applicable to all outdoor lighting.

(1) When the outdoor lighting installation or replacement is part of a development proposal for which a site plan or plat is required under these regulations, the planning and zoning commission shall review and recommend approval or disapproval to the city council for the lighting installation as part of its site plan or platting process. All other lighting installations or

replacements shall be reviewed for compliance with this chapter, and approved or denied by the city administrator or his or her designee.

(2) Exterior lighting fixtures, whether attached to a building and/or freestanding, shall be of harmonious design.

(3) The applicant shall submit to the city sufficient information, in the form of an overall exterior lighting plan, to enable the city to determine that the applicable provisions will be satisfied. The lighting plan shall include subsections (A) through (E) below and also conform to subsections (F) through (N) below:

(A) A site plan, drawn to a scale of one-inch equaling 20 feet, showing buildings, landscaping, parking area, and all proposed exterior fixtures including lamps, supports, reflectors and other devices.

(B) Specifications for all proposed lighting fixtures including photometric data, designation as IESNA full cut-off fixtures where required, and other descriptive information on the fixtures.

(C) Proposed mounting height of all exterior mounting fixtures.

(D) Luminance level diagrams showing that the proposed installation conforms to the lighting level standards in this chapter.

(E) Drawings of all relevant building elevations showing the fixtures, the portions of the walls to be illuminated, the illuminance levels of the walls, and the aiming points for any remote light fixtures.

(F) All exterior floodlights, pole lights, and carriage lights should be designed or retrofitted with shielding in a manner such that all of the luminous flux falls upon either the surface of the structure to be illuminated or on the ground wholly within the property on which it is installed.

(G) All new lighting installations shall include timers, dimmers, and/or sensors to reduce overall energy consumption, and eliminate unneeded lighting when required by the planning and zoning commission and city council.

(H) When an outdoor lighting installation is being modified, extended, expanded, or added to, the entire outdoor lighting installation shall be subject to the requirements of this section, and shall be reviewed by the city administrator or his or her designee.

(I) Expansions, additions, or replacements to outdoor lighting installations shall be designed to avoid harsh contrasts in color and/or lighting levels.

(J) Electrical service to outdoor lighting fixtures shall be underground.

(K) Proposed lighting installations that are not covered by the special provisions in this chapter may be approved only if the planning and [zoning] commission and city council find they are designed to minimize glare, do not direct light beyond the boundaries of the area being illuminated or onto adjacent properties or streets, and do not result in excessive lighting levels.

(L) In the case of flags, statues, or other top-of-pole mounted objects which cannot be illuminated with down-lighting, upward lighting may be used only in the form of one narrow-cone spotlight which confines the illumination to the object of interest.

(M) Shielding requirements. Full cut-off shielding is required on undirected light sources of 150 watts or greater, and for directed or focused light sources with spot output of 100 watts or greater, not to exceed 1800 lux.

(N) Light trespass. No use or operation in any district shall be located or concentrated so as to produce intense glare or direct illumination across the bounding property line for a visible source of illumination nor shall any such light be of such intensity as to create a nuisance or detract from the use and enjoyment of adjacent property. The pre-curfew illuminance level measured on the property line at eye height on a plane perpendicular to the line of sight shall be no greater than 3 lux. The post-curfew illuminance level measured on the property line at eye height on a plane perpendicular to the line of sight shall be no greater than 1 lux.

(4) Lighting plans, written according to the requirements listed in subsections (3)(A), (B), (C) and (D) of this section, shall contain descriptive data sufficiently complete to enable the plans examiners to readily determine whether compliance with this chapter has been met. If such plans do not enable this ready determination by reason of the nature or configuration of the proposed devices, fixtures or lamps, the applicant may be required to submit analyses and data performed and certified by a recognized testing laboratory as evidence of compliance.

(5) Should any outdoor light fixtures or the type of light source therein be changed after the plan has been filed and approved, a change request must be submitted to the city for approval. The lighting plan change request must be

received by the city prior to the change and it must contain adequate information to assure compliance with this chapter.

(d) Security lighting.

(1) For the purposes of this section, security lighting is defined as lighting primarily designed to illuminate a fence line, barn or outdoor building which is intended to reduce the risk (real or perceived) of personal attack, to discourage intruders, vandals, or burglars, and to protect property.

(2) All lighting districts.

(A) All security lighting fixtures shall be shielded and aimed so that illumination is directed only within the owner's property boundaries and not cast on other areas. In no case shall lighting be directed above a horizontal plane through the top of the lighting fixture, and the fixture shall include shields that prevent the light source or lens from being visible from adjacent properties and roadways. The use of general floodlighting fixtures shall be prohibited unless it meets the shielding requirements of this chapter.

(B) Security lighting may illuminate vertical surfaces (e.g. building facades and walls) up to a level eight feet above grade or eight feet above the bottoms of doorways or entries, whichever is greater.

(C) Security lighting fixtures may be mounted on poles located no less than ten feet from the perimeter of the property boundary.

(D) Security lights intended to illuminate a perimeter (such as a fence line) shall include motion sensors and be designed to be off unless triggered by an intruder located within five feet of the perimeter. The zone of activation sensors must be within the property boundaries of the property wishing to be illuminated.

(E) Security lights shall combine timers with dusk-to-dawn photocells to ensure lights are on only when it is dark.

(F) Security lighting standards in the various lighting districts are as shown in appendix A, the Illuminating Engineering Society of North America (IESNA).

(G) In addition to the application materials set forth in the general provisions of this chapter, applications for security lighting installations shall include a written description of the need for and purposes of the security lighting, a site plan showing the area to be secured and the location of all security lighting fixtures, specifications of all fixtures, the

horizontal and vertical angles in which light will be directed, and adequate cross-sections showing how light will be directed only onto the area to be secured.

Sec. 14.04.254 Special provisions

Lighting installed and maintained by a public utility company or a public cooperative installed prior to the effective date of the ordinance amending this section [chapter] 14 shall be exempt.

(Ordinance 2007-08-00595 adopted 8/2/07)

Sec. 14.04.255 Nonresidential provisions

The following provisions shall apply to all nonresidential land uses including, but not limited to, commercial, light industrial, industrial, open space and public/municipal.

- (1) All parking area lighting shall be full cut-off type fixtures. Pole-mounted lights shall be a maximum height of 25 feet, measured from ground level to the base of the light fixture.
- (2) All building lighting for security or aesthetics will be full cut-off or a shielded type, not allowing any upward distribution of light, and shall not exceed a height of 25 feet, measured from ground level. Floodlighting is discouraged, and if used, must be shielded to prevent:
 - (A) Disability glare for drivers or pedestrians.
 - (B) Light trespass beyond the property line.
 - (C) Light above a 90-degree horizontal plane.
- (3) Unshielded wall-pack type fixtures are unacceptable.
- (4) Adjacent to residential property, no direct light source will be visible at the property line at ground level or above.
- (5) Externally lit signs, display, building and aesthetic lighting must be lit from the top and shine downward. The lighting must be shielded to prevent direct glare and/or light trespass. The lighting must also be, as much as physically possible, contained to the target area. Internally lighted signs are acceptable. (See article 3.16 of chapter 3 for further restrictions on lighted signs.)
- (6) The “maintained horizontal illuminance recommendations” set by the Illuminating Engineering Society of North America (IES) shall be observed.

(Ordinance 1999-12-00426.1 adopted 12/6/99)

Sec. 14.04.256 Site plan standards

(a) A photo-metric light plan shall be included in all site plans and shall include, but not [be] limited to, locations, size, height, orientation, wattage, design and plans of all outdoor lighting and lighted signs. For site plans showing a high level of illumination, the commission may require an isolux plan indicating levels of illumination in footcandles, at ground level. The plan shall adhere to the "maintained horizontal illuminance recommendations" set by the Illuminating Engineering Society of North America (IESNA). (See appendix A.)

(b) Should any outdoor light fixture or the type of light source be changed after the site plan has been approved, a change request must be submitted in writing to the building inspector for his approval, together with adequate information to assure compliance with this division, which must be received prior to substitution.

(Ordinance 2007-08-00595 adopted 8/2/07)

Sec. 14.04.257 Temporary lighting exemption

(a) Any person may submit a written request, on a form prepared by the city, to the building inspector for a temporary lighting exemption request. A temporary exemption shall contain the following information:

- (1) Specific exemption or exemptions requested.
- (2) Duration of time requested for exemption.
- (3) Type of lamp(s), fixture(s) and shielding provided.
- (4) Total wattage of lamp or lamps.
- (5) Proposed location on premises of the outdoor light fixture(s), including height.
- (6) Such other data and information as may be required by the building official.

(b) The building inspector shall have five business days from the date of submission of the request for temporary exemption to act, in writing, on the request. If approved, the exemption shall be valid for not more than thirty days from the date of issuance of the approval. The approval shall be renewable at the discretion of the building official upon a consideration of all the circumstances. Each such renewed exemption shall be valid for not more than thirty days.

Sec. 14.04.258 Nonconforming lighting

- (a) Existing lighting in conflict with this division shall be classified as nonconforming.
- (b) Nonconforming lighting shall not be altered, rebuilt, enlarged, extended, or relocated, unless doing so brings it into conformance.
- (c) Nonconforming lighting shall not be permitted to remain after cessation or change of the business or activity to which the lighting pertains.

Sec. 14.04.259 Administration

The duties and responsibilities of administering this division shall be vested in the building inspector of the city, the planning and zoning commission, or such other person as may be designated from time to time by the mayor.

Sec. 14.04.260 Penalty

Any person, firm or corporation violating any of the provisions of this division shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a penalty or fine not to exceed the sum of one thousand dollars (\$1,000) for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

Sec. 14.04.261 Variances

The board of adjustment shall have authority to grant variances from the provisions of this division in accordance with article 14.02, division 2, of this chapter.

Appendix A. IES Maintained Horizontal Illuminance Recommendations

<u>Parking Lot Levels of Activity (examples)</u>	<u>General Parking and Pedestrian (footcandles)</u>			<u>Vehicle Use Area Only (footcandles)</u>		
	<u>Ave.</u>	<u>Min.</u>	<u>U. Ratio</u>	<u>Ave.</u>	<u>Min.</u>	<u>U. Ratio</u>
HIGH	3.6	0.9	4:1	2.0	0.67	3.1
Major league athletic events						
Major cultural or civic events						
Regional shopping centers						
Fast food facilities						
MEDIUM	2.4	0.6	4:1	1.0	0.33	3:1

Community shopping centers

Cultural, civic or recreational events

Office parks

Hospital parking

Transportation parking

Residential complex parking

LOW 0.8 0.2 4:1 0.5 0.13 4:1

Neighborhood shopping

Industrial employee parking

Educational facility parking

Church parking

(Ordinance 1999-12-00426.1 adopted 12/6/99)



Council Agenda Item

Budget Account Code:		Meeting Date: February 7, 2012
Budgeted Amount:		Department/ Requestor: Finance Manager / State Statute
Fund Balance-before expenditure:		Prepared by: J Boyd
Estimated Cost:		Date Prepared: 1/27/2012
Exhibits:	1) Final Audit Report	

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE ANNUAL AUDIT REPORT.

SUMMARY

A representative from Pingleton, Howard & Company P.C. will present the annual audit and answer any questions.

POSSIBLE ACTION

Approve
Table
Deny

Inter - Office Use			
Approved by:			
Department Head:	<i>Johnna Boyd</i>	Date:	<i>1-25-12</i>
City Attorney:	<i>Att attached from Jim</i>	Date:	<i>12-8-11</i>
City Administrator:	<i>Tiffy Hay</i>	Date:	<i>2-3-12</i>

CITY OF PARKER, TEXAS

**Financial Statements
(With Auditor's Report Thereon)**

September 30, 2011

CITY OF PARKER
 Annual Financial Report
 For the Year Ended September 30, 2011

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PINGLETON, HOWARD & COMPANY, P. C.

CERTIFIED PUBLIC ACCOUNTANTS

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TEXAS SOCIETY OF CPAs

INDEPENDENT AUDITOR'S REPORT

Honorable Mayor
and Members of the City Council
City of Parker
Parker, Texas 75002

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Parker, Texas, as of and for the year ended September 30, 2011, which collectively comprise the City's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the management of the City of Parker. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Parker, Texas, at September 30, 2011, and the respective changes in financial position and cash flows, where applicable, and the budgetary comparison for the General Fund for the year then ended in conformity with accounting principles generally accepted in the United States of America.

Management's discussion and analysis on pages 3 through 8 is not a required part of the basic financial statements but is supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

Honorable Mayor
and Members of the City Council
Page Two

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The individual fund schedule listed in the table of contents is presented for purposes of additional analysis and is not a required part of the basic financial statements. The individual fund schedule has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Pennington, Howard & Company, P.C.

December 9, 2011

Management's Discussion and Analysis

As management of the City of Parker, we offer readers of the City of Parker's financial statements this narrative overview and analysis of the financial activities of the City of Parker for the fiscal year ended September 30, 2011. All amounts, unless otherwise indicated, are expressed in actual dollars.

Financial Highlights

- The assets of the City of Parker exceeded its liabilities at the close of the most recent fiscal year by \$50,964,678 (net assets). Of this amount, \$5,319,059, (unrestricted net assets) may be used to meet the government's ongoing obligations to citizens and creditors.
- The government's total net assets decreased by \$195,954. This decrease is attributable to the governmental activities.
- As of the close of the current fiscal year, the City of Parker's governmental funds reported combined ending fund balances of \$3,041,533, a decrease of \$1,241,076 in comparison with the prior year. Most of the decrease is due to capital outlay expenditures and transfers to the water and sewer fund. Of the fund balance, \$2,793,013 is available for spending at the government's discretion (*unassigned fund balance*).
- At the end of the current fiscal year, unassigned fund balance for the general fund was \$2,793,013 or 122 percent of total general fund expenditures.
- The City of Parker's long-term debt decreased by \$1,203,259 during the current fiscal year. This was due to scheduled principal payments on outstanding debt.

Overview of the Financial Statements

This discussion and analysis are intended to serve as an introduction to the City of Parker's basic financial statements. The City of Parker's basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements.

Government-wide financial statements. The *government-wide financial statements* are designed to provide readers with a broad overview of the City of Parker's finances, in a manner similar to a private-sector business.

The *statement of net assets* presents information on all of the City of Parker's assets and liabilities, with the difference between the two reported as *net assets*. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the City of Parker is improving or deteriorating.

The *statement of activities* presents information showing how the government's net assets changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, *regardless of the timing of related cash flows*. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g. uncollected taxes and earned but unused vacation leave).

Both of the government-wide financial statements distinguish functions of the City of Parker that are principally supported by taxes and intergovernmental revenues (*governmental activities*) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (*business-type activities*). The governmental activities of the City of Parker include general government, public safety, transportation, and recreation. The business-type activities of the City of Parker include the water and sewer system.

The government-wide financial statements include only the City of Parker itself (known as the primary government). The Parker Volunteer Fire Department, although legally separate, functions as a special revenue fund of the City of Parker and therefore has been included as an integral part of the primary government.

The government-wide financial statements can be found on pages 11-13 of this report.

Fund financial statements. A *fund* is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City of Parker, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City of Parker can be divided into two categories: governmental funds and proprietary funds.

Governmental funds. *Governmental funds* are used to account for essentially the same functions reported as *governmental activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near-term inflows and outflows of spendable resources*, as well as *balances of spendable resources* available at the end of the fiscal year. Such information may be useful in evaluating a government's near term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between *governmental funds* and *governmental activities*.

The City of Parker maintains four governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund, debt service fund, capital improvement fund and fire department fund. The general, debt service and capital improvement funds are considered to be major funds.

The City of Parker adopts an annual appropriated budget for its general fund. Budgetary comparison statements have been provided for the general fund to demonstrate compliance with this budget.

The basic governmental fund financial statements can be found on pages 14-18 of this report.

Proprietary funds. The City of Parker maintains one type of proprietary fund. *Enterprise funds* are used to report the same functions presented as business-type activities in the government-wide financial statements. The City of Parker uses enterprise funds to account for its Water and Sewer and Sanitation operations.

Proprietary funds provide the same type of information as the government-wide financial statements, only in more detail. The proprietary fund financial statements provide separate information for the Water and Sewer and Sanitation operations, which is considered to be a major fund of the City of Parker.

The basic proprietary fund financial statements can be found on pages 19-22 of this report.

Notes to the financial statements. The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found on pages 23-42 of this report.

Government-wide Financial Analysis

As noted earlier, net assets may serve over time as a useful indicator of a government's financial position. In the case of the City of Parker, assets exceed liabilities by \$50,964,678 at the close of the most recent fiscal year.

A portion of the City of Parker's net assets (89 percent) reflects its investment in capital assets (e.g. land, building, machinery, and equipment) less any related debt used to acquire those assets that is still outstanding. The City of Parker uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the City of Parker's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

An additional portion of the City of Parker's net assets (.5 percent) represents resources that are subject to external restrictions on how they may be used. The remaining balance of *unrestricted net assets* \$5,319,059 may be used to meet the government's ongoing obligations to citizens and creditors.

At the end of the current fiscal year, the City of Parker is able to report positive balances in all three categories of net assets for the government as a whole.

CITY OF PARKER - Net Assets

	Governmental Activities		Business-type Activities		Total	
	2011	2010	2011	2010	2011	2010
Current and other assets	\$ 3,396,443	4,630,852	2,616,473	1,871,936	6,012,916	6,502,788
Capital assets	39,632,141	41,057,953	13,079,958	12,613,143	52,712,099	53,671,096
Total assets	43,028,584	45,688,805	15,696,431	14,485,079	58,725,015	60,173,884
Long-term liabilities	3,627,117	4,485,818	3,726,961	4,071,519	7,354,078	8,557,337
Other liabilities	326,649	303,481	79,610	152,434	406,259	455,915
Total liabilities	3,953,766	4,789,299	3,806,571	4,223,953	7,760,337	9,013,252
Net assets:						
Invested in capital assets, net of						
related debt	36,027,901	36,599,154	9,369,198	8,551,893	45,397,099	45,151,047
Restricted	248,520	1,527,523			248,520	1,527,523
Unrestricted	2,798,397	2,772,829	2,520,662	1,709,233	5,319,059	4,482,062
Total net assets	\$ 39,074,818	40,899,506	11,889,860	10,261,126	50,964,678	51,160,632

CITY OF PARKER - Changes in Net Assets

	Governmental Activities		Business-type Activities		Total	
	2011	2010	2011	2010	2011	2010
Revenues:						
Program revenues:						
Charges for services	\$ 321,083	317,315	2,837,985	2,128,306	3,159,068	2,445,621
Operating grants and						
Contributions	174,263	92,836			174,263	92,836
Capital grants and						
Contributions	122,048	1,301,584			122,048	1,301,584
General revenues:						
Property taxes	1,867,500	1,875,353			1,867,500	1,875,353
Other taxes	308,253	283,582			308,253	283,582
Other	168,330	171,258	3,599	39,395	171,929	210,653
Total revenues	2,961,477	4,041,928	2,841,584	2,167,701	5,803,061	6,209,629
Expenses:						
General government activities	3,906,749	3,638,032			3,906,749	3,638,032
Garbage collection			233,617	215,523	233,617	215,523
Water & Sewer			1,858,649	1,930,542	1,858,649	1,930,542
Total expenses	3,906,749	3,638,032	2,092,266	2,146,065	5,999,015	5,784,097
Increase/(decrease) in net assets before transfers						
assets before transfers	(945,272)	403,896	749,318	21,636	(195,954)	425,532
Transfers in/(out)	(879,416)	(1,973,826)	879,416	1,973,826		
Increase(decrease) in net assets	(1,824,688)	(1,569,930)	1,628,734	1,995,462	(195,954)	425,532
Net assets - 10/01/09	40,899,506	42,469,436	10,261,126	8,265,664	51,160,632	50,735,100
Net Assets - 09/30/10	\$ 39,074,818	40,899,506	11,889,860	10,261,126	50,964,678	51,160,632

The following key elements influenced the changes in net assets from the prior year:

Governmental Activities:

- Net transportation expenses increased by \$1,518,637 over the previous year.

Business-type Activities

Business-type activities increased the City of Parker's net assets by \$1,628,734.

- Water, sewer and garbage collection charges increased by \$709,679.
- Operating expenses decreased by \$53,799 over the previous year.

Financial Analysis of the Government's Funds

As noted earlier, the City of Parker uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental funds. The focus of the City of Parker's *governmental funds* is to provide information on near-term inflows, outflows, and balances of *spendable* resources. Such information is useful in assessing the City of Parker's financing requirements. In particular, *unassigned fund balance* may serve as a useful measure of a government's net resources available at the end of the fiscal year.

As the end of the current fiscal year, the City of Parker's governmental funds reported combined ending fund balances of \$3,041,533, a decrease of \$1,241,076 from the prior year. Most of the decrease is due to capital outlay expenditures and transfers to the water and sewer fund. Of the current combined ending fund balance, \$2,793,013 is unassigned, and \$248,520 is restricted.

The general fund is the main operating fund of the City of Parker. At the end of the current fiscal year, unassigned fund balance of the general fund was \$2,793,013. Total unassigned fund balance represents 122% of total general fund expenditures.

Proprietary funds. The City of Parker's proprietary funds provide the same type of information found in the government-wide financial statements, but in more detail.

Unrestricted net assets of the Enterprise Funds at the end of the year amounted to \$2,520,662. The total increase in net assets of the Enterprise Funds was \$1,628,734. The factors concerning the finances of this fund have already been addressed in the discussion of the City of Parker's business type activities.

General Fund Budgetary Highlights

During the year, revenues exceeded budgetary estimates, and expenditures were less than budgetary estimates. The budget had called for a \$323,495 decrease in fund balance. Actual results increased the fund balance by \$37,927.

Capital Asset and Debt Administration

Capital assets. The City of Parker's investment in capital assets for its governmental and business-type activities as of September 30, 2011, was \$52,712,099 (net of accumulated depreciation). This investment in capital assets includes land, buildings and systems, and equipment.

Major capital asset events during the current fiscal year included the following:

- Preserve and trail improvements of \$177,147 were the major additions to the governmental activities capital assets.
- Completion of an elevated storage tank and water lines of \$840,009 were the major additions to the business-type activities.

Additional information on the City of Parker's capital assets can be found in note 3.C. on page 32 of this report.

Long-term debt. At the end of the current fiscal year, the City of Parker had bonded debt outstanding of \$7,315,000.

The City of Parker's long-term debt decreased by \$1,203,259 due to scheduled principal payments on outstanding debt.

Additional information on the City of Parker's long-term debt can be found in notes 3.F. and 3.G. on pages 33-38 of this report.

Economic Factors and Next Year's Budgets and Rates

The City of Parker continued to experience controlled single-family residential development. Property taxes continue to be the City's primary source of revenue. Managed growth has continued through fiscal year 2012 as anticipated. Residential construction is anticipated to continue at about the same pace in the 2011-2012 period.

City Administration submits a monthly Revenue and Expenditure report and Investment report, which is reviewed by the City Council in open Council Meetings. Moderate growth will continue to create demands for additional public services, i.e. fire and police, and public works. These factors were considered in preparing the City's budget for the 2011-2012 fiscal year. The budget that was developed by City management and approved by the City's elected officials focused on using the City's available financial resources. In the past five years, tightly constrained budgets have been approved, which were heavily dependent on ad valorem taxes and permit fees. Therefore, it is critical city management and Council continue to monitor revenue and spending patterns very closely and pay particular attention to residential housing permit patterns during FY 2012.

1. Water Tower/Distribution System - \$3.25 Million budgeted total project - funded through General Obligation Bond over the last two years.
2. Salary Increases - Overall average of 3% Merit and adjustments to remain competitive in the market place.
3. Ad Valorem Taxes - Anticipate about the same in revenue from Ad Valorem Taxes. Tax rate remained at \$0.37708.
4. Building Permits - Anticipate a small increase in building permits during FY 2011-2012.

Request for Information

This financial report is designed to provide a general overview of the City of Parker's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to City of Parker, City Administrator, 5700 East Parker Road, Parker, Texas 75002.

BASIC FINANCIAL STATEMENTS

CITY OF PARKER
 Statement of Net Assets
 September 30, 2011

	Primary Government		
	<u>Governmental Activities</u>	<u>Business-type Activities</u>	<u>Total</u>
ASSETS			
Cash and cash equivalents	\$ 1,485,895	1,642,442	3,128,337
Investments	2,101,174		2,101,174
Receivables (net of allowance for uncollectibles)	24,046	408,985	433,031
Restricted assets - cash and cash equivalents		270,271	270,271
Due (to)/from other funds	(252,922)	252,922	
Due from other governments			
Deferred charges	38,250	41,853	80,103
Capital assets not being depreciated:			
Land and improvements	1,020,631	107,417	1,128,048
Construction in progress		427,726	427,726
Capital assets (net of accumulated depreciation):			
Buildings and improvements	2,276,625		2,276,625
Water and sewer systems		12,504,309	12,504,309
Equipment and vehicles	786,591	40,506	827,097
Streets/infrastructure	<u>35,548,294</u>	<u>_____</u>	<u>35,548,294</u>
Total assets	<u>43,028,584</u>	<u>15,696,431</u>	<u>58,725,015</u>
LIABILITIES			
Accounts payable	239,253	44,166	283,419
Accrued salaries	13,451	4,306	17,757
Accrued interest payable	30,945	31,138	62,083
Building permit deposits	43,000		43,000
Noncurrent liabilities:			
Due within one year	229,168	252,094	481,262
Due in more than one year	<u>3,397,949</u>	<u>3,474,867</u>	<u>6,872,816</u>
Total liabilities	<u>3,953,766</u>	<u>3,806,571</u>	<u>7,760,337</u>
NET ASSETS			
Invested in capital assets, net of related debt	36,027,901	9,369,198	45,397,099
Restricted	248,520		248,520
Unrestricted	<u>2,798,397</u>	<u>2,520,662</u>	<u>5,319,059</u>
Total net assets	<u>\$ 39,074,818</u>	<u>11,889,860</u>	<u>50,964,678</u>

The notes to the financial statements are an integral part of this statement.

CITY OF PARKER
 Statement of Activities
 For the Fiscal Year Ended September 30, 2011

Functions/Programs	<u>Expenses</u>	<u>Program Revenues</u>		
		<u>Charges for Services</u>	<u>Operating Grants and Contributions</u>	<u>Capital Grants and Contributions</u>
Primary government:				
Governmental activities:				
General government	\$ 756,952	156,073		
Public safety	1,016,882	165,010	174,263	
Transportation	1,968,623			
Culture and recreation	27,775			122,048
Interest and fiscal charges	<u>136,517</u>			
Total governmental activities	<u>3,906,749</u>	<u>321,083</u>	<u>174,263</u>	<u>122,048</u>
Business-type activities:				
Water	1,721,424	2,418,741		
Sewer	137,225	153,525		
Garbage collection	<u>233,617</u>	<u>265,719</u>		
Total business-type activities	<u>2,092,266</u>	<u>2,837,985</u>		
Total primary government	<u>\$ 5,999,015</u>	<u>3,159,068</u>	<u>174,263</u>	<u>122,048</u>

General revenues:
 Property taxes
 Sales taxes
 Franchise taxes
 Unrestricted investment earnings
 Miscellaneous revenue
 Gain on sale of capital assets
 Transfers
 Total general revenues and transfers

 Change in net assets

 Net assets - beginning

 Net assets - ending

The notes to the financial statements are an integral part of this statement.

Net (Expense) Revenue and Changes in Net Assets		
Primary Government		
Governmental <u>Activities</u>	Business-type <u>Activities</u>	<u>Total</u>
(600,879)	(600,879)	
(677,609)	(677,609)	
(1,968,623)	(1,968,623)	
94,273	94,273	
<u>(136,517)</u>	<u>(136,517)</u>	
<u>(3,289,355)</u>	<u>(3,289,355)</u>	
697,317	697,317	
16,300	16,300	
<u>32,102</u>	<u>32,102</u>	
<u>745,719</u>	<u>745,719</u>	
<u>(3,289,355)</u>	<u>745,719</u>	<u>(2,543,636)</u>
1,867,500	1,867,500	
101,765	101,765	
206,488	206,488	
74,026	1,767	75,793
43,114	1,832	44,946
51,190		51,190
<u>(879,416)</u>	<u>879,416</u>	
<u>1,464,667</u>	<u>883,015</u>	<u>2,347,682</u>
(1,824,688)	1,628,734	(195,954)
<u>40,899,506</u>	<u>10,261,126</u>	<u>51,160,632</u>
<u>39,074,818</u>	<u>11,889,860</u>	<u>50,964,678</u>

CITY OF PARKER

Balance Sheet
Governmental Fund
September 30, 2011

	<u>General Fund</u>	<u>Debt Service Fund</u>	<u>Capital Improvement Fund</u>	<u>Other Governmental Fund</u>	<u>Total Governmental Funds</u>
ASSETS					
Cash and cash equivalents	\$ 1,150,374	74,429	195,274	65,818	1,485,895
Investments	2,065,943			35,231	2,101,174
Receivables (net of allowance for uncollectibles)	24,046				24,046
Due from other governments					
Due from other funds	_____	1,536	_____	_____	1,536
Total assets	\$ <u>3,240,363</u>	<u>75,965</u>	<u>195,274</u>	<u>101,049</u>	<u>3,612,651</u>

LIABILITIES AND FUND BALANCES

Liabilities:

Accounts payable	\$ 122,623		116,630	239,253
Accrued salaries	13,451			13,451
Accrued interest payable		7,138		7,138
Building permit deposits	43,000			43,000
Due to other funds	254,458			254,458
Deferred revenue	<u>13,818</u>			<u>13,818</u>
Total liabilities	<u>447,350</u>	<u>7,138</u>	<u>116,630</u>	<u>571,118</u>

Fund balances:

Restricted:				
Debt service		68,827		68,827
Capital outlay			78,644	78,644
Volunteer fire department				101,049
Unassigned	<u>2,793,013</u>			<u>2,793,013</u>
Total fund balances	<u>2,793,013</u>	<u>68,827</u>	<u>78,644</u>	<u>101,049</u>
Total liabilities and fund balances	\$ <u>3,240,363</u>	<u>75,965</u>	<u>195,274</u>	<u>101,049</u>
				3,612,651

The notes to the financial statements are an integral part of this statement.

CITY OF PARKER
Reconciliation of the Balance Sheet of Governmental Funds
to the Statement of Net Assets
September 30, 2011

Total Fund Balances - Governmental Funds \$ 3,041,533

Capital assets used in governmental activities are not financial resources, and therefore, are not reported in governmental funds. At the end of the year, the cost of these assets was \$47,092,511 and the accumulated depreciation was \$(7,460,370). The net effect of including capital assets (net of depreciation) is to increase net assets.

39,632,141

Long term liabilities are not reported as liabilities in the funds. The net effect of including long term debt is to decrease net assets.

(3,627,117)

Interest is accrued on outstanding debt in the government-wide financial statements, whereas in the fund financial statements, interest expenditures are reported when due. The net effect of including accrued interest is to decrease net assets.

(23,807)

Various other reclassifications and eliminations are necessary to convert from the modified accrual basis of accounting to accrual basis of accounting. These include recognizing deferred revenue of \$13,818 as revenue, capitalizing bond issuance costs net of amortization of \$38,250. The net effect of these reclassifications is to increase net assets.

52,068

Net Assets of Governmental Activities

\$ 39,074,818

CITY OF PARKER
 Statement of Revenues, Expenditures, and Changes in Fund Balances
 Governmental Funds
 For the Fiscal Year Ended September 30, 2011

	<u>General Fund</u>	<u>Debt Service Fund</u>	<u>Capital Improvement Fund</u>	<u>Other Governmental Fund</u>	<u>Total Governmental Funds</u>
REVENUES					
Taxes:					
Property	\$ 1,423,275	456,642			1,879,917
Sales	101,765				101,765
Franchise	206,488				206,488
License and permits	163,843				163,843
Intergovernmental	123,095			6,809	129,904
Investment income	71,790	473	1,320	443	74,026
Fines, warrants and seizures	157,240				157,240
Donations/fund raisers	84,619			81,788	166,407
Miscellaneous	38,038			5,076	43,114
Total revenues	<u>2,370,153</u>	<u>457,115</u>	<u>1,320</u>	<u>94,116</u>	<u>2,922,704</u>
EXPENDITURES					
Current:					
General government	564,547				564,547
Police department	607,211				607,211
Municipal court	103,005				103,005
Fire department	210,700			55,969	266,669
Building and code enforcement	84,786				84,786
Parks and recreation	1,745				1,745
Public works/streets	432,709		3,016		435,725
City property	64,735				64,735
Capital outlay	220,139				220,139
Debt service:					
Principal		746,884			746,884
Interest and fiscal charges		<u>156,251</u>			<u>156,251</u>
Total expenditures	<u>2,289,577</u>	<u>903,135</u>	<u>3,016</u>	<u>55,969</u>	<u>3,251,697</u>
Excess (deficiency) of revenues over(under) expenditures	<u>80,576</u>	<u>(446,020)</u>	<u>(1,696)</u>	<u>38,147</u>	<u>(328,993)</u>
OTHER FINANCING SOURCES (USES)					
Sale of capital assets	51,190				51,190
Transfer in/(out)	(93,839)	525,289	(1,310,866)		(879,416)
Refunding bonds issued		2,959,825			2,959,825
Payments to refund bond escrow agent		(3,126,487)			(3,126,487)
Bond premium		82,805			82,805
Total other financing sources (uses)	<u>(42,649)</u>	<u>441,432</u>	<u>(1,310,866)</u>		<u>(912,083)</u>
Net change in fund balances	37,927	(4,588)	(1,312,562)	38,147	(1,241,076)
Fund balances, beginning	<u>2,755,086</u>	<u>73,415</u>	<u>1,391,206</u>	<u>62,902</u>	<u>4,282,609</u>
Fund balances, ending	<u>\$ 2,793,013</u>	<u>68,827</u>	<u>78,644</u>	<u>101,049</u>	<u>3,041,533</u>

The notes to the financial statements are an integral part of this statement.

CITY OF PARKER
 Reconciliation of the Statement of Revenue, Expenditures,
 and Changes in Fund Balances of Governmental Funds
 to the Statement of Activities
 September 30, 2011

Total Net Change in Fund Balances - Governmental Funds	\$ (1,241,076)
Current year capital outlays of \$220,139 and long-term debt principal payments of \$746,884 are expenditures in the fund financial statements, but they should be shown as increases in capital assets and reduction in debt in the government-wide financial statements. The net effect of including the current year capital outlays and debt principal payments is to increase net assets.	967,023
Current year bond issuance of \$(2,959,825) and retirement of bonded indebtedness of \$3,067,500 are other financing sources and (uses) in the fund financial statements, but are reported as (increases) and decreases in debt in the government-wide financial statements. The net effect of the debt issuance and payments is to increase net assets.	107,675
Depreciation is not recognized as an expense in governmental funds since it does not require the use of current resources. The net effect of the current year's depreciation is to decrease net assets.	(1,645,951)
Various other reclassifications and eliminations are necessary to convert from the modified accrual basis of accounting to accrual basis of accounting. These include recognizing deferred revenue of \$(12,417) as revenue, and accrued interest of \$(1,834), amortization of bond issuance costs of \$(2,250), and compensated absences of \$4,142. The net effect of these reclassifications is to decrease net assets.	<u>(12,359)</u>
Change in Net Assets of Governmental Activities	\$ (1,824,688)

The notes to the financial statements are an integral part of this statement.

CITY OF PARKER
 Statement of Revenues, Expenditures, and Changes in Fund Balances
 Budget and Actual - General Fund
 For the Fiscal Year Ended September 30, 2011

				Variance With Final Budget
		<u>Budgeted Amounts</u>	<u>Actual</u>	Positive (Negative)
		<u>Original</u>	<u>Final</u>	
REVENUES				
Taxes:				
Property	\$ 1,434,159	1,434,159	1,423,275	(10,884)
Sales	92,400	92,400	101,765	9,365
Franchise	200,000	200,000	206,488	6,488
License and permits:				
Building permits	120,000	120,000	153,663	33,663
Special use permits	1,000	1,000	1,000	0
Alarm permits	6,000	6,000	7,770	1,770
Filing fee	1,000	1,000	1,410	410
Grants	159,000	159,000	123,095	(35,905)
Investment income	68,500	68,500	71,790	3,290
Fines, warrants and seizures	177,200	177,200	157,240	(19,960)
Miscellaneous	<u>8,800</u>	<u>8,800</u>	<u>122,657</u>	<u>113,857</u>
Total revenues	<u>2,268,059</u>	<u>2,268,059</u>	<u>2,370,153</u>	<u>102,094</u>
EXPENDITURES				
Current:				
General government	633,719	633,719	564,547	69,172
Police department	639,175	639,175	607,211	31,964
Municipal court	142,617	142,617	103,005	39,612
Fire department	214,800	214,800	210,700	4,100
Building & code enforcement	93,353	93,353	84,786	8,567
Parks and recreation	8,750	8,750	1,745	7,005
Public works/streets	541,145	541,145	432,709	108,436
City property	74,350	74,350	64,735	9,615
Capital outlay	<u>243,645</u>	<u>243,645</u>	<u>220,139</u>	<u>23,506</u>
Total expenditures	<u>2,591,554</u>	<u>2,591,554</u>	<u>2,289,577</u>	<u>301,977</u>
Excess (deficiency) of revenues over (under) expenditures	<u>(323,495)</u>	<u>(323,495)</u>	<u>80,576</u>	<u>404,071</u>
OTHER FINANCING SOURCES (USES)				
Sale of capital assets			51,190	51,190
Transfers (out)			<u>(93,839)</u>	<u>(93,839)</u>
Total other financing sources (uses)			<u>(42,649)</u>	<u>(42,649)</u>
Net change in fund balances	(323,495)	(323,495)	37,927	361,422
Fund balances, beginning	<u>2,755,086</u>	<u>2,755,086</u>	<u>2,755,086</u>	_____
Fund balances, ending	<u>\$ 2,431,591</u>	<u>2,431,591</u>	<u>2,793,013</u>	<u>361,422</u>

The notes to the financial statements are an integral part of this statement.

CITY OF PARKER
 Statement of Net Assets
 Proprietary Fund
 September 30, 2011

	<u>Water/Sewer and Sanitation</u>
ASSETS	
Current assets:	
Cash and cash equivalents	\$ 1,642,442
Restricted cash and cash equivalents	270,271
Receivables (net of allowance of uncollectibles)	408,985
Due from other funds	<u>252,922</u>
Total current assets	<u>2,574,620</u>
Noncurrent assets:	
Deferred charges	<u>41,853</u>
Capital assets:	
Land	107,417
Construction in progress	427,726
Water/sewer systems	14,858,400
Equipment & vehicles	258,312
Less: accumulated depreciation	<u>(2,571,897)</u>
Total capital assets (net of accumulated depreciation)	<u>13,079,958</u>
Total noncurrent assets	<u>13,121,811</u>
Total assets	<u>15,696,431</u>
LIABILITIES	
Current liabilities:	
Accounts payable	44,166
Accrued salaries	4,306
Compensated absences payable	12,961
Accrued interest payable	31,138
Current portion of revenue bonds payable	<u>239,133</u>
Total current liabilities	<u>331,704</u>
Noncurrent liabilities:	
Compensated absences payable	3,240
Revenue bonds payable	<u>3,471,627</u>
Total noncurrent liabilities	<u>3,474,867</u>
Total liabilities	<u>3,806,571</u>
NET ASSETS	
Invested in capital assets, net of related debt	9,369,198
Unrestricted	<u>2,520,662</u>
Total net assets	<u>\$ 11,889,860</u>

The notes to the financial statements are an integral part of this statement.

CITY OF PARKER
 Statement of Revenues, Expenses, and Changes in Fund Net Assets
 Proprietary Fund
 For the Fiscal Year Ended September 30, 2011

	<u>Water/Sewer and Sanitation</u>
OPERATING REVENUES	
Water sales	\$ 2,323,209
Garbage collection	265,719
Sewer revenue	153,525
Meter installations	61,648
Tap fees	6,068
Late charges	26,866
Reconnect fees	950
Miscellaneous	<u>1,832</u>
Total operating revenues	<u>2,839,817</u>
OPERATING EXPENSES	
Water	1,297,499
Sewer	131,809
Garbage collection	233,617
Depreciation/amortization	<u>374,869</u>
Total operating expenses	<u>2,037,794</u>
Operating income/(loss)	<u>802,023</u>
NONOPERATING REVENUES (EXPENSES)	
Transfers in	879,416
Interest income	1,767
Interest expense	<u>(54,472)</u>
Total nonoperating revenues (expenses)	<u>826,711</u>
Change in net assets	1,628,734
Net assets, beginning	<u>10,261,126</u>
Net assets, ending	<u>\$ 11,889,860</u>

The notes to the financial statements are an integral part of this statement.

CITY OF PARKER
 Statement of Cash Flows
 Proprietary Fund
 For the Fiscal Year Ended September 30, 2011

	<u>Water/Sewer and Sanitation</u>
Cash flows from operating activities:	
Cash received from customers	\$ 2,671,190
Cash paid to suppliers	(1,265,292)
Cash paid to employees	<u>(411,104)</u>
Net cash provided (used) by operating activities	<u>994,794</u>
Cash flows from noncapital financing activities:	
Transfers from other funds	<u>879,416</u>
Net cash provided (used) by noncapital financing activities	<u>879,416</u>
Cash flows from capital and related financing activities:	
Acquisition and construction of capital assets	(840,009)
Principal payments on capital debt	(3,115,665)
Interest paid on capital debt	(120,879)
Proceeds from bond issuance	<u>2,765,175</u>
Net cash provided (used) by capital and related financing activities	<u>(1,311,378)</u>
Cash flows from investing activities:	
Interest received	<u>1,767</u>
Net cash provided (used) by investing activities	<u>1,767</u>
Net increase (decrease) in cash and cash equivalents	564,599
Cash and cash equivalents, beginning	<u>1,348,114</u>
Cash and cash equivalents, ending	<u>\$ 1,912,713</u>

CITY OF PARKER
 Statement of Cash Flows
 Proprietary Fund
 For the Fiscal Year Ended September 30, 2011
 -continued-

Reconciliation of Net Income to Net Cash Provided (Used)
 by Operating Activities

	<u>Water/Sewer and Sanitation</u>
Operating income/(loss)	<u>\$ 802,023</u>
Adjustments to reconcile net income to net cash provided (used) by operating activities:	
Depreciation/amortization expense	374,869
(Increase) decrease in accounts receivable	(181,612)
Increase (decrease) in accounts payable	6,910
Increase/(decrease) in accrued salaries	(13,328)
Increase/(decrease) in compensated absences	<u>5,932</u>
Total adjustments	<u>192,771</u>
Net cash provided (used) by operating activities	<u>\$ 994,794</u>

The notes to the financial statements are an integral part of this statement.

CITY OF PARKER
Notes to the Financial Statements
September 30, 2011

(1) SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the City of Parker, Texas, have been prepared in conformity with accounting principles generally accepted (GAAP) in the United States of America as applied to government units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant of the government's accounting policies are described below.

A. Reporting Entity

In evaluating how to define the government, for financial reporting purposes, management has considered all potential component units. The decision to include a potential component unit in the reporting entity was made by applying the criteria set forth in GAAP. The basic, but not the only, criterion for including a potential component unit within the reporting entity is the governing body's ability to exercise oversight responsibility. The most significant manifestation of this ability is financial interdependency. Other manifestations of the ability to exercise oversight responsibility include, but are not limited to, the selection of governing authority, the designation of management, the ability to significantly influence operations, and accountability for fiscal matters. A second criterion used in evaluating potential component units is the scope of public service. Application of this criterion involves considering whether the activity benefits the government and/or its citizens, or whether the activity is conducted within the geographic boundaries of the government and is generally available to its citizens. A third criterion used to evaluate potential component units for inclusion or exclusion from the reporting entity is the existence of special financing relationships, regardless of whether the government is able to exercise oversight responsibilities. Based upon the application of these criteria, the following is a brief review of each potential component unit addressed in defining the government's reporting entity.

B. Government-wide and Fund financial statements

The government-wide financial statements (i.e., the statement of net assets and the statement of activities) report information on all of the activities of the primary government. For the most part, the effect of interfund activity has been removed from these statements. *Governmental activities*, which normally are supported by taxes and intergovernmental revenues, are reported separately from *business-type activities*, which rely to a significant extent on fees and charges for support.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as *general revenues*.

Separate financial statements are provided for governmental funds and proprietary funds. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

CITY OF PARKER

Notes to the Financial Statements
September 30, 2011
-continued-

(1) SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

C. Measurement focus, basis of accounting, and financial statement presentation

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*, as are the proprietary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

Property taxes, franchise taxes, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Only the portion of special assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when cash is received by the government.

The government reports the following major governmental funds:

The *general fund* is the government's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

The *debt service fund* accounts for the resources accumulated and payments made for principal and interest on long-term general obligation debt of governmental funds.

The *capital improvement fund* accounts for revenue sources that are legally restricted to expenditure for the acquisition or construction of major capital facilities.

The government reports the following proprietary funds:

The *water/sewer and sanitation fund* is used to account for those operations that are financed and operated in a manner similar to private business or where the council has decided that the determination of revenues earned, costs incurred and/or net income is necessary for management accountability. The government's water/sewer fund is for water and sewer operations and the sanitation fund is for garbage operations

CITY OF PARKER

Notes to the Financial Statements
September 30, 2011
-continued-

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

C. Measurement focus, basis of accounting, and financial statement presentation
(continued)

Private-sector standards of accounting and financial reporting issued prior to December 1, 1989, generally are followed in both the government-wide and proprietary fund financial statements to the extent that those standards do not conflict with or contradict guidance of Governmental Accounting Standards Board. Governments also have the *option* of following subsequent private-sector guidance for their business-type activities and enterprise funds, subject to this same limitation. The government has elected not to follow subsequent private-sector guidance.

As a general rule the effect of interfund activity has been eliminated from the government-wide financial statements. Exceptions to this general rule are payments-in-lieu of taxes and other charges between the government's water and sewer function and various other functions of the government. Elimination of these charges would distort the direct costs and program revenues reported for the various functions concerned.

Amounts reported as *program revenues* include 1) charges to customers or applicants for goods, services, or privileges provided, 2) operating grants and contributions, and 3) capital grants and contributions, including special assessments. Internally dedicated resources are reported as *general revenues* rather than as program revenues. Likewise, general revenues include all taxes.

Proprietary funds distinguish *operating* revenues and expenses from *nonoperating* items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the enterprise fund are charges to customers for sales and services. The enterprise fund also recognizes as operating revenue the portion of tap fees intended to recover the cost of connecting new customers to the system. Operating expenses for enterprise funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

D. Assets, liabilities, and net assets or equity

1. Deposits and Investments

Cash and cash equivalents includes cash on hand, demand deposits, and short-term investments with a maturity date within three months of the date acquired by the government. Other short-term investments are included in investments. Investments are stated at cost.

2. Short-term Interfund Receivables/Payables

During the course of operations, numerous transactions occur between individual funds for goods provided or services rendered. These receivables and payables are classified as "due from other funds" or "due to other funds" on the balance sheet. Short-term interfund loans are classified as "interfund receivables/payables."

CITY OF PARKER
Notes to Financial Statements
September 30, 2011
-continued-

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

D. Assets, liabilities, and net assets or equity (continued)

3. Restricted Assets

Certain resources set aside for the repayment of bonds are classified as restricted assets on the balance sheet because their use is limited by applicable bond covenants.

4. Capital Assets

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$5,000 (amount not rounded) and an estimated useful life in excess of two years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized.

Major outlays for capital assets and improvements are capitalized as projects are constructed. Interest is capitalized on proprietary fund assets acquired with tax-exempt debt. The amount of interest to be capitalized is calculated by offsetting interest expense incurred from the date of the borrowing until completion of the project with interest earned on invested proceeds over the same period.

Property, plant, and equipment of the primary government is depreciated using the straight line method over the following estimated useful lives:

<u>Assets</u>	<u>Years</u>
Buildings	40
System infrastructure	40
Street improvements	20
Equipment	5-10
Vehicles	5

5. Compensated Absences

Vested or accumulated vacation leave that is expected to be liquidated with expendable available financial resources is reported as an expenditure and a fund liability of the governmental fund that will pay it. Amounts of vested or accumulated vacation leave that are not expected to be liquidated with expendable available financial resources are reported in the statement of net assets. No expenditure is reported for these amounts. Vested or accumulated vacation leave of proprietary funds is recorded as an expense and liability of those funds as the benefits accrue to employees. In accordance with the provisions of GASB Statement No. 16, *Accounting for Compensated Absences*, no liability is recorded for nonvesting accumulating rights to receive sick pay benefits. However, liability is recognized for

CITY OF PARKER
Notes to Financial Statements
September 30, 2011
-continued-

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

D. Assets, liabilities, and net assets or equity (continued)

5. Compensated Absences (continued)

that portion of accumulating sick leave benefits that it is estimated will be taken as "terminal leave" prior to retirement.

6. Long-term Obligations

In the government-wide financial statements, and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type statement of net assets. Bond premiums and discounts, as well as issuance costs, are deferred and amortized over the life of the bonds using the effective interest method. Bonds payable are reported net of the applicable bond premium or discount. Bond issuance costs are reported as deferred charges and amortized over the term of the related debt.

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

7. Fund equity

Fund Balance Classification: The governmental fund financial statements present fund balance classifications that comprise a hierarchy that is based primarily on the extent to which the City is bound to honor constraints for which amounts in the respective governmental funds can be spent. The classifications used in the governmental fund financial statements are as follows:

- **Nonspendable**: This classification includes amounts that cannot be spent because they are either (a) not in spendable form or (b) are legally or contractually required to be maintained intact.
- **Restricted**: This classification includes amounts for which constraints have been placed on the use of the resources either (a) externally imposed by creditors (such as through a debt covenant), grantors, contributors, or laws or regulations of other governments, or (b) imposed by law through constitutional provisions or enabling legislation.
- **Committed**: This classification includes amounts that can be used only for specific purposes pursuant to constraints imposed by formal action of the City Council. These amounts cannot be used for any other purpose unless the City Council removes or changes the specified use by taking the same type of action (ordinance or resolution) that was employed when the funds were initially committed. This classification also includes

CITY OF PARKER
 Notes to Financial Statements
 September 30, 2011
 -continued-

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

D. Assets, liabilities, and net assets or equity (continued)

7. Fund equity (continued)

- Committed: (continued)
 contractual obligations to the extent that existing resources have been specifically committed for use in satisfying those contractual requirements. The City did not have any committed resources as of September 30, 2011.
- Assigned: This classification includes amounts that are constrained by the City's intent to be used for a specific purpose but are neither restricted nor committed. This intent can be expressed by an official to which the City Council delegates this authority.
- Unassigned: This classification includes amounts that have not been assigned to other funds or restricted, committed or assigned to a specific purpose within the General Fund.

When an expenditure is incurred for purposes for which both restricted and unrestricted fund balance is available, the City considers restricted funds to have been spent first. When an expenditure is incurred for which committed, assigned, or unassigned fund balances are available, the City considers amounts to have been spent first out of committed funds, then assigned funds, and finally unassigned funds, as needed.

As of September 30, 2011, fund balances are composed of the following:

	<u>General Fund</u>	<u>Debt Service Fund</u>	<u>Capital Projects Fund</u>	<u>Nonmajor Governmental Funds</u>	<u>Total Governmental Funds</u>
Nonspendable:					
Restricted:					
Debt service	\$	68,827			68,827
Other capital projects			78,644		78,644
Volunteer fire department				101,049	101,049
Committed:					
Assigned:					
Unassigned:	<u>2,793,013</u>	_____	_____	_____	<u>2,793,013</u>
Total fund balances	<u>\$ 2,793,013</u>	<u>68,827</u>	<u>78,644</u>	<u>101,049</u>	<u>3,041,533</u>

CITY OF PARKER
Notes to Financial Statements
September 30, 2011
-continued-

NOTE 2. STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY

A. Budgetary Information

Annual budgets are adopted on a basis consistent with accounting principles generally accepted in the United States of America with minor exceptions. Annual appropriated budgets are legally adopted for the general fund and water and sewer fund. All annual appropriations lapse at fiscal year end.

The City follows these procedures in establishing the budgetary data reflected in the financial statements.

1. Prior to September 30, the City Council prepares a proposed operating budget for the fiscal year commencing the following October 1. The operating budget includes proposed expenditures and the means of financing them.
2. Public hearings are conducted to obtain taxpayer comments.
3. The budget is legally enacted by the City Council through passage of an ordinance prior to the beginning of the fiscal year to which it applies, which can be amended by the Council.
4. Formal budgetary integration, using the modified accrual basis, is employed as a management control device during the year for the General Fund. One supplemental appropriation was made during the fiscal year.
5. The budget approved for the Water/Sewer and Sanitation Fund follows similar approval procedures but departs from general accepted accounting principles by not including depreciation in the approved budget. These amounts are reported at year end as part of the "actual" column. One supplemental appropriation was made during the fiscal year.

Encumbrances for goods or purchased services are documented by purchase orders or contracts. At year end, encumbrances are canceled or reappropriated as part of the following year budget.

B. Budget/GAAP Reconciliation

The following schedule reconciles the amounts on the Statement of Revenues, Expenses and Changes in Fund Net Assets - Budget and Actual - Water/Sewer and Sanitation Fund to the amounts on the Statement of Revenues, Expenses and Changes in Fund Net Assets - Proprietary Funds:

Water/Sewer and Sanitation Fund

Net assets (budget)	\$ 12,264,729
Depreciation	<u>(374,869)</u>
Net assets (GAAP)	<u>\$ 11,889,860</u>

CITY OF PARKER
Notes to Financial Statements
September 30, 2011
-continued-

NOTE 3. DETAILED NOTES ON ALL FUNDS

A. Deposits and Investments

The City may invest in obligations of the U.S. Treasury or the State of Texas, certain U.S. agencies, certificates of deposit, money market savings accounts, certain municipal securities, repurchase agreements, common trust funds and other investments specifically allowed by the Public Funds Investment Act of 1987 (Article 842a-2 Vernon's Civil Statutes).

At September 30, 2011, the City's carrying amount of deposits was \$1,915,913 and the bank balance was \$1,942,083. Of the bank balance, \$250,000 was covered by federal depository insurance and \$1,692,083 was covered by collateral held by the pledging financial institution's trust department or agent in the government's name.

In compliance with the Public Funds Investment Act, the government has adopted a deposit and investment policy. That policy addresses the following risks:

- a. Custodial Credit Risk - Deposits: In the case of deposits this is the risk that, in the event of a bank failure, the government's deposits may not be returned to it. The government's policy regarding types of deposits allowed and collateral requirements is: the Depository may be a state bank authorized and regulated under Texas law; a national bank, savings and loan association, or savings bank authorized and regulated by federal law; or a savings and loan association or savings bank organized under Texas law; but shall not be any bank the deposits of which are not insured by the Federal Deposit Insurance Corporation (FDIC). The government is not exposed to custodial credit risk for its deposits, as all are covered by depository insurance and pledged securities.
- b. Custodial Credit Risk - Investments: For an investment, this is the risk that, in the event of the failure of the counterparty, the government will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The government's investments are with the Texas Short Term Asset Reserve Fund ("TexStar"). The pool is a public funds investment pool created to provide a safe environment for the placement of local government funds in authorized short-term investments. Local investment pools operate in a manner consistent with the Security and Exchange Commission's Rule 2a7 of the Investment Company Act of 1940. The reported value of the pool is the same as the fair value of the pool share. Administration of TexStar is performed by a Board of Directors, which is an administrative agency created under the Interlocal Act. The government is not exposed to custodial credit risk for its investments.
- c. Credit Risk - This is the risk that an issuer of an investment will be unable to fulfill its obligations. The rating of securities by nationally recognized rating agencies is designed to give an indication of credit risk. The credit quality rating for TexStar at year end was AAAm by Standard & Poor's.
- d. Interest Rate Risk - This is the risk that changes in interest rates will adversely affect the fair value of an investment. The Government manages its exposure to declines in fair values by limiting the weighted average maturity of its investment portfolio to less than one year from the time of purchase. The weighted average maturity for the Government's investment in external investment pools is less than 60 days.

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CITY OF PARKER
 Notes to Financial Statements
 September 30, 2011
 -continued-

NOTE 3. DETAILED NOTES ON ALL FUNDS (continued)

A. Deposits and Investments (continued)

- e. Foreign Currency Risk - This is the risk that exchange rates will adversely affect the fair value of an investment. The government is not exposed to foreign currency risk.
- f. Concentration of Credit Risk - This is the risk of loss attributed to the magnitude of the government's investment in a single issuer (i.e., lack of diversification). Concentration risk is defined as positions of 5 percent or more in the securities of a single issuer. Investments issued by the U. S. Government and investments in investment pools are excluded from the 5 percent disclosure requirement. The government is not exposed to concentration of credit risk.

At year end, the government's investments were as follows:

	<u>Fair Value</u>
Texas Short Term Asset Reserve Fund (TexStar)	\$ 1,481,095
Certificates of deposit	128,667
Bank of Texas - CDARS	<u>1,972,507</u>
Total investments	<u>\$ 3,582,269</u>

A reconciliation of cash and investments is as follows:

Cash on hand	\$ 1,915,913
Petty cash	1,600
Investments	<u>3,582,269</u>
Total cash and investments	<u>\$ 5,499,782</u>

B. Receivables

Receivables at September 30, 2011 consisted of the following:

	<u>General</u>	<u>Water/Sewer and Sanitation</u>
Property tax	\$ 13,818	
Sales tax	9,597	
Mixed beverage tax	631	
Accounts	<u>408,985</u>	
Net receivables	<u>\$ 24,046</u>	<u>408,985</u>

Property taxes are based on the appraised values provided by the Collin Central Appraisal District. Taxes are levied by October 1 of each year. Unpaid property taxes become delinquent on February 1 of the following year. Penalty is calculated after February 1 up to the date collected by the government at the rate of 6% for the first month and increased 1% per month up to a total of 12%. Interest is calculated after February 1 at the rate of 1% per month up to the date collected by the government. Under state law, property taxes levied on real property constitute a lien on the real property which cannot be forgiven without specific approval of the State Legislature. The lien expires at the end of twenty years. Taxes levied on personal property can be deemed uncollectible by the City.

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CITY OF PARKER
 Notes to Financial Statements
 September 30, 2011
 -continued-

NOTE 3. DETAILED NOTES ON ALL FUNDS (continued)

C. Capital Assets

Capital asset activity for the year ended September 30, 2011 was as follows:

	<u>Beginning Balance</u>	<u>Additions</u>	<u>Retirements</u>	<u>Ending Balance</u>
Governmental activities:				
Land	\$ 843,484			843,484
Land improvements		177,147		177,147
Building and improvements	2,596,792	5,000		2,601,792
Equipment	2,090,703	37,992	(80,000)	2,048,695
Streets/infrastructure	<u>41,421,393</u>			<u>41,421,393</u>
Totals at historical cost	46,952,372	220,139	(80,000)	47,092,511
Less accumulated depreciation	<u>(5,894,419)</u>	<u>(1,645,951)</u>	<u>80,000</u>	<u>(7,460,370)</u>
Governmental activities capital assets, net	<u>\$ 41,057,953</u>	<u>(1,425,812)</u>		<u>39,632,141</u>
 Business-type activities:				
Land	\$ 107,417			107,417
Water and sewer system	11,769,216	3,089,184		14,858,400
Equipment and vehicles	258,312			258,312
Construction in progress	<u>2,676,901</u>	<u>427,726</u>	<u>(2,676,901)</u>	<u>427,726</u>
Totals at historical cost	14,811,846	3,516,910	(2,676,901)	15,651,855
Less accumulated depreciation	<u>(2,198,703)</u>	<u>(373,194)</u>		<u>(2,571,897)</u>
Business-type activities capital assets, net	<u>\$ 12,613,143</u>	<u>3,143,716</u>	<u>(2,676,901)</u>	<u>13,079,958</u>

Depreciation expense was charged to functions/programs of the primary government as follows:

Government activities:

General government	\$ 10,225
Public safety	141,533
Transportation/streets	1,468,163
Culture and recreation	<u>26,030</u>
 Total depreciation expense - government activities	<u>\$ 1,645,951</u>

Business-type activities:

Water and sewer	\$ <u>373,194</u>
 Total depreciation expense - business-type activities	<u>\$ 373,194</u>

CITY OF PARKER
 Notes to Financial Statements
 September 30, 2011
 -continued-

NOTE 3. DETAILED NOTES ON ALL FUNDS (continued)

D. Construction Commitments

The City had the following projects under construction at September 30, 2011:

<u>Project Name</u>	<u>Scheduled Completion Date</u>	<u>Contract Amount</u>	<u>Costs Incurred Through 09/30/11</u>
<u>Business-type activities:</u>			
Water lines	10/11	\$ 935,919	\$ 427,726

E. Interfund Receivables, Payables and Transfers

The composition of interfund balances as of September 30, 2011, is as follows:

Due to/from other funds:

<u>Receivable Fund</u>	<u>Payable Fund</u>	<u>Amount</u>
Water and Sewer	General	\$ 252,922
Debt Service	General	1,536
		<u>\$ 254,458</u>

Interfund transfers:

	Transfers In:			<u>Total</u>
	<u>Water & Sewer Fund</u>	<u>Debt Service Fund</u>	<u>Capital Projects Fund</u>	
<u>Transfers Out:</u>				
Capital Projects Fund	\$ 821,040	490,000		1,311,040
General Fund	10,000	83,665	174	93,839
Debt Service Fund	48,376			48,376
Total	<u>\$ 879,416</u>	<u>573,665</u>	<u>174</u>	<u>1,453,255</u>

The transfer from the General Fund to the Water and Sewer Fund was for administrative costs. The transfer from the Capital Projects Fund to the Water and Sewer Fund was for completed and ongoing construction projects. The transfer from the General Fund to the Debt Service Fund was for bond refunding. The transfer from the Debt Service Fund to Water and Sewer Fund was for adjustments to principal and interest amounts. The transfer from the Capital Projects Fund to the Debt Service Fund was for debt retirement.

F. Notes Payable

The City has entered into the following loan agreements for equipment and vehicles:

In October 2002, the government obtained a loan from American National Bank to purchase a new fire truck. The truck cost was \$212,306. The truck was pledged as collateral against the note. Annual payments of \$26,339 began on October 8, 2002, including interest at 5.15 percent. The note was paid in full during the fiscal year ended September 30, 2011.

CITY OF PARKER
 Notes to Financial Statements
 September 30, 2011
 -continued-

NOTE 3. DETAILED NOTES ON ALL FUNDS (continued)

F. Notes Payable (continued)

The following table summarizes the changes in notes payable for the year ended September 30, 2011:

	Balance, September 30, 2010	Additions	Retirements	Balance, September 30, 2011	Due Within One Year
<u>General long-term debt</u>					
Smeal fire truck	\$ 25,049			(25,049)	
Total general long-term debt	<u>\$ 25,049</u>			<u>(25,049)</u>	

G. Long-term Debt

Long-term debt activity for the year ended September 30, 2011 for governmental activities was as follows:

	Beginning Balance	Additions	Retirements	Ending Balance	Due Within One Year
Governmental activities:					
Note payable	\$ 25,049			(25,049)	
2008 - G. O. Bonds	1,910,000			(1,910,000)	
2008 - C. O. s	1,796,250			(1,796,250)	
2010 - Refunding Bonds	727,500			(83,085)	644,415
2011 0 Refunding Bonds		2,959,825		2,959,825	131,835
Compensated absences	<u>27,019</u>	<u>60,068</u>	<u>(64,210)</u>	<u>22,877</u>	<u>18,301</u>
Totals	<u>\$ 4,485,818</u>	<u>3,019,893</u>	<u>(3,878,594)</u>	<u>3,627,117</u>	<u>229,168</u>

CITY OF PARKER
 Notes to Financial Statements
 September 30, 2011
 -continued-

NOTE 3. DETAILED NOTES ON ALL FUNDS (continued)

G. Long-term Debt (continued)

Bonds payable at September 30, 2011 are comprised of the following issues for governmental activities:

2010 General Obligation Refunding Bonds issued February 11, 2010, due in annual installments through July 15, 2019, bearing interest ranging from 2.0% to 3.5% payable January 15 and July 15. The governmental activities portion is 40% or \$727,500 of the total \$1,750,000 issue.

\$ 644,415

2011 General Obligation Refunding Bonds issued July 13, 2011, due in annual installments through February 15, 2028, bearing interest ranging from 2.0% to 4.0% payable February 15 and August 15. The governmental activities portion is 51.7% or \$2,959,825 of the total \$5,725,000 issue.

2,959,825

Combined Debt \$ 3,604,240

The annual requirements to amortize the bonded debt outstanding for the governmental activities as of September 30, 2011 are as follows:

Year Ending <u>September 30,</u>	2010 G. O. Bonds		2011 G. O. Ref. Bonds	
	<u>Principal</u>	<u>Interest</u>	<u>Principal</u>	<u>Interest</u>
2012	\$ 79,032	20,052	131,835	98,616
2013	83,085	17,681	175,780	87,382
2014	87,138	15,188	180,950	83,815
2015	89,164	12,574	188,705	80,118
2016	93,217	9,899	191,290	75,840
2017	68,900	7,103	193,875	71,025
2018	70,926	5,036	199,045	65,616
2019	72,953	2,553	204,215	59,567
2020			211,970	53,325
2021			217,140	45,803
2022			224,895	36,962
2023			237,820	27,707
2024			155,100	19,849
2025			134,420	14,294
2026			100,815	10,001
2027			103,400	6,170
2028			<u>108,570</u>	<u>2,090</u>
Totals	\$ <u>644,415</u>	<u>90,086</u>	<u>2,959,825</u>	<u>838,180</u>

-continued-

CITY OF PARKER
 Notes to Financial Statements
 September 30, 2011
 -continued-

NOTE 3. DETAILED NOTES ON ALL FUNDS (continued)

G. Long-term Debt (continued)

During the year ended September 30, 2011, the following changes occurred in long-term liabilities reported as business-type activities:

	<u>Beginning Balance</u>	<u>Additions</u>	<u>Retirements</u>	<u>Ending Balance</u>	<u>Due Within One Year</u>
Business-type activities:					
Series 2008	\$ 2,993,750		(2,993,750)		
Series 2010	1,067,500		(121,915)	945,585	115,968
Series 2011		2,765,175		2,765,175	123,165
Compensated absences	<u>10,269</u>	<u>16,832</u>	<u>(10,900)</u>	<u>16,201</u>	<u>12,961</u>
Totals	<u>\$ 4,071,519</u>	<u>2,782,007</u>	<u>(3,126,565)</u>	<u>3,726,961</u>	<u>252,094</u>

Bonds payable at September 30, 2011 are comprised of the following individual issues for the Water and Sewer Fund:

2010 General Obligation Refunding Bonds issued February 11, 2010, due in annual installments through July 15, 2019, bearing interest ranging from 2.0% to 3.5% payable January 15 and July 15. The water fund portion is 60% or \$1,067,500 of the total \$1,750,000 issue. \$ 945,585

2011 General Obligation Refunding Bonds issued July 13, 2011, due in annual installments through February 15, 2028, bearing interest ranging from 2.0% to 4.0% payable February 15 and August 15. The Water Fund portion is 48.3% or \$2,765,175 of the total \$5,725,000 issue. 2,765,175

Combined Debt \$ 3,710,760

The annual requirements to amortize the bonded debt outstanding for the Water and Sewer Fund as of September 30, 2011, are as follows:

<u>Year Ending September 30,</u>	<u>2010 G. O. Ref. Bonds</u>		<u>2011 G. O. Ref. Bonds</u>	
	<u>Principal</u>	<u>Interest</u>	<u>Principal</u>	<u>Interest</u>
2012	\$ 115,968	29,423	123,165	92,131
2013	121,915	25,944	164,220	81,635
2014	\$ 127,862	22,287	169,050	78,303

CITY OF PARKER
 Notes to Financial Statements
 September 30, 2011
 -continued-

NOTE 3.

DETAILED NOTES ON ALL FUNDS (continued)

G. Long-term Debt (continued)

Year Ending <u>September 30.</u>	2010 G. O. Ref. Bonds		2011 G. O. Ref. Bonds	
	Principal	Interest	Principal	Interest
2015	\$ 130,836	18,451	176,295	74,849
2016	136,783	14,526	178,710	70,852
2017	101,100	10,422	181,125	66,355
2018	104,074	7,389	185,955	61,301
2019	107,047	3,747	190,785	55,650
2020			198,030	49,818
2021			202,860	42,789
2022			210,105	34,531
2023			222,180	25,885
2024			144,900	18,544
2025			125,580	13,354
2026			94,185	9,343
2027			96,600	5,765
2028			<u>101,430</u>	<u>1,953</u>
Total	<u>\$ 945,585</u>	<u>132,189</u>	<u>2,765,175</u>	<u>783,058</u>

Restrictions of Bonded Debt

There are a number of limitations and restrictions contained in the various bond ordinances. The City is in compliance with all significant limitations and restrictions.

Defeasance of Debt

On July 13, 2011, the government issued general obligation refunding bonds of \$5,725,000 with an effective interest rate of 3.15% to advance refund the Revenue Certificates of Obligation Series 2008 and the General Obligation Bonds Series 2008 (refunded bonds), with an effective interest rate of 4.75% and a par value of \$5,930,000. The refunding bonds were issued at par and after paying issuance costs of \$90,000 and underwriters' discount of \$37,928, receiving a premium of \$198,094, and contributing \$252,199 from the Debt Service Fund and Water and Sewer Fund, the net proceeds were \$6,047,365. All of the net proceeds were used to purchase U. S. Government securities and those securities were deposited in an irrevocable trust with an escrow agent to provide debt service payments until the refunded portion is paid. All of the refunded bonds were called on July 15, 2011. The advance refunding met the requirements of an in-substance debt defeasance and the refunded bonds were removed from the government's Long Term Debt Payable.

As a result of the advance refunding, the government decreased its total debt service requirements by \$816,616, which resulted in an economic gain (difference between the present value of the debt service payments on the old and new debt) of \$612,851. Inasmuch as a portion of the debt (48.3%) was that of a proprietary fund, accounting standards established by Government Accounting Standards Board Statement Number 23 were observed, and a gain on refunding of \$97,325 has been reported. This amount was reported as interest expense since the refunded bonds were called on July 15, 2011.

CITY OF PARKER
Notes to Financial Statements
September 30, 2011
-continued-

NOTE 3. DETAILED NOTES ON ALL FUNDS (continued)

H. Restricted Assets

The balances of the restricted asset accounts in the enterprise funds are as follows:

Accrued interest payable	\$ 31,138
Current revenue bonds payable	<u>239,133</u>
Total restricted assets	<u>\$ 270,271</u>

NOTE 4. OTHER INFORMATION

A. Risk Management

The government is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The government is a participant in the Texas Municipal League Workers' Compensation Joint Insurance Fund (WC Fund) and the Texas Municipal League Joint Self-Insurance Fund (Property-Liability Fund), a public entity risk pool operated by the Texas Municipal League Board for the benefit of individual governmental units located with Texas. The government pays an annual premium to the Funds for its workers' compensation and property and liability insurance coverage. The WC Fund and Property-Liability Fund are considered self-sustaining risk pools that provide coverage for its members for up to \$2,000,000 per insured event. There were no significant reduction in insurance coverage from the previous year. Settled claims for risks have not exceeded insurance coverage for the past three years.

B. Retirement System

Plan Description

The government provides pension benefits for all of its full-time employees through a nontraditional, joint contributory, hybrid defined benefit plan in the state-wide Texas Municipal Retirement System (TMRS), an agent multiple-employer public employee retirement system. The plan provisions that have been adopted by the government are within the options available in the governing statutes of TMRS.

TMRS issues a publicly available comprehensive annual financial report that includes financial statements and required supplementary information (RSI) for TMRS; the report also provides detailed explanations of the contributions, benefits, and actuarial methods and assumptions used by the System. This report may be obtained from TMRS' website at www.TMRS.com.

The plan provisions are adopted by the governing body of the government, within the options available in the state statutes governing TMRS. Plan provisions for the government were as follows:

CITY OF PARKER
 Notes to Financial Statements
 September 30, 2011
 -continued-

NOTE 4. OTHER INFORMATION (continued)

B. Retirement System (continued)

Plan Description (continued)

	<u>Plan Year 2010</u>	<u>Plan Year 2011</u>
Employee deposit rate	6%	6%
Matching ratio (city to employee)	2 to 1	2 to 1
Years required for vesting	5	5
Service retirement eligibility (expressed as age/ years of service)	60/5, 0/25	60/5, 0/25
Updated Service Credit	100% Repeating, Transfers	100% Repeating, Transfers
Annuity increase (to retirees)	0% of CPI	0% of CPI

Contributions:

Under the state law governing TMRS, the contribution rate for each government is determined annually by the actuary, using the Projected Unit Credit actuarial cost method. This rate consists of the normal cost contribution rate and the prior service cost contribution rate, which is calculated to be a level percent of payroll from year to year. The normal cost contribution rate finances the portion of an active member's projected benefit allocated annually; the prior service contribution rate amortizes the unfunded (overfunded) actuarial liability (asset) over the applicable period for that government. Both the normal cost and prior service contribution rates include recognition of the projected impact of annually repeating benefits, such as Updated Service Credits and Annuity Increases.

The government contributes to the TMRS Plan at an actuarially determined rate. Both the employees and the government make contributions monthly. Since the government needs to know its contribution rate in advance for budgetary purposes, there is a one-year delay between the actuarial valuation that serves as the basis for the rate and the calendar year when the rate goes into effect.

The annual pension cost and net pension obligation/(asset) are as follows:

Three-Year Trend Information for TMRS

<u>Fiscal Year Ended</u>	<u>Annual Pension Cost (APC)</u>	<u>Percentage of APC Contributed</u>	<u>Net Pension Obligation</u>
09/30/09	\$ 80,861	100%	\$ 0
09/30/10	\$ 97,494	100%	\$ 0
09/30/11	\$ 111,241	100%	\$ 0

The required contribution rates for fiscal year 2011 were determined as part of the December 31, 2008 and 2009 actuarial valuations. Additional information as of the lastest actuarial valuation, December 31, 2010, also follows:

-continued-

CITY OF PARKER
 Notes to Financial Statements
 September 30, 2011
 -continued-

NOTE 4. OTHER INFORMATION (continued)

B. Retirement System (continued)

Contributions (continued)

<u>Valuation Date</u>	<u>12/31/2008</u>	<u>12/31/2009</u>	<u>12/31/2010- prior to Restructuring</u>	<u>12/31/2010- Restructured</u>
Actuarial Cost Method	Projected Unit Credit	Projected Unit Credit	Projected Unit Credit	Projected Unit Credit
Amortization Method	Level Percent of Payroll	Level Percent of Payroll	Level Percent of Payroll	Level Percent of Payroll
GASB 25 Equivalent Single Amortization Period	24.0 years; closed period	23.3 years; closed period	22.5 years; closed period	22.5 years; closed period
Amortization Period for new Gains/Losses	25 years	25 years	25 years	24 years
Asset Valuation Method	Amortized Cost	10-year Smoothed Market	10-year Smoothed Market	10-year Smoothed Market
Actuarial Assumptions:				
Investment Rate of Return*	7.5%	7.5%	7.5%	7.0%
Projected Salary Increases*	Varies by age and service	Varies by age and service	Varies by age and service	Varies by age and service
* Includes Inflation at	3.00%	3.00%	3.00%	3.00%
Cost-of-Living Adjustments	0.0%	0.0%	0.0%	0.0%

Funded Status and Funding Progress

In June, 2011, SB 350 was enacted by the Texas Legislature, resulting in a restructure of the TMRS funds. This legislation provided for the actuarial valuation to be completed, as if restructuring had occurred on December 31, 2010. In addition, the actuarial assumptions were updated for the new fund structure, based on an actuarial experience study that was adopted by the TMRS Board at their May, 2011 meeting (the review compared actual to expected experience for the four-year period of January 1, 2006 through December 31, 2009). For a complete description of the combined impact of the legislation and new actuarial assumptions, including the effects on TMRS city rates and funding ratios, please see the December 31, 2010 TMRS Comprehensive Annual Financial Report (CAFR).

CITY OF PARKER
 Notes to Financial Statements
 September 30, 2011
 -continued-

NOTE 4. OTHER INFORMATION (continued)

B. Retirement System (continued)

Funded Status and Funding Progress (continued)

The funded status as of December 31, 2010, under the two separate actuarial valuations, is presented as follows:

<u>Schedule of Funding Progress for TMRS</u>						
Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability (AAL) (b)	Unfunded AAL (UAAL) (b) - (a)	Funded Ratio (a)/(b)	Covered Payroll (c)	UAAL as a Percentage of Covered Payroll [(b)-(a)]/(c)
12/31/08	\$ 901,272	1,402,313	501,041	64.3%	\$ 916,218	54.7%
12/31/09	\$ 1,036,616	1,608,029	571,413	64.5%	\$ 969,936	58.9%
12/31/10 (1)	\$ 1,209,733	1,852,407	642,674	65.3%	\$ 1,023,346	62.8%
12/31/10 (2)	\$ 1,550,249	2,167,433	617,184	71.5%	\$ 1,023,346	60.3%

(1) Actuarial valuation performed under the original fund structure.

(2) Actuarial valuation performed under the new fund structure.

Actuarial valuations involve estimates of the value of reported amounts and assumptions about the probability of events far into the future. Actuarially determined amounts are subject to continual revision as actual results are compared to past expectations and new estimates are made about the future.

Actuarial calculations are based on the benefits provided under the terms of the substantive plan in effect at the time of each valuation, and reflect a long-term perspective. Consistent with that perspective, actuarial methods and assumptions used include techniques that are designed to reduce short-term volatility in actuarial accrued liabilities and the actuarial value of assets. The schedule of funding progress above, presents multi-year trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability of benefits.

C. Supplemental Death Benefits Fund

Plan Description

The government also participates in the cost sharing multiple-employer defined benefit group-term life insurance plan operated by the Texas Municipal Retirement System (TMRS) known as the Supplemental Death Benefits Fund (SDBF). The government elected, by ordinance, to provide group-term life insurance coverage to both current and retired employees. The government may terminate coverage under and discontinue participation in the SDBF by adopting an ordinance before November 1 of any year to be effective the following January 1.

-continued-

CITY OF PARKER
Notes to Financial Statements
September 30, 2011
-continued-

NOTE 4. OTHER INFORMATION (continued)

C. Supplemental Death Benefits Fund (continued)

Plan Description (continued)

The death benefit for active employees provides a lump-sum payment approximately equal to the employee's annual salary (calculated based on the employee's actual earnings, for the 12-month period preceding the month of death); retired employees are insured for \$7,500; this coverage is an "other postemployment benefit," or OPEB.

Contributions

The government contributes to the SDBF at a contractually required rate as determined by an annual actuarial valuation. The rate is equal to the cost of providing one-year term life insurance. The funding policy for the SDBF program is to assure that adequate resources are available to meet all death benefit payments for the upcoming year; the intent is not to pre-fund retiree term life insurance during employees' entire careers.

The government's contributions to the TMRS SDBF for the years ended 2011, 2010 and 2009 were \$1,462, \$1,323 and \$1,224, respectively, which equaled the required contributions each year.

**Schedule of Contributions Rates:
(RETIREE - only portion of the rate)**

<u>Fiscal Year Ended</u>	<u>Annual Required Contribution (Rate)</u>	<u>Actual Contribution Made (Rate)</u>	<u>Percentage of ARC Contributed</u>
9/30/2009	0.13%	0.13%	100.0%
9/30/2010	0.13%	0.13%	100.0%
9/30/2011	0.14%	0.14%	100.0%

NOTE 5. EVALUATION OF SUBSEQUENT EVENTS

The City has evaluated subsequent events through December 9, 2011, the date which the financial statements were available to be issued.

INDIVIDUAL FUND SCHEDULES

CITY OF PARKER
 Schedule of Revenues, Expenses, and Changes in Fund Net Assets
 Budget and Actual - Water and Sewer Fund
 For the Fiscal Year Ended September 30, 2011

	<u>Budgeted Amounts</u>		<u>Actual Amounts</u>	<u>Variance Positive (Negative)</u>
	<u>Original</u>	<u>Final</u>		
OPERATING REVENUES				
Water sales	\$ 1,650,000	1,650,000	2,323,209	673,209
Meter installation fees	50,000	50,000	61,648	11,648
Sewer revenue	150,000	150,000	153,525	3,525
Tap fees			6,068	6,068
Late charges	20,000	20,000	26,866	6,866
Reconnect fees			950	950
Miscellaneous	10,000	10,000	1,832	(8,168)
Garbage collections	<u>245,000</u>	<u>245,000</u>	<u>265,719</u>	<u>20,719</u>
Total operating revenues	<u>2,125,000</u>	<u>2,125,000</u>	<u>2,839,817</u>	<u>714,817</u>
OPERATING EXPENSES				
Water:				
Legal fees	30,000	26,051	26,051	
Auditor fees	9,000	9,000	9,000	
Engineering fees	30,000	21,043	2,074	18,969
Insurance - liability	20,000	16,095	16,095	
Training/education	3,000	3,528	3,528	
Health insurance	36,441	30,072	30,072	
Worker's compensation	6,442	6,226	6,226	
Payroll taxes	4,811	4,589	4,589	
Salaries	328,769	316,432	309,037	7,395
TMRS Benefits	37,575	34,113	34,113	
Office expense	11,750	10,567	10,567	
Vehicle operation & maintenance	14,500	15,146	15,146	
Equipment & tools	2,000	208	208	
Repairs & maintenance	50,000	51,088	51,088	
Meter reading	19,000	19,556	19,556	
Communications	5,250	6,267	6,267	
Contingency	15,471			
Water purchases	636,000	699,292	699,292	
Utilities -distribution	<u>50,000</u>	<u>54,590</u>	<u>54,590</u>	
Subtotal water	<u>1,310,009</u>	<u>1,323,863</u>	<u>1,297,499</u>	<u>26,364</u>
Sewer:				
Operating expense	140,000	124,921	105,713	19,208
Repair and maintenance	15,000	15,900	15,887	13
Vehicle operation and maintenance	500	500	40	460
Insurance - liability	450	450	334	116
Salaries and wages	8,079	8,129	7,919	210
TMRS benefits	593	868	858	10
Workers' compensation	173	173	167	6
Payroll taxes	117	117	114	3
Health insurance	<u>811</u>	<u>811</u>	<u>777</u>	<u>34</u>
Subtotal sewer	<u>\$ 165,723</u>	<u>151,869</u>	<u>131,809</u>	<u>20,060</u>

CITY OF PARKER
 Schedule of Revenues, Expenses, and Changes in Fund Net Assets
 Budget and Actual - Water and Sewer Fund
 For the Fiscal Year Ended September 30, 2011
 -continued-

	<u>Budgeted Amounts</u>		<u>Actual Amounts</u>	Variance Positive (Negative)
	<u>Original</u>	<u>Final</u>		
OPERATING EXPENSES (continued)				
Garbage collection:				
Collection service	\$ 225,000	224,680	223,782	898
Salaries and wages	8,079	8,129	7,919	210
TMRS benefits	593	863	858	5
Workers' compensation	173	173	167	6
Payroll taxes	117	117	114	3
Health insurance	811	811	777	34
Subtotal garbage collection	<u>234,773</u>	<u>234,773</u>	<u>233,617</u>	<u>1,156</u>
Total operating expense	<u>1,710,505</u>	<u>1,710,505</u>	<u>1,662,925</u>	<u>47,580</u>
Operating income	<u>414,495</u>	<u>414,495</u>	<u>1,176,892</u>	<u>762,397</u>
NONOPERATING REVENUES (EXPENSES)				
Transfers in	10,000	10,000	879,416	869,416
Interest income			1,767	1,767
Interest expense	<u>(169,829)</u>	<u>(169,829)</u>	<u>(54,472)</u>	<u>115,357</u>
Total nonoperating revenues (expenses)	<u>(159,829)</u>	<u>(159,829)</u>	<u>826,711</u>	<u>986,540</u>
Change in net assets	254,666	254,666	2,003,603	1,748,937
Net assets, beginning	<u>10,261,126</u>	<u>10,261,126</u>	<u>10,261,126</u>	<u> </u>
Net assets, ending	<u>\$ 10,515,792</u>	<u>10,515,792</u>	<u>12,264,729</u>	<u>1,748,937</u>



Council Agenda Item

Budget Account Code:	Meeting Date: February 7, 2012
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: J Shepherd
Estimated Cost:	Date Prepared: 1/27/2012
Exhibits:	<p><u>Please review and bring the exhibits presented at the January 17 meeting; Allen and Wal-mart agreement, Lucas lighting ordinance and site plan.</u></p> <p>1) Letter from City Engineer date January 31, 2012 2) Presentation from PLE HOA. 3) Photos from resident Andy Piziali</p>

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE WAL-MART SITE IN THE CITY OF LUCAS.

SUMMARY

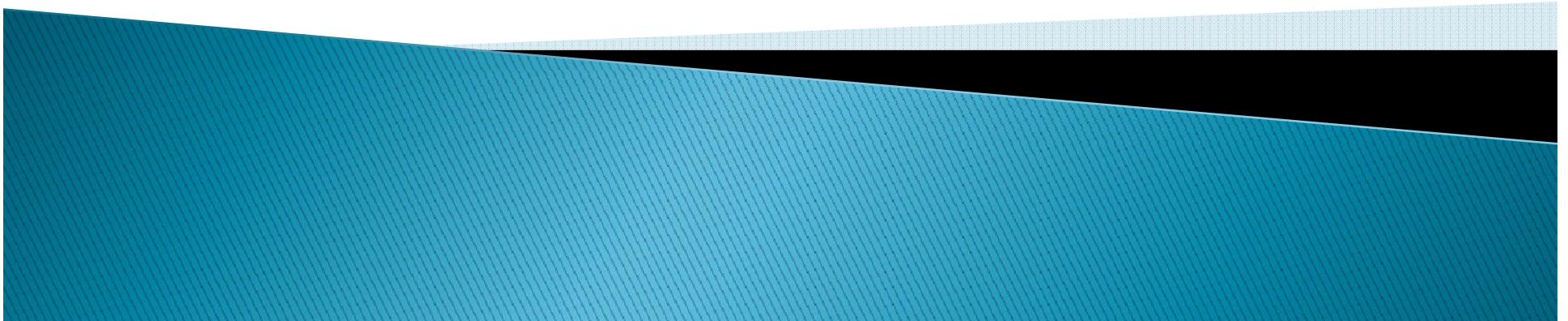
Discussions continue with the City of Lucas on project variables such as traffic, landscaping and lighting. We anticipate a request from Parker Lakes HOA to the council for support on their position on those, and perhaps other, issues.

POSSIBLE ACTION

Inter – Office Use			
Approved by:			
Department Head:		Date:	
City Attorney:		Date:	
City Administrator:	<i>Tiffy Day</i>	Date:	2-3-12

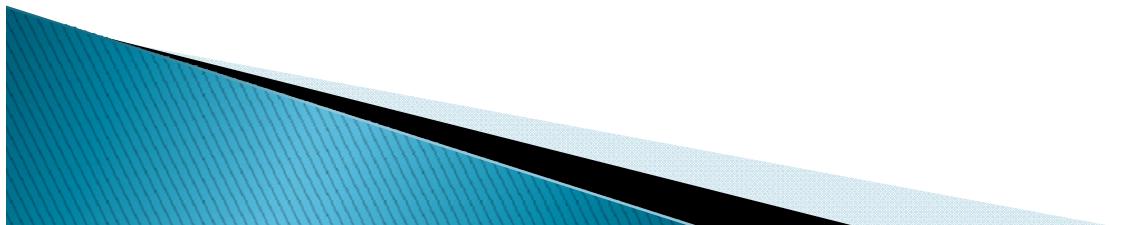
LUCAS WAL-MART Project Considerations & Information Requested from Local Citizens

February 1, 2012



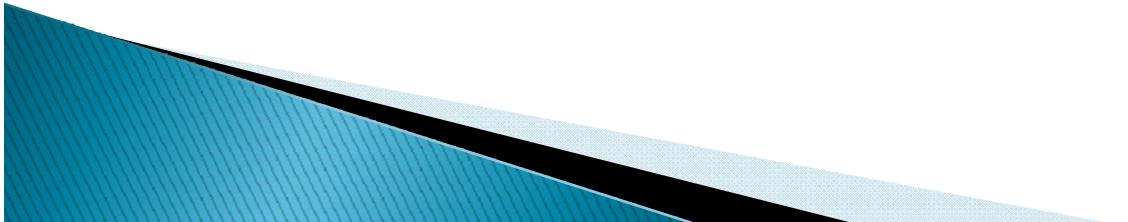
Summary

- ▶ Project Considerations
 - Buffering/Shielding for Neighborhoods
 - Traffic
- ▶ Further Information Needed
 - Safety
 - Placement
 - Traffic
 - Night Noise/Dark Sky
 - Water Safety



Project Considerations

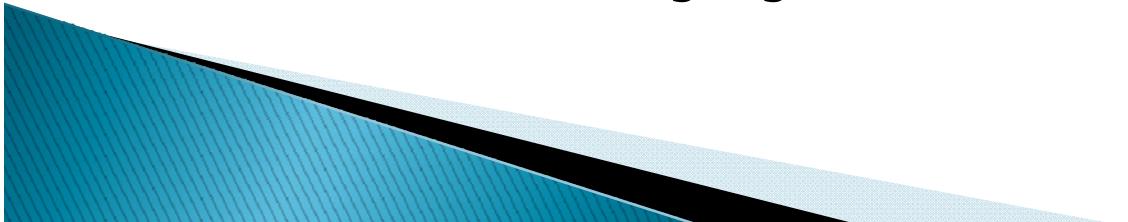
- ▶ Buffering/Shielding – Shield neighborhoods to soften “look” and “noise”
 - Can we request a certain percentage of the project to have green space and/or other buffers (walls, landscaping, berms) to shield from entrances, trash dumpsters and delivery areas?



Project Considerations–Continued

► Traffic

- Can we ask that new lanes be based on best/safest practices for traffic patterns close to high traffic areas, since this area has a high child ratio?
- Can we ask for traffic lights be synched according to increased congestion?
 - Projected traffic is 10,000 daily car trips each weekday, and more on Saturdays
- Can we ask for ways to protect against through street problems in surrounding neighborhoods:
 - Examples:
 - Prevention of “cut through” on Rathbone
 - Additional signage for “no outlet” on Ridgemore



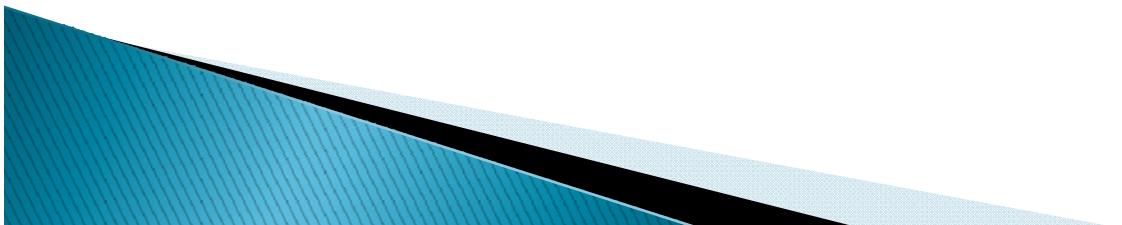
Information Requested

- ▶ Safety/Crime
 - How will Police staff increase?
 - Can they sell guns/ammunition close to 2 schools?
 - Can they sell alcohol close to schools & church?
- ▶ Placement
 - Will the three (3) 1 Acre lots along Lucas Road face north or south?
- ▶ Traffic
 - When will Lucas be widened (3 or 4 lanes)?
 - When will 2551 be widened (3 or 4 lanes)?
 - Need to find ways to limit construction debris (nails in tires, etc.)



Information Requested–Continued

- ▶ Night Noise/Dark Sky
 - Will the store be open 24 hours?
 - Will there be deliveries any time of day/night?
 - Confirm night lighting rules as well as understanding lighting for safety reasons.
- ▶ Water Safety
 - How will all cities protect against contaminated/toxic runoff from Wal–mart parking lots (projected 310,000 gallons of runoff for each 1 inch of rain)?





Council Agenda Item

Budget Account Code:	Meeting Date: February 7, 2012
Budgeted Amount:	Department/ Requestor: Public Works
Fund Balance-before expenditure:	Prepared by: J Flanigan/Shepherd
Estimated Cost:	Date Prepared: 1/27/2012
Exhibits:	1) Proposed Resolution 2012-362 and agreement

AGENDA SUBJECT

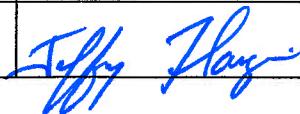
CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2012-362 AN INTERLOCAL AGREEMENT WITH LOVEJOY ISD FOR SEWER SERVICE.

SUMMARY

Staff understands the LISD board will be meeting, February 7, 2012, to take action on the agreement. No changes are expected.

POSSIBLE ACTION

Approve
Table
Deny

Inter – Office Use			
Approved by:			
Department Head:		Date:	
City Attorney:		Date:	
City Administrator:		Date:	2-3-12

RESOLUTION NO. 2012-361
(Interlocal Agreement Authorizing Sewer Service)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER,
COLLIN COUNTY, TEXAS, APPROVING THE TERMS AND
CONDITIONS OF AN INTERLOCAL AGREEMENT BY AND BETWEEN
THE CITY OF PARKER, TEXAS AND THE LOVEJOY INDEPENDENT
SCHOOL DISTRICT, AND AUTHORIZING THE ESTABLISHMENT OF
SEWER SERVICE; AUTHORIZING ITS EXECUTION BY THE MAYOR
OR HIS DESIGNEE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Parker, Collin County, Texas, has been presented a proposed Interlocal Agreement by and between the City of Parker, Texas and Lovejoy Independent School District, a copy of which is attached hereto and incorporated herein by reference (herein called "Agreement"); and,

WHEREAS, the Lovejoy Independent School District desires to have sewer service provided by the City of Parker to its Property; and,

WHEREAS, upon full review and consideration of the Agreement, and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be approved, and that the Mayor or his designee should be authorized to execute the Agreement on behalf of the City of Parker, Texas.

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

SECTION 1: The terms and conditions of the Agreement, having been reviewed by the City Council of the City of Parker and found to be acceptable and in the best interests of the City of Parker and its citizens, be, and the same is hereby, in all things approved.

SECTION 2: The Mayor, or his designee, under the direction of the City Council of the City of Parker, is hereby designated as the official representative to act for the City in all matters relating to the establishment of sewer service to the new Lovejoy Independent School District middle school.

SECTION 3: The Mayor, or his designee, is hereby authorized to execute the Agreement and all other documents in connection therewith on behalf of the City of Parker, substantially according to the terms and conditions set forth in this Agreement.

SECTION 4: This Resolution shall become effective from and after its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
PARKER, COLLIN COUNTY, TEXAS, ON THIS THE _____ DAY OF _____,
2012.**

APPROVED:

Joe Cordina, Mayor

ATTEST:

Carrie L. Smith, City Secretary

APPROVED AS TO FORM:

James E. Shepherd, City Attorney

STATE OF TEXAS § **SANITARY SEWER SERVICES AGREEMENT**
COUNTY OF COLLIN §

This agreement ("Agreement") is made by and between the City of Parker, Texas (the "City") and the Lovejoy Independent School District ("Owner"), acting by and through their duly authorized representatives (collectively, the "Parties").

RECITALS:

WHEREAS, this Agreement is being entered into pursuant to the Interlocal Cooperation Act, V.T.C.A., Government Code, Section 791.001, *et seq.* (the "Act"); and

WHEREAS, the Owner is the owner of real property located in the City of Lucas, Collin County, Texas and being described in Exhibit "A" (the Property); and

WHEREAS, the Owner desires to have sewer services provided by the City to the Property; and

WHEREAS, the City and Owner are both units of local governments engaged in the provision of governmental functions and services to their citizens as defined by Section 791.003 of the Act; and

WHEREAS, these functions and services serve the public health, safety and welfare, promote efficiency and effectiveness of local government and are of mutual concern to the parties; and

WHEREAS, the Owner intends, without cost to the City, to design and construct for the benefit of the Property a certain sewer facility (hereinafter defined as the "Facilities") on the Property and extending from the Property to a connection point in the City's sewer system (the "System") and for the benefit of the Property; and

WHEREAS, the City intends to allow the Facilities to be connected to the City's System; and

WHEREAS, the Owner and the City desire to enter into this Agreement for design and construction of the Facilities and for the provision of sewer services to the Property; and

WHEREAS, the Owner and the City also desire to enter into this Agreement for the purpose to set forth the parties rights and obligations with regard to public sanitary sewer connections and fees related thereto.

NOW THEREFORE, in consideration of the premises and the mutual covenants contained herein and other valuable consideration, the sufficiency and receipt of which, are hereby acknowledged, the parties agree as follows:

Article I

Term

The term of this Agreement shall be for a period of one year commencing on the last date of execution hereof (the "Effective Date") and shall thereafter automatically continue for successive terms of one year each, unless sooner terminated as provided herein.

Article II

Definitions

"City" shall mean the City of Parker, Texas.

"City Engineer" shall mean the city engineer for the City or the designated representative.

"Commencement of Construction" shall mean that (i) the plans have been prepared and all approvals thereof required by applicable governmental authorities have been obtained for construction of the Facilities or respective portion thereof; (ii) all necessary permits for the construction of the Facilities or respective portion thereof, pursuant to the respective plans therefore having been issued by all applicable governmental agencies.

"Completion of Construction" shall mean: (i) substantially completed in accordance with the approved plans; and (ii) the Facilities or respective portions thereof, have been approved by the City.

"Effective Date" shall mean the last date of execution of this Agreement.

"Facilities" shall collectively mean the sewer line to be constructed by the Owner in accordance with the approved plans through Parker to the point of connection to the City of Parker Lift Station.

"Force Majeure" shall mean strikes, riots, acts of God, shortages of labor or materials, war, governmental approvals, laws, regulations, or restrictions, or any other cause of any kind, whatsoever which is beyond the reasonable control of a party.

"Lift Station" shall mean the City of Parker lift station at the intersection of West Lucas Road and Rathbone, in the City of Parker, Texas, to which the Facilities of Owner are to be connected under the terms of this Agreement.

"Owner" shall mean the Lovejoy Independent School District, an independent public school district organized under the laws of the State of Texas, and any subsequent owner of any portion of the Property.

"Plans" shall mean the plans and specifications submitted for the design, installation, and construction of the Facilities, or respective portions thereof, to be approved by the City.

"Property" shall mean the real property described in Exhibit "A" attached hereto.

"System" shall mean the sewer system of the City.

Article III

Sewer Service

3.1 **Provision of Sewer Service.** Upon and subject to the terms and conditions set forth herein, during the term of this Agreement the City shall provide sanitary sewer service to the Property located in the City of Lucas. Nothing contained herein shall require City to provide sewer services to any other tract of land within the City of Lucas except for the Property.

3.2 **Project Construction.** The Owner agrees without cost to the City, to design, construct and install the Facilities, from the Property to the Lift Station and connecting into the System, subject to City's approval. The Owner agrees to cause Commencement of Construction of the Facilities to occur within _____ (____) days after City approval of the Plans, and to cause Completion of Construction of the Facilities within _____ (____) days thereafter. The Owner agrees to submit the Plans for the Facilities to the City for its approval prior to commencement of construction. The Owner agrees to design, install, construct and maintain the Facilities in accordance with all applicable City standards. The City of Parker will not be responsible for maintenance of the Facilities. The City is responsible for the maintenance of the Lift Station.

3.2.1 **Equipment.** The Owner shall purchase, or reimburse the City for the purchase of, an emergency pump as described in Exhibit "B". The pump, trailer, and any related necessary equipment shall be the property of the City.

3.3 **Impact Fees.** The City will not charge an impact fee.

3.4 **Connection Fee.** The City shall not charge Owner a connection fee at the time of connection to the System.

3.5 **Sewer Service Charge.** The Owner shall pay to the City for the services provided herein a monthly sewer service charge (the "Sanitary Sewer Charge") determined by multiplying the Metered Volume (hereinafter defined) times the City's per gallon cost of sewer treatment and transportation imposed by NTMWD, as the same exists from time to time (the "NTMWD Sewer Charge"), plus 10%. City and Owner agree that the number of gallons of sewage contributed

by Owner to City's System (the "Metered Volume") shall be equal to the number of gallons of potable water provided to Owner's buildings on the Property, exclusive of any gallons of potable water used for irrigation or other outdoor uses, as determined from the water meter serving the buildings located on the Property. Owner hereby authorizes the City to read the Owner's potable water meter serving the buildings on the Property to determine the Metered Volume and assess the sewer charges based thereon. Upon written request by Owner, City shall provide to Owner the current NTMWD Sewer Charge and the amounts paid by City to NTMWD during the term of this Agreement.

3.6 **Construction and Plan Review.** The Owner shall pay a fee in the amount of 3.2% of the total cost of construction of the Facilities located within the jurisdictional limits of the City in consideration for the City's inspection of the construction of the Facilities and review of the plans, to be paid to the City prior to Commencement of Construction of the Facilities.

3.7 **Easements.** The Owner shall, prior to approval of the Facilities by the City and without cost to the City, acquire, dedicate and convey to the City all necessary easements in the City of Parker for the Owner's construction, operation and maintenance of the Facilities.

3.8 **Limitation of Service.** The use of the Property for purposes of sewer service shall be limited to middle school and middle school related uses and ancillary uses such as worship services, Sunday school and daycare. The maximum allowable sewer discharge shall be up to 100 gpm. In the event the uses of the Property changes without the prior written consent of City, City shall have the right without further notice to suspend or terminate sewer service to the Property.

3.9 **Industrial Pretreatment.** The Owner and any user of sewer services of the Facilities shall comply with the City's and NTMWD's requirements for industrial pretreatment, if applicable.

3.10 **NCTCOG Standards.** Except as otherwise provided in this Agreement, the construction of the Facilities by Owner shall be in accordance with the Standard Specifications for Public Works Construction published by the North Central Texas Council of Governments, as amended, and as modified by the City, and to the extent applicable are hereby incorporated by reference.

Article IV

Termination

4.1 This Agreement shall terminate upon either of the following:

- (a) by written agreement of the Parties;
- (b) by City in the event Owner breaches any of the terms or conditions of this Agreement and, such breach is not cured within thirty (30) days after written notice thereof from City to Owner, provided, however, that in the event the breach cannot be cured through diligent effort within such thirty

(30) day period and Owner commences action to cure such breach within such thirty (30) day period and diligently pursues such action and the City shall extend the period to cure for an additional thirty (30) days.

Article V

Miscellaneous

5.1 **Successors and Assigns.** This Agreement shall be binding on and inure to the benefit of the parties and their respective heirs, executors, administrators, legal representatives, successors, and assigns. This Agreement may not be assigned without the written consent of the other parties.

5.2 **Limitation on Liability.** It is acknowledged and agreed by the parties that the terms hereof are not intended to and shall not be deemed to create a partnership or joint venture among the parties. It is understood and agreed among the parties that each party, in satisfying the conditions of this Agreement, has acted independently, and each party assumes no responsibilities or liabilities to third parties in connection with these actions.

5.3 **Authorization.** Each party represents that it has full capacity and authority to grant all rights and assume all obligations that is granted and assumed under this Agreement.

5.4 **Notice.** Any notice required or permitted to be delivered hereunder shall be deemed received three (3) days thereafter sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the party at the address set forth below or on the day actually received when sent by courier or otherwise hand delivered.

If intended for Owner, to:

Lovejoy Independent School District
Attn: Superintendent
Ted Moore, Superintendent
259 Country Club Road
Allen, TX 75002
Facsimile No. (469) 742-8001

With copy to:

Robert H. Roeder
Abernathy, Roeder, Boyd & Joplin, P.C.
1700 Redbud Blvd., #300
McKinney, TX 75069
Facsimile No. (214) 544-4044

If intended for City, to:

City of Parker, Texas
Attn: Jeff Flanigan
City Administrator
5700 E. Parker Road

With copy to:

James E. Shepherd
Shepherd Law Firm
1901 N. Central Expressway
Suite 200

Parker, Texas 75002
Facsimile No. (972) 442-2894

Richardson, Texas 75080
Facsimile No. 972-889-3827

With copy to Engineer:

Birkhoff, Hendricks, and Carter, L.L.P.
11910 Greenville Ave., Ste. 600
Dallas, Texas 75231
Facsimile No. (214) 461-8390

5.5 Entire Agreement. This Agreement embodies the complete agreement of the parties hereto, superseding all oral or written, previous and contemporary agreements between the parties and relating to the matters in this Agreement, and except as otherwise provided herein cannot be modified without written agreement of the parties to be attached to and made a part of this Agreement.

5.6 Governing Law. The validity of this Agreement and any of its terms and provisions, as well as the rights and duties of the parties, shall be governed by the laws of the State of Texas; and venue for any action concerning this Agreement shall be in District Court of Collin County, Texas. The parties agree to submit to the personal and subject matter jurisdiction of said court.

5.7 Amendment. This Agreement may be amended by the mutual written agreement of the parties.

5.8 Legal Construction. In the event anyone or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

5.9 Recitals. The recitals to this Agreement are incorporated herein.

5.10 Counterparts. This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but any of the counterparts shall constitute one and the same instrument.

5.11 Exhibits. Any exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.

5.12 Survival of Covenants. Any of the representations, warranties, covenants, and obligations of the parties set forth in this Agreement shall survive termination.

5.13 **Compliance with Laws.** The parties shall fully comply with all local, state and federal laws, including all codes, ordinances and regulations applicable to this Agreement and the work to be done thereunder, which exist or which may be enacted later by governmental bodies having jurisdiction or authority for such enactment.

5.14 **Severability.** In the event any section, subsection, paragraph, sentence, phrase or word herein is held invalid, illegal or unconstitutional, the balance of this Agreement shall be enforceable and shall be enforced as if the parties intended at all times to delete said invalid section, subsection, paragraph, sentence, phrase or word.

5.15 **Recordation of Agreement.** A certified copy of this Agreement shall be recorded in the Deed Records of Collin County, Texas.

5.16 **Covenants Run With Property.** The provisions of this Agreement are hereby declared covenants running with the Property and are fully binding on the Owner and each and every subsequent owner of all or any portion of the Property but only during the term of such party's ownership thereof (except with respect to defaults that occur during the term of such person's ownership) and shall be binding on all successors, heirs, and assigns of the Owner which acquire any right, title, or interest in or to the Property, or any part thereof. Any person who acquires any right, title, or interest in or to the Property, or any part hereof, thereby agrees and covenants to abide by and fully perform the provisions of this Agreement with respect to the right, title or interest in such Property.

5.17 **Conditions of Precedent.** This Agreement is subject to and conditioned upon City obtaining all necessary governmental consents and permits to provide sewer service to the Property. Owner agrees to cooperate with the City in obtaining all necessary approvals, if any, from the State of Texas or other governmental entity, including the North Texas Municipal Water District.

EXECUTED in duplicate originals this the _____ day of _____, 2012.

CITY OF PARKER, TEXAS

Joe Cordina, Mayor

ATTEST:

Carrie L. Smith, City Secretary

APPROVED AS TO FORM:

James E. Shepherd, City Attorney

EXECUTED in duplicate originals on this the _____ day of _____, 2012.

OWNER

Lovejoy Independent School District

By: _____

Name: Ted Moore

Title: Superintendent

CITY'S ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2012 by
Joe Cordina, Mayor of the City of Parker, Texas, on behalf of said municipality.

Notary Public, State of Texas

OWNER'S ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2012
by Ted Moore, the Superintendent of the Lovejoy Independent School District, on behalf of said
independent school district.

Notary Public, State of Texas

EXHIBIT A

Legal Description

PROPERTY DESCRIPTION

BEING a tract of land situated in the Ann S. Hurt Survey, Abstract No. 428 and the James Lovelady Survey, Abstract No. 538 and being all of a tract of land conveyed to Lovejoy Independent School District as recorded in Volume 2002-0137893 of the Deed Records of Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a "pk" nail found at the northwest corner of the aforementioned Lovejoy I. S. D. tract, in the approximate centerline of Lucas Road;

THENCE North 89 degrees 28 minutes 00 seconds East, along the approximate centerline of Lucas Road, for a distance of 982.23 feet to a "pk" nail set for corner;

THENCE South 00 degrees 23 minutes 11 seconds East, along the east line of said Lovejoy I. S. D. tract, and along the west line of the following tracts conveyed to: Truman and Jimmie Spurgin, Alan and Patricia Spurgin, Alan Spurgin, Neva Joy White, David and Cheryl Ferron and Gerald and Carol Caspell tracts, passing at 50.0 feet a 1 inch iron rod found, for an overall distance of 1328.13 feet to a 1/2 inch iron rod found for corner;

THENCE South 89 degrees 11 minutes 49 seconds West, along the south line of said Lovejoy I. S. D. tract, and along the north line of a tract of land conveyed to Rockland Farms for a distance of 982.25 feet to a 1 inch iron rod found for corner;

THENCE North 00 degrees 23 minutes 11 seconds West, along the west line of said Lovejoy I. S. D. tract, and the east line of the Rockland Farms Addition, passing at 1282.76 feet a 1 inch iron rod found, and at 1292.76 feet an aluminum monument found, for an overall distance of 1332.76 feet to the point of beginning and containing 30.000 acres which is 1,306,794 square feet of land.

EXHIBIT B

Emergency Pump Description



Premier Pump and Power, LLC

www.wastewaterpumps.net

SPECIFICATIONS

4 INCH DRY PRIME

Premier Pump Model 4x4CS2L-VP-3TNV88-52 Vacuum Assisted, Engine Driven, Heavy Duty Solids Handling Pump

Pump Specifications:

- Pump size: 4"X 4" AISI 150# flanges standard
- Suction Cover: ASTM A48 class 30 gray iron
- Wear Ring: ASTM A48 class 30 gray iron
- Volute Casing: ASTM A48 class 30 gray iron
- Volute Cleanout: Handhole type, ASTM A48 class 30 gray iron
- Backplate: ASTM A48 class 30 gray iron
- Bracket: ASTM A48 class 30 gray iron
- Mechanical Seal: Tungsten vs. Silicon Carbide seal faces, Viton elastomers, 300 series stainless steel hardware & spring, seal system designed for dry running
- Impeller: Enclosed type, two port, non clog, w/3 inch spherical solids handling capability. ASTM A48 class 30 gray iron
- Bearing Housing: ASTM A48 class 30 gray iron
- Pump-end Bearing: Single row ball – 6313-C3
- Drive-end Bearing: Single row ball – 6313-C3
- Shaft: 1144 Stressproof steel (Other metals available including: 17-4 PH corrosion resistant)
- Lip Seals: CR type, single lip: Bearings, SAE cover - Buna-N, Seal gland – Viton
- Midland 1300 series compressor. Lubricated by engine oil and cooled by engine water
- Separator Spool: Standard steel
- Air/Water chamber: Chamber designed to separate air and water before entering the pump case
- Venturi: Constructed of non-corrosive bronze
- Discharge check valve: Swing type, cast iron w/Buna-N disc (Viton optional)



Optional Equipment and Materials: Stainless Steel, CD4MCU & Ductile Iron

Engine Specification:

- Model: Yanmar model 3TNV88
- 36 intermittent horsepower @ 3000 RPM
- Three cylinder, four cycle, water cooled diesel engine
- Governor: Mechanical
- Lubrication: Force Feed
- Air Cleaner: Filter element
- Fuel Tank: 52 US gallons
- Run time: Full load (1800 RPM) > 24 hours
- Starter: 12 volt electric

Standard engine features: Safety shutdown switches for low oil pressure and high temperature. Instrument panel with temperature and oil pressure gauge, ammeter, hourmeter and tachometer. Muffler with rain cap. Engine to pump coupling: SAE5 housing with 7.5" rubber disc drive.

Standard Skid: Heavy duty fabricated steel frame. Integral fuel tank, lifting bale, lockable fuel tank, and one 1½" clean-out/drain plug

Standard Trailer: Heavy duty fabricated steel frame, integral fuel tank, fenders, lifting bail, lockable fuel cap, 3500# Anti-torsional axle, two (2) front adjustable leveling jacks and two (2) rear adjustable leveling jacks, one 1½" clean-out plug, fuel gauge, adjustable height tongue with easy conversion from ball hitch to Lunette eye

Trailer Options: DOT light package, work lights, special tires & wheels, dual axles, diamond plate fenders, surge brakes, lockable enclosed instrument panel, lockable enclosed engine housing, storage box, hose rack and more

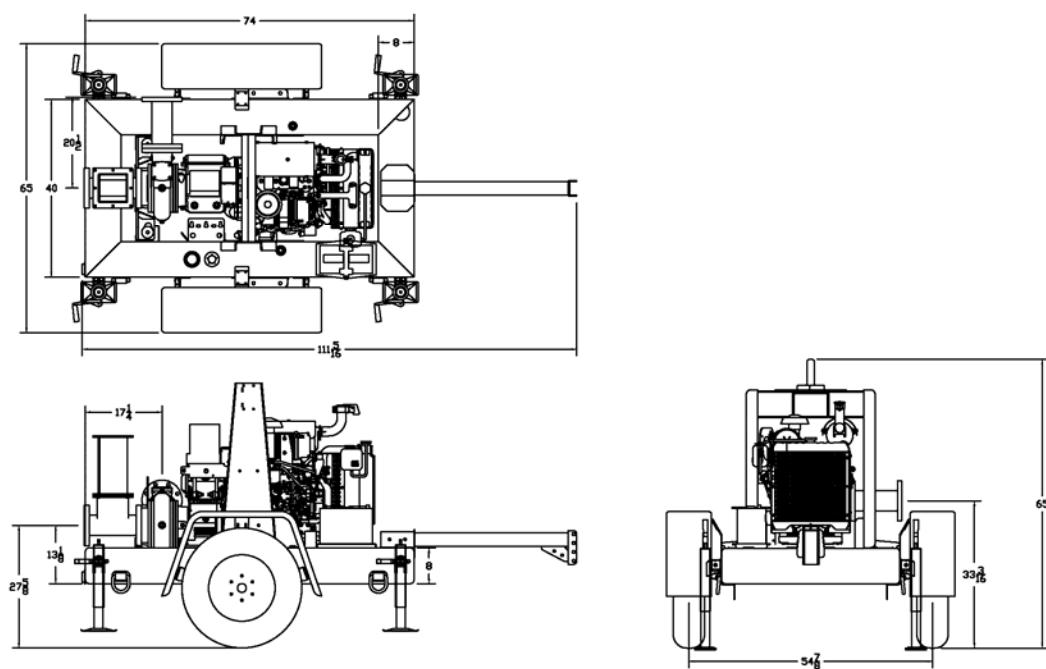
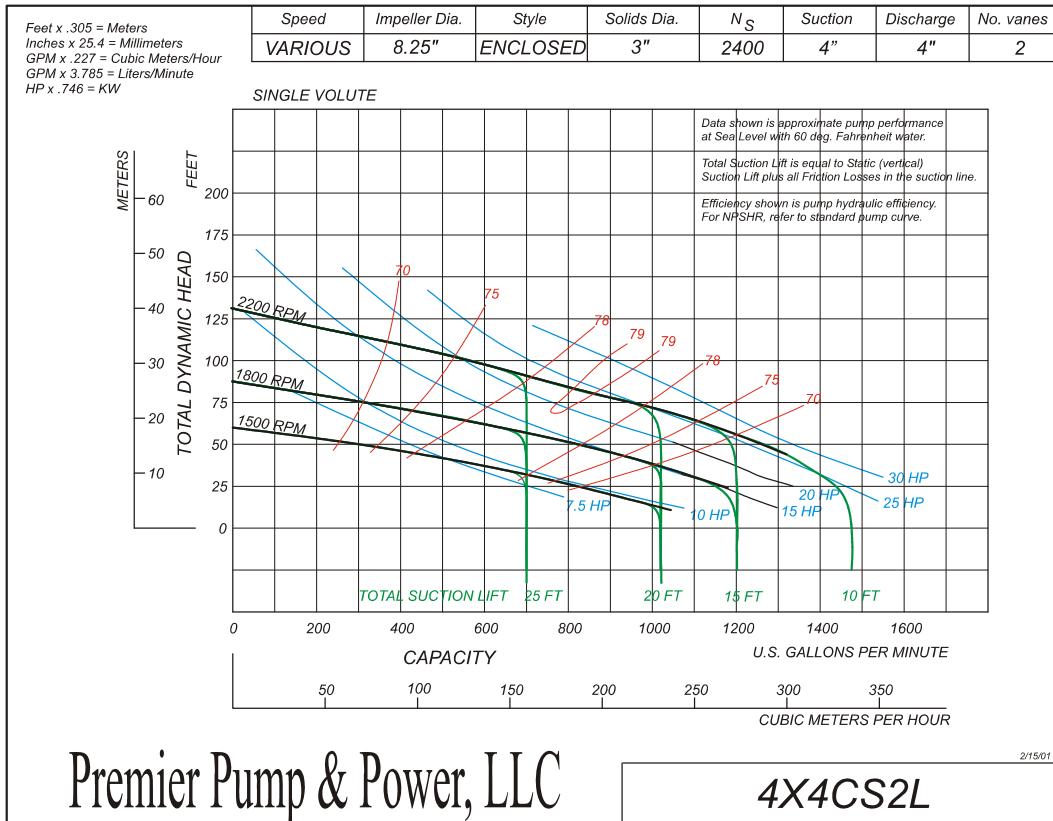
Specifications subject to change without notice

Premier Pump and Power, LLC • PO Box 6423 • Vancouver, WA 98668 • Phone 360.574.4519 • Fax 772.679.5989



Premier Pump and Power, LLC

www.wastewaterpumps.net



Specifications subject to change without notice

Premier Pump and Power, LLC • PO Box 6423 • Vancouver, WA 98668 • Phone 360.574.4519 • Fax 772.679.5989



TNV DI Series Industrial Diesel Engine



Image shown may not be actual engine

Features

Clean Emissions

Building off the proven TNE design, Yanmar has achieved superior exhaust emissions by improving the combustion chamber and fuel injection equipment design. Engines are compliant with 2008 EPA Tier 4 and EU stage III A exhaust emissions regulations.

Reliable and Durable

The TNV engines now proudly take up the running as Yanmar's premium small industrial diesel. They offer even more enhanced durability due to better block cooling, a stiffer crank and pistons, finer tolerance in the journal, and more. CAE analysis has brought lower vibrations and higher strength to the mounting structure for even better reliability in heavy-duty jobs.

Fuel Delivery and Economy

A newly designed, in-line MP type fuel injector pump is utilized to assure more precise fuel delivery and control. The result is reduced emissions, improved performance over a wide range of applications and good fuel economy which assures that Yanmar's reputation for superior starting characteristics continues.

Noise Level Reduction

Yanmar's original CAE techniques have optimized the stiffness, minimized transformation, and reduced radiant noise in the cylinder block. Gear noise reduction is achieved through an improved gear tooth profile resulting in less mechanical noise.

Additional Information

Yanmar America Corp
951 Corporate Grove Drive
Buffalo Grove, IL 60089
www.yanmar.com

Distributed By:

3TNV88-BDSA General Specification 36.0 HP (26.9 kW) @ 3000 rated rpm*

Type	3 Cylinder, 4-Cycle, Liquid Cooled Diesel Engine
Bore	88 mm
Stroke	90 mm
Displacement	1.642 L
Aspiration	Naturally Aspirated
Combustion System	Direct Injection
Rotation (from flywheel end)	Counterclockwise
Dry Weight	341 lbs (154 kg)

Standard Engine Equipment

General

Intake & Exhaust Manifold
Exhaust Manifold Gasket (shipped loose)

Lubrication System

2.8 L Capacity Shallow Oil Pan
Trochoid Oil Pump
Paper Element Oil Filter
Oil Pressure Switch
Crankcase Breather, Closed Type

Electrical System

12V, 40 Amp Alternator
12V Starter Motor
12V, 400W Air Heater
Preheat Relay (shipped loose)
Preheat Timer, 15 second (shipped loose)
Stop Solenoid Timer, 1 second (shipped loose)

Fuel System

In-line MP2 Fuel Injection Pump
12V Electric Fuel Pump (shipped loose)
Paper Element Fuel Filter
Water Separator (shipped loose)
Stop Solenoid, Integral to Fuel Injection Pump (shipped loose)

Cooling System

Water Pump, Belt Driven
7-Blade, 360mm Cooling Fan—Puller Type
70° F (21° C) Thermostat
Temperature Switch
Fan Belt

Power Take Off

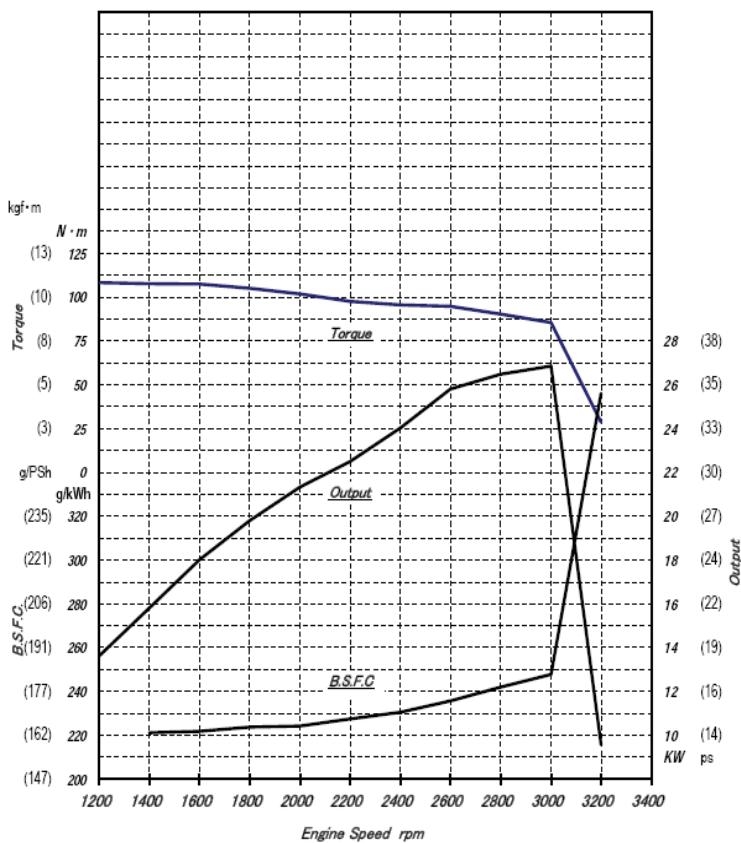
Flywheel, SAE 7 1/2"
Flywheel Housing, SAE #5
Aux Drive, 9-tooth w/SAE 2 bolt "A" Flange



3TNV88-BDSA

Industrial Diesel Engine

Performance Data



kW to Hp conversion used is expressed as: HP = (kW value) x 1.34

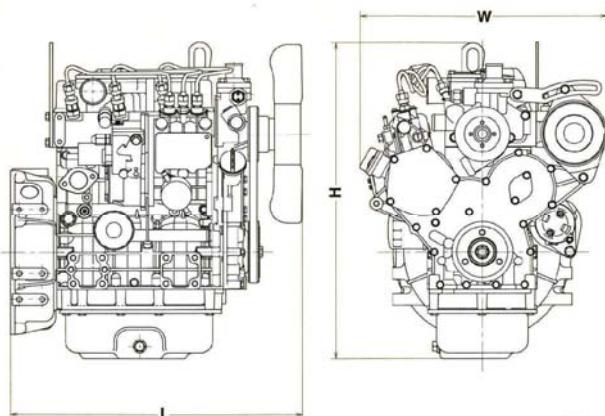
Rated Speed (rpm)	Net rated kW	Net rated HP	Max. Torque (ft-lb)
3000	26.9	36.0	79.5 @ 1800 rpm

Ratings Definitions and Conditions

*Rated power listed is NET engine output. The engine operating environment and driven machine conditions must be studied carefully when selecting an engine in order to ensure correct engine selection, maximize engine performance, extend engine service life and improve machine capacity.

Consult the TNV Application Manual for additional engine ratings and engine application information.

Dimensions



Length	24.0 in (610 mm)
Width	19.7 in (502 mm)
Height	25.7 in (654 mm)

Note: Dimensions depend on final specifications.

Materials and specifications herein are intended to serve as a guide in engine selection and subject to change without notice. The International System of Units (SI) is used in this publication. Yanmar and its logos, as well as corporate identity used herein, are trademarks of Yanmar and may not be used without permission.

Company:
Name:
Date: 12/21/2011

Pump:

Size: 4NNTL
 Type: Enc Solids Handling
 Synch speed: Adjustable
 Curve: 4NNTLVA
 Specific Speeds:
 Dimensions:
 Suction: 4 in
 Discharge: 4 in

Speed: 1890 rpm
 Dia: 8.25 in
 Impeller:
 Ns: 2400
 Nss: ---

Search Criteria:

Flow: 380 US gpm
 Head: 80 ft

Fluid:

Water
 SG: 1
 Viscosity: 1.105 cP
 NPSHa: ---

Temperature: 60 °F
 Vapor pressure: 0.2563 psi a
 Atm pressure: 14.7 psi a

Motor:

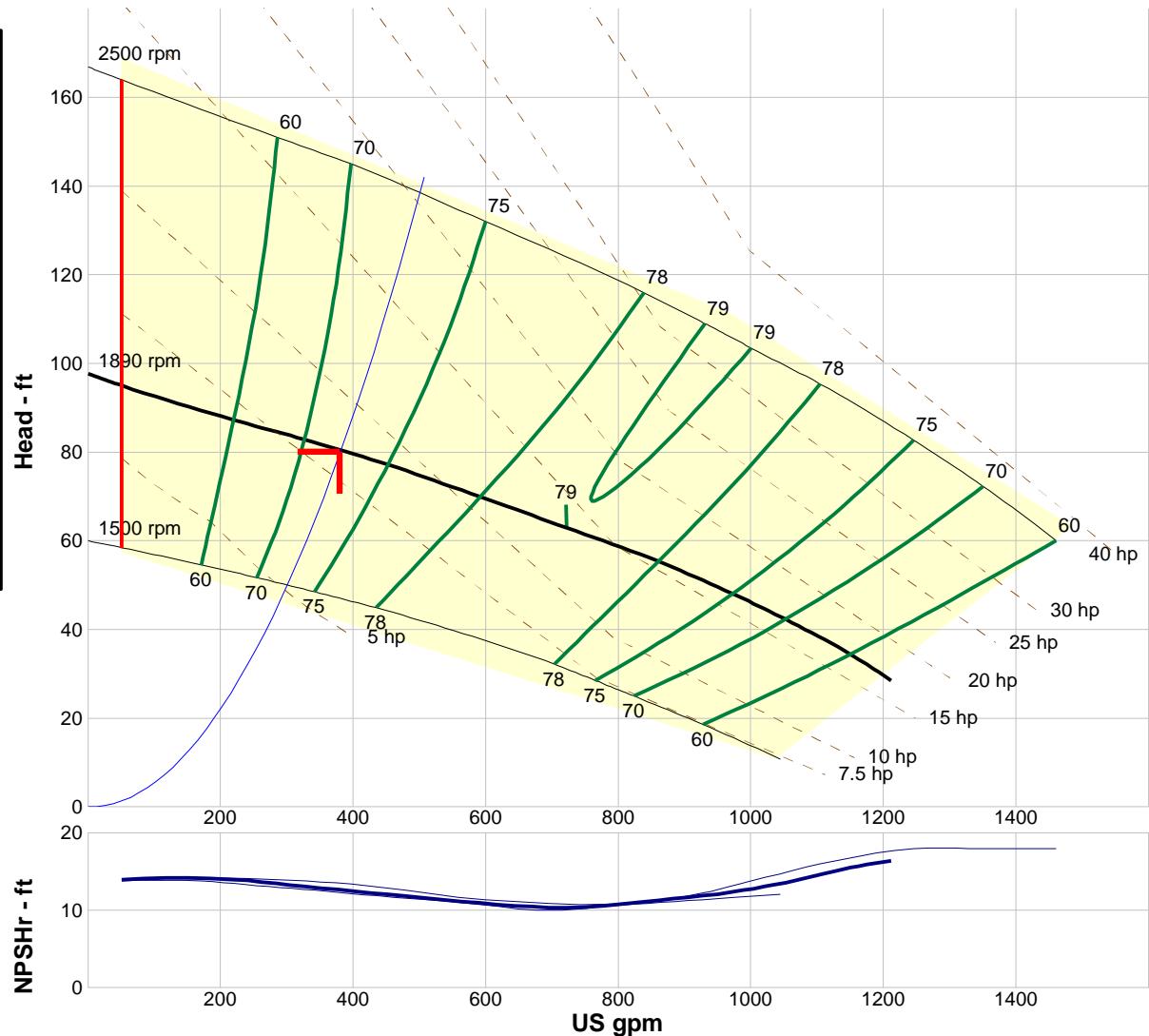
Standard: NEMA
 Enclosure: TEFC
 Speed: ---
 Frame: ---
 Sizing criteria: Max Power on Design Curve

Pump Limits:

Temperature: 250 °F
 Pressure: 125 psi g
 Sphere size: 3 in

Power: ---
 Eye area: ---

---- Data Point ----	
Flow:	380 US gpm
Head:	80.4 ft
Eff:	72%
Power:	10.6 hp
NPSHr:	12.7 ft
---- Design Curve ----	
Shutoff head:	97.7 ft
Shutoff dP:	42.2 psi
Min flow:	50 US gpm
BEP:	79% @ 721 US gpm
NOL power:	16.9 hp @ 1212 US gpm
-- Max Curve --	
Max power:	36.9 hp @ 1460 US gpm

**Performance Evaluation:**

Flow US gpm	Speed rpm	Head ft	Efficiency %	Power hp	NPSHr ft
456	1890	77	75	11.8	12
380	1890	80.4	72	10.6	12.7
304	1890	83.8	68	9.39	13.3
228	1890	86.9	61	8.19	13.9
152	1890	90.4	44	7.33	14



2430 W. Main Street
Grand Prairie, TX 75050
Phone: 972.522.1296

TO: BH&C		REF: City of Parker Emergency Pump	
ATTN: John Birkhoff		DATE	
Salesman:	Jerry Lee Freedle	Ph#	Quote No.
Item No.	Qty.	EQUIPMENT DESCRIPTION	Fax# e-mail
1	1	<p>Q = 380 GPM @ 80' TDH S = 1900 RPM P = 36 Hp</p> <p>Scope of equipment offered:</p> <p>Premier Pump model 4X4CS2L-VP-3TNV88-T52, Trailer mounted, Cornell End Suction centrifugal, venturi assisted pump. Unit consists of compressor, venturi type air/water separator, heavy duty flapper-type check valve, Tungsten vs. Silicon Carbide seal with run dry feature.</p> <p>Pump Construction: 4" suction by 4" discharge flanges</p> <p>Trailer - Powder coated, integral 52 gallon fuel capacity with lifting frame.</p> <p>Single 3500 # axle, fenders, Lofa EP250G7A auto start control panel, DOT lights and electric brakes, 2" ball hitch. With one set of float switches for automated control.</p> <p>Estimated delivery is 14 - 16 weeks after receipt of approved purchase order and dependent on engine delivery</p>	
2	1	Battery	
3	20	Gallons	
4	1	Item freight fob jobsite	
Notes: Pipe, valves, fittings, hoses or any item not specifically mentioned all by others.			
Quotation is good for 90 days from date of quotation TOTAL LOT NET F.O.B. JOBSITE WITH FREIGHT FOB JOBSITE			\$32,321.54
Phone # 972.522.1296 Fax# 972.522.1492			



Council Agenda Item

Budget Account Code:		Meeting Date:	2/7/2012
Budgeted Amount: N/A		Department/ Requestor:	Emergency Management Committee
Fund Balance-before expenditure:		Prepared by:	Mike Sheff
Estimated Cost: N/A		Date Prepared:	1/27/12
Exhibits:	1) Resolution 2012-364 2) Emergency Operations Plan		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ADOPTING A CITY
EMERGENCY OPERATIONS PLAN.

SUMMARY

Previous discussion with Council focused on the need for, and purpose of, a city emergency operations plan. This final version incorporates Resolution 2011-354, which provides for the continuity of governance in the event of a disaster.

POSSIBLE ACTION

Approve
Table
Deny

Inter - Office Use			
Approved by:			
Department Head:		Date:	
City Attorney:		Date:	
City Administrator:	<i>Tiffy Hay</i>	Date:	2-3-12

RESOLUTION NO. 2012-364
(Interlocal Agreement Authorizing Emergency Operations Plan)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER,
COLLIN COUNTY, TEXAS, APPROVING THE ESTABLISHMENT OF
AN EMERGENCY OPERATIONS PLAN; APPROVING THE TERMS AND
CONDITIONS OF THE EMERGENCY OPERATIONS PLAN,
AUTHORIZING ITS EXECUTION BY THE MAYOR OR HIS DESIGNEE;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Parker, Collin County, Texas, has been presented a proposed Emergency Operations Plan developed by the Parker Fire Department, the Parker Police Department, and City Staff, a copy of which is attached hereto and incorporated herein by reference (herein called "Agreement"); and,

WHEREAS, upon full review and consideration of the Agreement, and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be approved, and that the Mayor or his designee should be authorized to execute the Agreement on behalf of the City of Parker, Texas.

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

SECTION 1: The terms and conditions of the Agreement, having been reviewed by the City Council of the City of Parker and found to be acceptable and in the best interests of the City of Parker and its citizens, be, and the same is hereby, in all things approved.

SECTION 2: The Mayor, or his designee, under the direction of the City Council of the City of Parker, is hereby designated as the official representative to act for the City in all matters relating to the establishment of an Emergency Operations Plan.

SECTION 3: The Mayor, or his designee, is hereby authorized to execute the Agreement and all other necessary documents in connection therewith on behalf of the City of Parker.

SECTION 4: This Resolution shall become effective from and after its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
PARKER, COLLIN COUNTY, TEXAS, ON THIS THE _____ DAY OF _____,
2012.**

APPROVED:

Joe Cordina, Mayor

ATTEST:

Carrie L. Smith, City Secretary

APPROVED AS TO FORM:

James E. Shepherd, City Attorney



City of Parker, Texas

City of Parker Emergency Operations Plan

February 2012

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I. Authority

- A. The City of Parker is a signatory to the Collin County Emergency Operations Plan, dated as of April 2006, as amended or modified from time to time.
- B. Federal, state and local authorities referenced in the Collin County Emergency plan are incorporated, as applicable, in the City of Parker Emergency Operations Plan.

II. Purpose

- A. The City of Parker Emergency Management Plan outlines our approach to emergency operations and is applicable to the City of Parker. This plan is intended to supplement and not replace the Collin County Emergency Plan. The Collin County Emergency Management Plan shall be the guiding document should the City of Parker Emergency Management Plan conflict with the County plan.
- B. This plan provides general guidance for emergency management activities specific to the City of Parker. This plan describes the City of Parker's emergency response organization and assigns responsibilities for various emergency tasks. This plan applies to all local officials and departments.

III. Definitions and Acronyms

- A. Definitions of terms and acronyms as used in the Collin County Emergency Management Plan are incorporated herein by reference.

IV. Situation and Assumptions

- A. Our City is exposed to many hazards, all of which have the potential for disrupting the community, causing casualties and damaging or destroying public or private property.

B. The threat assessment and hazard summary as identified by the Collin County Emergency Operations Basic Plan, as updated from time to time, is equally applicable to the City of Parker and is incorporated into this plan by reference. This hazard summary identifies natural, technological and security threats including, but not limited to, drought, tornado, flash flooding, wildfire, winter storm, hazardous materials spill, water system failure, civil disorder, terrorism and other hazards.

C. The City of Parker is a presently a General Law City having the following critical components:

1. City Council / Mayor / City Administrator / City Secretary / City Finance Manager
2. Departments: Police / Fire / Public Works / Water / Municipal Court

D. Utilities

1. North Texas Municipal Water District.
2. Verizon Telephone and Cable service / Southwestern Bell (Knolls)
3. CoServ Electric / Grayson-Collin Electric Cooperative / TXU
4. Atmos Gas

E. Assumptions

1. The City of Parker will continue to be exposed to and subject to the impact of those hazards described above as well as others that may develop in the future.
2. It is possible for a major disaster to occur at any time and at any place. In many cases, dissemination of warning to the public and implementation of increased readiness measures may be possible. However, some emergency situations occur with little or no warning.
3. Outside assistance will be available in most emergency situations; however, since it takes time to summon external assistance, it is necessary for us to be prepared to carry out initial emergency response on an independent basis.

V. Concept of Operations

A. Objectives

1. The objective of this plan is to protect public health and safety and to preserve public and private property.

B. General

1. The City has the primary role of identifying and mitigating hazards, preparing for and responding to, and managing the recovery from emergency situations that affect our community.

2. This plan is based on an all-hazard approach to emergency planning. It addresses general functions that may need to be performed during any emergency situation and is not a collection of plans for specific types of incidents. City departments are tasked with developing and keeping current standard operating procedures that describe how emergency tasks will be performed, and insuring the training and equipment necessary for an appropriate response are in place to the extent possible.

3. This plan is based upon the concept that the emergency functions that must be performed by many departments generally parallel some of their normal day-to-day functions. To the extent possible, the same personnel and material resources used for day-to-day activities will be used during emergency situations; however, because personnel and resources are limited, some routine functions that do not contribute directly to the emergency may be suspended for the duration of an emergency.

4. The City of Parker has adopted the National Incident Management System. In the event of an incident that exceeds our local capabilities up to and including an Incident of National Significance (as defined in the President's Homeland Security Directive 5) we will integrate all operations with all levels of government, private sector and nongovernmental organizations through the use of the National Response Plan coordinating structures, processes and protocols.

C. Operational Guidance

1. City of Parker emergency responders are likely to be the first on the scene of an emergency situation and will normally take charge and remain in charge of the incident until it is resolved or others who have legal authority to do so assume responsibility.

2. We will implement the Incident Command System in managing the emergency situation. As an emergency situation escalates in scope, size or complexity, a Unified Command structure shall be adopted.
3. We will activate the City Emergency Operations Center (EOC) as and when the situation dictates an EOC be activated.
4. When the incident exceeds the resources of the City of Parker we will first summons mutual aid pursuant to existing mutual assistance agreements to which the City of Parker is a signatory.
5. When the incident exceeds, or is expected to exceed, the resources of the City of Parker and its mutual assistance agencies, we will request additional resources through Collin County.
6. Collin County shall provide assistance pursuant to, and as described in, the Collin County Emergency Operations Plan.

D. Incident Command System (ICS)

1. We intend to employ ICS, as an integrated part of the National Incident Management System, in managing emergencies. ICS is both a strategy and a set of organizational arrangements for directing and controlling field operations. It is designed to effectively integrate resources from different agencies into a temporary emergency organization at an incident site that can expand and contract with the magnitude of the incident and resources on hand.
2. The incident commander is responsible for carrying out the ICS function of command – managing the incident. An incident commander, using response resources from Parker and, if necessary, from automatic or mutual aid departments obtained from within the County, can handle the majority of emergency situations.
3. In emergency situations where several City of Parker departments or other jurisdictions or the state or federal government are providing significant response resources or technical assistance, it is desirable to transition to a Unified Command structure. This arrangement helps to ensure that all participating agencies are involved in developing objectives and strategies to deal with the emergency.

E. Emergency Operations Center

1. The Emergency Operations Center (EOC) for the City of Parker is located in the Fire Station within the City Complex at 5700 East Parker Rd, Parker, TX 75002.
2. When activated, the EOC shall serve as a central control point for supporting operations and directing resources.
 - a) *Whereas the incident commander is generally responsible for field operations specific to the incident site, the EOC is generally responsible for providing resource support for the incident command operations. This may include multiple incident sites, each with a separate incident commander or unified command structure, within the City of Parker.*
 - b) *Other responsibilities of the EOC include the following: i) Issuing community-wide warning(s); ii) Issuing instructions and providing information to the general public; iii) Organizing and implementing large scale evacuation; iv) Organizing and implementing shelter and mass arrangements for evacuees; v) Coordinating traffic control for large-scale evacuations; vi) Requesting assistance from the County or other external sources.*
3. The EOC will be activated when notice has been received of a possible or actual emergency and that the opening of the EOC will facilitate interdepartmental communications and coordination. The EOC may be activated by the Mayor, the Police Chief, the Fire Chief or their respective designees.
4. When activated, the EOC shall be staffed by those individuals designated by the Mayor, the Police Chief and the Fire Chief. During major emergencies the following individuals (or their designees) shall assemble and operate out of the EOC: The Mayor, City Administrator, Public Works Director, Police Chief, Fire Chief and others as needed and requested by the Incident Commander.
5. All other city personnel will report to their regular work stations upon notification of an emergency. If the work area is inaccessible, employees shall be directed to alternate locations by their supervisors or by the EOC.

F. Activities by Phases of Management

1. This plan addresses emergency actions that are conducted during all four phases of emergency management.

2. Mitigation

a) The City of Parker will conduct mitigation activities as an integral part of our emergency management program. Mitigation is intended to eliminate hazards, reduce the probability of hazards causing a emergency situation, or lessen the consequences of unavoidable hazards. Mitigation should be a pre-disaster activity, although mitigation may also occur in the aftermath of an emergency situation with the intent of avoiding repetition of the situation.

b) Examples of mitigation include establishment of building and fire codes, flood plain management and public education.

3. Preparedness

a) The City of Parker will conduct preparedness activities to develop the response capabilities needed in the event of an emergency. Among the preparedness activities included in our emergency management program are: providing emergency equipment and facilities, emergency planning, developing and maintaining appropriate Standard Operating Procedures, training for emergency responders and conducting periodic drills and exercises to test our plans and training.

4. Response

a) The City of Parker will respond to emergency situations effectively and efficiently. The focus of most of this plan and that of the Collin County Emergency Operations Plan is on planning for the response to emergencies. Response activities include warning, emergency medical services, firefighting, law enforcement operations, evacuation, shelter and mass care, emergency public information, search and rescue as well as other associated functions.

5. Recovery

a) Recovery programs involve both short term and long term efforts. Short term efforts seek to restore vital services to the community and provide for the basic needs of the public. Long term recovery focuses on restoring the community to its normal state. The federal government, pursuant to the Stafford Act, provides the vast majority of disaster recovery assistance. Assistance from Collin County is outlined in the Collin County Emergency Operations Plan. Examples of recovery programs include temporary housing, restoration of government services, debris removal, the restoration of utilities, reconstruction of damaged roads and bridges and the like.

VI. Organization and Assignment of Responsibilities

A. General

1. During emergency situations, our normal organizational arrangements are modified to facilitate emergency operations. Most of the departments within the City of Parker have emergency functions in addition to their normal duties. Each department is responsible for developing and maintaining their own emergency management procedures.

2. Organization

a) The City of Parker governmental organization for emergencies includes a City Executive Group, an Emergency Services Group and Emergency Support Services.

(1) The Executive Group consists of the Mayor (or legal designee) and City Administrator.

(2) The Emergency Services Group consists of the Police Department and Fire Department.

(3) Emergency Support Services included departments and outside agencies that support and sustain emergency responders and also coordinate emergency assistance provided by organized non-governmental volunteer organizations, certain businesses and industry and other services.

B. Assignment of Responsibilities

1. General

- a) *Successful operations require a coordinated effort from a number of departments, agencies and groups. To facilitate a coordinated effort, generally, primary responsibility for an emergency function will be assigned to an individual from the department that has legal responsibility for that function or possesses the most appropriate knowledge and skills.*
- b) *Generally, emergency management primary and support responsibilities for City of Parker officials and personnel shall follow those depicted in the Collin County Emergency Operations Basic Plan including Annexes A through V, as such responsibilities are applicable to the City of Parker in terms of local resources and capabilities.*

2. Executive Group responsibilities

- a) *The Mayor is primarily responsible for:*
 - (1) With the assistance of the City attorney, declaring a local state of disaster and/or, through designated channels, requesting the County Judge and/or Governor declare a state of emergency.
 - (2) Implementing the emergency powers of local government, as applicable. Resolution No. 2011-354 provides guidance for the continuity of functions of the City.
 - (3) Requesting assistance from other local governments exclusive of standing protocols contained existing mutual assistance agreements where the City of Parker is a signatory.
 - (4) Monitoring the emergency response during disaster situations and providing direction where appropriate.
 - (5) With the assistance of a designated Public Information Officer (whose responsibilities shall follow those promulgated by NIMS), keeping the public informed during emergency situations.
 - (6) Making emergency policy decisions.

(7) Directing activation of the City of Parker EOC.

b) The City Administrator is primarily responsible for:

(1) Directing the overall preparedness program for the City of Parker.

(2) Making emergency policy decisions in the absence of the Mayor or his/her legal designee.

(3) Assuring that all City departments participate in emergency planning, training and exercise activities.

(4) Implementing the policies and decisions of the City Council.

(5) Making emergency policy decisions in the absence of the Mayor.

(6) Directing activation of the City of Parker EOC in the absence of the Mayor.

(7) Providing the City Council with periodic situation reports during emergency operations.

c) The Emergency Management Coordinator shall have those general responsibilities more particularly described in the Collin County Emergency Operations Plan including but not limited to:

(1) Serving as the staff advisor to the Mayor on emergency management matters.

(2) Coordinating local planning and preparedness activities and the maintenance of the City of Parker Emergency Operations Plan.

(3) Activating the EOC upon direction from the Mayor or City Administrator or Chiefs of Police or Fire or, in their absence, directing activation of the EOC.

3. Emergency Services Group responsibilities

a) Common responsibilities of the Police Chief and Fire Chief are:

- (1) Coordinating the planning and general preparedness activities of the City of Parker Emergency Operations Plan.
- (2) Developing and maintaining standard operating procedures for emergency tasks specific to their areas of responsibility.
- (3) Providing trained personnel to staff the EOC.
- (4) Conducting emergency operations.
- (5) Maintaining liaison with organized emergency volunteer groups and private agencies.
- (6) Initiating and monitoring increased readiness actions among City services when disaster threatens.
- (7) Maintaining a current resource inventory list and providing such information to the Emergency Management Coordinator.

b) Emergency Services responsibilities

- (1) Emergency service responsibilities shall generally follow the responsibilities defined within the Collin County Emergency Operations Basic Plan, as further detailed in the Collin County Emergency Operations Plan Annexes A through V (as applicable to the resources and capabilities of the City of Parker).

c) Generally, the Police Department shall be responsible for:

- (1) Maintaining law and order during emergency situations.
- (2) Planning, directing and controlling evacuations.
- (3) Providing security for key facilities including the EOC.
- (4) Protecting property in evacuated areas.
- (5) Providing access control to damaged areas.
- (6) Carrying out traffic control when and where needed.
- (7) Providing crowd control when needed.

- (8) Managing the local warning system and warning the public when needed.
- (9) Managing the local emergency communications network. Conducting counter-terrorism and anti-terrorist operations.
- (10) Supporting search and rescue operations.
- (11) Assisting in hazardous materials incidents.
- (12) Supporting other emergency functions as necessary.
- (13) Developing and maintaining City capabilities with respect to Annexes A, B, E and G of the Collin County Emergency Operations Plan
- (14) Explosive identification and response.
- (15) Determining basic information with respect to the number of fatalities and injuries.
- (16) Determining post-incident damage assessment and reporting in coordination with City Public Works and Code Enforcement personnel.

d) Generally, the Fire Department shall be responsible for:

- (1) Fire suppression
- (2) Emergency medical services
- (3) Search and rescue
- (4) Evacuation support
- (5) Fire prevention
- (6) Fire safety inspection of temporary shelters
- (7) Hazardous materials response and mitigation
- (8) Decontamination
- (9) Radiological monitoring

- (10) Developing and maintaining City capabilities with respect to Annexes D, F, H, J, Q and R to the Collin County Emergency Operations Plan
- (11) Emergency inoculations for the prevention of disease.
- (12) Health advisement to emergency response personnel, city staff and the public.
- (13) Activating emergency shelter(s) for the public and providing emergency medical services to the shelters.

e) *Emergency Support Group*

- (1) Emergency Support Group responsibilities shall generally follow the responsibilities as defined within the Collin County Emergency Operations Basic Plan, as further detailed in Annexes A through V (as applicable to the capabilities and resources of the City of Parker).
- (2) Generally, the Public Works Department and/or the Water Department and/or Code Enforcement shall be responsible for the following emergency tasks:
- (3) Barricading hazardous or dangerous areas of the City
- (4) Assessing damage to streets, bridges, traffic control devices and other public facilities within the City of Parker and its ETJ.
- (5) Prioritizing removal of debris and restoration of streets and bridges in coordination with the needs of the Emergency Services Group
- (6) Providing specialized equipment in support of emergency operations
- (7) Removal of debris or arranging for such removal with private firms or other local governments
- (8) Protection and/or restoration of the water distribution system
- (9) Protection and/or restoration of the waste water collection system

- (10) Prioritizing/restoring utility service to vital City and other facilities
- (11) Directing temporary repairs to vital facilities
- (12) General damage assessment support
- (13) Building inspection
- (14) Developing and maintaining City of Parker capabilities with respect to Annex K and L of the Collin County Emergency Operations Plan

f) Assignment of City department responsibilities with respect the Annexes A through V of the Collin County Emergency Management Plan are

- (1) Annex A – Warning is assigned to Police
- (2) Annex B – Communications is assigned to Police
- (3) Annex C – Shelter/Mass Care is assigned to Fire
- (4) Annex D – Radiological Protection is assigned to Fire
- (5) Annex E – Evacuation is assigned to Police
- (6) Annex F – Firefighting is assigned to Fire
- (7) Annex G – Law Enforcement is assigned to Police
- (8) Annex H – Health and Medical Services is assigned to Fire
- (9) Annex I – Public Information is assigned to the Emergency Management Coordinator
- (10) Annex J – Recovery is jointly assigned to Code Enforcement/Public Works
- (11) Annex K – Public Works and Engineering is assigned to Public Works
- (12) Annex L – Utilities is assigned to Public Works

- (13) Annex M – Resource Management is jointly assigned to the City Administrator/Emergency Management Coordinator/Police/Fire/Public Works
- (14) Annex N – Direction and Control is jointly assigned to Police/Fire
- (15) Annex O – Human Services is assigned to Police
- (16) Annex P – Hazard Mitigation is jointly assigned to Police/Fire/Public Works
- (17) Annex Q – Hazardous Materials and Oil Spill Response is assigned to Fire
- (18) Annex R – Search and Rescue is assigned to Fire
- (19) Annex S – Transportation is assigned jointly to Police and Fire
- (20) Annex T – Donation Management is assigned to the City Administrator
- (21) Annex U – Legal is assigned to the City Administrator in coordination with the City Attorney
- (22) Annex V – Terrorist Incident Response is assigned to Police

VII. Direction and Control

A. General

1. The Mayor, as Emergency Management Director, is responsible for assuring that coordinated and effective emergency response and recovery systems are developed and maintained, all in compliance with NIMS.
2. The Chiefs of Police and Fire will establish a unified command to jointly manage the City of Parker's Emergency Operations Center.
3. Routine law enforcement, fire suppression and emergency medical service operations may continue during some emergency situations. Direction and control of such operations will be by those that normally direct and control the day-to-day operations.

4. During emergency operations, department heads retain administrative and policy control over their staff and equipment. However, staff and equipment will carry out mission assignments directed by the incident commander.
5. Each department is responsible for having its own operating procedures to be followed during response operations, but interagency procedures, such as common communications protocols, may be adopted to facilitate coordinated effort.
6. If City of Parker resources are insufficient or inappropriate to deal with an emergency situation, we may request assistance from other jurisdictions, organized volunteer groups or the County. The process and forms for requesting County (as well as State or federal assistance by the County) are covered in the Collin County Emergency Operations Plan. External agencies are expected to conform to the general guidance provided by Unified Command and carry out mission assignments directed by the EOC or the local incident commander. However, organized response units will normally work under the immediate control of their own supervisor.

B. Line of Succession:

1. The line of succession for the Mayor, other elected officials and other senior City officials of the Executive Group shall be in accordance with existing rule of law and pursuant to Resolution 2011-354 (Attachment).
2. The line of succession for the Police Department is the Chief of Police followed by the Police Sergeant and thereafter the senior police department officer present.
3. The line of succession for the Fire Department is the Fire Chief followed by the Assistant Fire Chief, the Operations Division Chief, the EMS Division Chief and, thereafter, the senior fire department officer present.
4. The line of succession for resources within the Support Group is the Department Head and, thereafter, the senior department representative.

C. Emergency Facilities

1. Incident Command Post.
 - a) *An incident command post(s) will be established in the vicinity of the incident site(s) in compliance with the Incident Command System which is a component of NIMS.*

2. Emergency Operations Center
 - a) *When major emergencies and disasters have occurred or appear imminent, we will activate our Emergency Operations Center.*
 - b) *Activation of the EOC may be authorized by the Mayor, the Police Chief or the Fire Chief.*
 - c) *The general responsibilities of the EOC are to:*
 - (1) Assemble accurate information on the emergency situation and current resource data to allow local officials to make informed decisions on courses of action.
 - (2) Working with representatives of emergency services, determine and prioritize required response actions and coordinate their implementation.
 - (3) Provide resource support for emergency operations.
 - (4) Suspend or curtail local government services, recommend closure of businesses and or schools (as applicable to the City of Parker) and cancellation of public events.
 - (5) Organize and activate large-scale evacuation and mass care operations.
 - (6) Provide emergency information to the public.
 - d) *Representatives of those departments assigned emergency functions in this Plan will staff the EOC. EOC operations shall generally follow those depicted in the Collin County Emergency Operations Plan and its Annexes.*

VIII. Readiness Levels

- A. General
 1. Many emergencies follow some recognizable build-up period during which actions can be taken to achieve a gradually increasing state of readiness.
 2. Collin County has adopted a four-tier system of readiness levels. The City of Parker follows these readiness levels of the County.

3. General actions to be taken at each readiness level will be consistent with those actions outlined in the Annexes to the Collin County Emergency Operations Plan, as applicable to the capabilities and resources of the City of Parker, with specific actions detailed in each City department's standard operating procedures.
- B. Readiness levels are used as a means of increasing the City's readiness posture. Readiness levels and possible actions are described in detail in the Collin County Emergency Operations Plan and its Annexes.
 1. Level IV – normal conditions.
 2. Level III – Increased readiness, refers to potential threats that pose no immediate threat to life and/or property. Examples include tornado or flash flood watches, a wildfire threat or a mass gathering.
 3. Level II – High readiness, refers to a situation with a significant potential and probability of causing loss of life and/or property. Examples include tornado or flash flood warnings and a winter storm warning.
 4. Level I – Maximum readiness, refers to situations where hazardous conditions are imminent. Examples include a tornado that has been sited close to Parker or flooding occurring at specific locations.

IX. Administration and Support

- A. Agreements and contracts
 1. Should our local resources prove inadequate during an emergency, the City is signatory to various mutual assistance contracts with other local jurisdictions within Collin County.
 2. The City's resources are identified and are a part of the Texas Regional Response Network.
 3. Requests for assistance from the State or federal levels shall be made through the appropriate reporting channels.

B. Reports

1. City departments will follow the reporting requirements generally required by governmental agencies as the emergency incident or situation warrants, and will report as required for hazardous materials spill reporting or as required under NIMS.

C. Records

1. The City will follow the guidelines for record keeping generally similar to those contained in the Collin County Emergency Operations Plan.

X. Attachments:

A. Resolution No. 2011-354 (Local Emergency Management Plan)



Council Agenda Item

Budget Account Code:		Meeting Date: February 7, 2012
Budgeted Amount:		Department/ Requestor: City Secretary/ State Statute
Fund Balance-before expenditure:		Prepared by: Smith/Shepherd
Estimated Cost:		Date Prepared: 1/27/2012
Exhibits:	1) Proposed Ordinance 678 (bilingual) 2) Order and Notice (bilingual)	

AGENDA SUBJECT

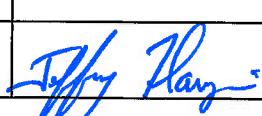
CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 678,
ORDERING A MAY 12, 2012 GENERAL ELECTION.

SUMMARY

In accordance with the Texas Election Code the Mayor and City Council is required to order and give notice for a General Election. The statutory deadline for ordering the election is March 5, 2012.

POSSIBLE ACTION

Approve
Table
Deny

Inter - Office Use			
Approved by:			
Department Head:		Date:	
City Attorney:		Date:	
City Administrator:		Date:	2-3-12

ORDINANCE 678
(Order and Notice of May 12, 2012 Election)

AN ORDINANCE OF THE CITY OF PARKER, TEXAS, CALLING FOR AN ELECTION TO BE HELD ON MAY 12, 2012 TO ELECT A MAYOR AND TWO CITY COUNCILMEMBERS-AT-LARGE; PROVIDING FOR EARLY VOTING; PROVIDING FOR ORDER AND NOTICE OF THE ELECTION; AND PROVIDING FOR OTHER MATTERS RELATING TO THE ELECTION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS:

SECTION 1. That the Mayor of the City of Parker, Texas, with the concurrence of the City Council, orders an election to be held on May 12, 2012, for the purpose of electing a Mayor and two Councilmembers-at-Large.

SECTION 2. The polling place in the City of Parker for this election is as follows:

Parker City Hall
5700 E. Parker Road
Parker, Texas 75002

SECTION 3. The polls shall be open on May 12, 2012 from 7:00 a.m. until 7:00 p.m.

SECTION 4. Said election shall be conducted in accordance with the Texas Election Code and only resident qualified voters of the City of Parker will be entitled to vote.

SECTION 5. Candidates file at-large and adhere to the filing deadlines accordingly. Candidate Packets are available in the City Secretary's Office. The candidate filing deadlines for the General Election for the Mayor and two Councilmembers-at-Large; are as follows:

February 6, 2012 through March 5, 2012 at 5:00 p.m.

Candidates must file in the City Secretary's Office located at 5700 E. Parker Road, Parker, Texas.

SECTION 6. Early voting by personal appearance shall be conducted each weekday at Parker City Hall, 5700 E. Parker Road, Parker, Texas, between the hours of 8:00 a.m. to 5:00 p.m. beginning on April 30, 2012 and ending on May 8, 2012. Early voting with extended hours will be conducted on May 7, 2012 and May 8, 2012 between the hours of 7:00 a.m. to 7:00 p.m.

SECTION 7. Applications for ballot by mail shall be requested from and mailed to the City Secretary Carrie Smith, City of Parker, 5700 E. Parker Road, Parker, Texas 75002. Applications for ballot by mail must be received no later than the close of business on May 4, 2012.

SECTION 8. The City Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be so published and/or posted in connection with the conduct of this election. The City Council will designate election Judges and Clerks by resolution.

SECTION 9. All Ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordered herein.

ADOPTED this 7th day of February, 2012, by the City Council of the City of Parker, Collin County, Texas.

APPROVED

Mayor Joe Cordina

ATTEST:

City Secretary Carrie L. Smith

APPROVED AS TO FORM:

James E. Shepherd City Attorney

ORDENANZA 678
(Orden y aviso del 12 de mayo de 2012 elecciones)

UNA ORDENANZA DE LA CIUDAD DE PARKER, TEXAS, PIDIENDO UNA ELECCIÓN QUE SE CELEBRARÁ EL 12 DE MAYO DE 2012 PARA ELEGIR UN ALCALDE Y UNA CIUDAD DE DOS CONCEJALES-AT-LARGE; PREVÉN VOTACIÓN TEMPRANA; PARA EL ORDEN Y AVISO DE LA ELECCIÓN; Y OTROS ASUNTOS RELATIVOS A LA ELECCIÓN.

SE LO ORDENADO POR EL AYUNTAMIENTO DE LA CIUDAD DE PARKER, TEXAS:

SECCIÓN 1. Que el alcalde de la ciudad de Parker, Texas, con la anuencia del Ayuntamiento, ordena una elección que se celebrará el 12 de mayo de 2012, con el fin de elegir a un alcalde y dos concejales en general.

SECCIÓN 2. El lugar de votación en la ciudad de Parker para estas elecciones es la siguiente:

Ayuntamiento de Parker
5700 E. Parker Road
Parker, Texas 75002

SECCIÓN 3. Las urnas estarán abiertas el 12 de mayo de 2012 desde las 7:00 hasta las 19:00

SECCIÓN 4. Dicha elección se llevará a cabo de conformidad con el código electoral de Texas y sólo residentes votantes calificados de la ciudad de Parker tendrá derecho a votar.

Sección 5. Candidatos archivo en grandes y en consecuencia se adhieren a los plazos de presentación. Candidato paquetes están disponibles en la Oficina del Secretario de la ciudad. El candidato de los plazos de presentación para las elecciones generales para el alcalde y dos concejales en general; son los siguientes:

06 De febrero de 2012, a través del 05 de marzo de 2012 en 17:00

Los candidatos deberán presentar en la Oficina del Secretario de la ciudad ubicado en la carretera 5700 e. Parker, Parker, Texas.

SECCIÓN 6. Votación temprana por la apariencia personal se llevarán a cabo cada día de la semana en el Ayuntamiento de Parker, 5700 e. Parker Road, Parker, Texas, entre las horas de 8:00 a 5:00 p.m. empezará el 30 de abril de 2012 y terminará en 08 de mayo de 2012. Votación anticipada con horario extendido se realizará sobre 07 de mayo de 2012 y 08 de mayo de 2012 entre las horas de 7:00 a 19:00

Sección 7. Solicitudes de voto por correo serán solicitadas y enviadas a la ciudad Secretario Carrie Smith, ciudad de Parker, en la carretera de 5700 e. Parker, Parker, Texas 75002. Las solicitudes de voto por correo deben ser recibidas no más tarde del cierre del negocio en 04 de mayo de 2012.

Sección 8. El Secretario de la ciudad queda autorizado y dirigido a publicar o publicar, en el tiempo y forma prescrito por la ley, todos los avisos necesarios para ser publicado y publicado con motivo de la realización de esta elección tan. El Ayuntamiento designará a magistrados de elección y secretarios por resolución.

Sección 9. Todas las ordenanzas o partes, que están en conflicto o incompatible con las disposiciones de esta ordenanza quedan derogados en la medida de esos conflictos, y las disposiciones de esta ordenanza deberán ser y permanecer control como a lo ordenado en el presente.

Aprobado este día 7 de febrero de 2012, por el Ayuntamiento de la ciudad de Parker, Collin County, Texas.

APROBADO

Alcalde Joe Cordina

CERTIFICAR:

Ciudad Secretario Carrie L. Smith

APROBADO COMO AL FORMULARIO:

Fiscal de la ciudad de pastor de James E. Shepherd

CITY OF PARKER
ORDER AND NOTICE OF GENERAL ELECTION
(ORDEN Y AVISO DE ELECCION GENERAL)

To the Registered Voters of Parker, Texas:
(*A los votantes registrados del Parker Texas;*)

An election is hereby ordered to be held on May 12, 2012 for the purpose to elect a Mayor and two (2) Councilmembers-at-large.

(*Por la presente se ordena que se llevara a cabo una eleccion el 12 de Mayo de 2012 con el proposito para elegir el alcalde y dos (2) miembro del concilio.*)

Notice is hereby given that the polling places listed below will be open from 7:00 a.m. to 7:00 p.m., on May 12, 2012, for voting in a general election, to elect a Mayor and two (2) Councilmembers-at-large.

(*Notifquese, por las presente, que las casillas electorales sitados abajo se abriran desde las 7:00 a.m. hasta las 7:00 p.m. el 12 de Mayo de 2012 para votar en la Eleccion General para elegir el alcalde y dos (2) miembro del concilio.*)

LOCATION OF POLLING PLACES
(DIRECCION(ES) DE LAS CASILLAS ELECTORALES)

Parker City Hall
5700 E. Parker Road
Parker, Texas 75002

Early voting by personal appearance will be conducted each weekday at
(*La votacion adelantada en persona se llevara a cabo de lunes a viernes en*)

Parker City Hall
5700 E. Parker Rd.
Parker, Texas 75002

between the hours of 8:00 a.m. and 5:00 p.m. beginning on April 30, 2012 and ending on May 8, 2012 and on May 7, 2012 and May 8, 2012 between the hours of 7:00 a.m. and 7:00 p.m.

(*entre las 8:00 de la mañana y las 5:00 de la tarde empezando el 30 de Abrila, 2012 y terminado el 8 de Mayo, 2012 y 7 de Mayo, 2012 y 8 de Mayo, 2012 bentre las 7:00 de la mañana y las 7:00 p.m. de la tarde empezando.*)

Applications for ballot by mail shall be mailed to:
(*Las solicitudes para boletas que se votaran en ausencia por correo deberan enviarse a:*)

Carrie Smith, City Secretary
(Name of Early Voting Clerk) (*Nombre del Secretario de la Votacion En Adelantada*)

5700 E. Parker Road, Parker, Texas 75002
(Address) (*Direccion*)

Parker, Texas 75002
(City) (*Ciudad*) (Zip Code) (*Zona Postal*)

Applications for ballots by mail must be received no later than the close of business on
(*Las solicitudes para boletas que se votaran en ausencia por correo debean recibirse para el fin de las horas de negocio el* (date) (*fecha*) : May 4, 2012.)

Issued this the 7th day of February, 2012.
(*Esitada este dia 7th de Febrero, 2012.*)

Mayor Joe Cordina (*Alcalde*)



Council Agenda Item

Budget Account Code:	Meeting Date: February 7, 2012
Budgeted Amount:	Department/ Requestor: Public Works
Fund Balance-before expenditure:	Prepared by: J. Flanigan
Estimated Cost:	Date Prepared: 1/27/2012
Exhibits:	1) Engineering review 2) Photo's

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION AS A RESULT OF DAMAGE TO THE TRAILS FROM RECENT FLOODING.

SUMMARY

The rain event on January 26 caused heavy damage to the trail. The damage was not a result of water velocity running downstream, but the result of cross drainage when the creek resiled. The damage is approximately 400 linear feet of trail, and cost estimate of \$12,000.00 for concrete.

POSSIBLE ACTION

Authorize city staff and municipal engineer to design a plan to repair trail.

Funding options:

1. City council contingency
2. Parks & Recreation trail budget of \$ 12,500.00 and return the matching Collin County Grant
3. Declare an emergency and amend the budget

Approve
Table
Deny

Inter - Office Use			
Approved by:			
Department Head:		Date:	
City Attorney:		Date:	
City Administrator:	<i>Jeffrey Hay</i>	Date:	<i>2-3-12</i>

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January 31, 2012

Mr. Jeff Flanigan
Public Works Director
5700 East Parker Road
Parker, Texas 75002

Dear Mr. Flanigan:

On January 30 2012 we visited the trail located in the Parker Preserve to observe damage caused by the recent rain event. The trail is located in the flood way of Maxwell Creek. In this area the defined channel is approximately six feet deep and 12 feet across. When rain fall events occur, the banks of the small channel spill over to the floodway and water can extend in either direction hundreds of feet. As the creek recedes water in the floodway pours back into the defined channel.

The trail as it crosses the creek near the Parker Road Bridge is reinforced concrete. Leaving that area the trail is eight feet wide and 6 inches thick of crushed granite (3,662 linear feet). The specification for the granite included a granite stabilizer to be added at a rate of 15 pounds per ton of granite. It appears that the stabilizer is a polymer product to keep the granite in a moist condition, preventing it from rutting from loadings. We do not have the shop drawing on this product to know any details of what it is.

The following observations were made during our visit:

1. Portions of the trail were completely washed away from the flow of the storm water.
2. One drainage crossing did not appear to be low enough for water to pass over. Instead the water carved its way around the ends of the concrete slab and cut under the slab. No toes were observed to tie these structures into the ground.
3. The specifications called for vegetation to be established in disturbed areas. It does not appear this was established in areas where drainage crossings were constructed.
4. In many areas clay silt from the upstream fields settled on top of the path. Lack of vegetation adjacent to the trail most likely attributed to settlement of silt on the granite trail surface.
5. The backfill of the low water crossing of Maxwell Creek was not backfilled with stabilized backfill as called for in the construction plan sheet. That sheet established stabilized backfill as 2.5 sacks of cement to 1 cubic yard of soil mixed in a mixer and then mechanically compacted in place. All that could be seen is natural washed clay. The low water crossing was not constructed as shown in the plans.

Recommended remedial repairs:

1. Those portions of the trail that were completely washed will need to be reconstructed. These areas could be reconstructed with a mixture of crushed granite and cement to stabilize the granite material or be constructed of reinforced concrete. In both cases they should be constructed as low area to allow water to pass. The edges of the trail in these areas should be toed into the ground to a depth of six inches to minimize undercutting of the slab or floating of the slab.
2. The one crossing on the west side of the creek should be lowered or pipe installed to convey water from one side of the trail to the other side. We recommend a minimum pipe diameter of 15 inches in this location. An inlet will be required to collect the storm water.
3. In areas where silt settled on the trail, we recommend a barrier be placed to prevent long term silting on the granite trail surface. This could be rail road timbers cut a few inches into the ground, to hay bales or types of devices to block the transport of silt. After major rain events the silt should be collected.
4. Those areas where no vegetation is present alongside the trail, seeding or plugging of vegetation is recommended.
5. The backfill of the headwalls at Maxwell Creek should be removed and the stabilized back fill mixed and compacted into place.

Our comments are based on a site visit and the review of the specifications, sheet L1.1 and the Maxwell Creek Low Water Crossing sheets. The specifications and plan sheets were provided to us for review after the site visit. A more exhaustive review can be completed with a full set of construction plans and contract documents. We are available at your convenience to discuss any question you may have with our observations and recommendations.

Sincerely,

John W. Birkhoff, P.E.