



AGENDA

CITY COUNCIL REGULAR MEETING

AUGUST 15, 2023 @ 6:00 PM

Notice is hereby given the City Council for the City of Parker will meet on Tuesday, August 15, 2023 at 6:00 PM at the Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002. The City Council meeting will be open to the public and live streamed.

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

CALL TO ORDER – Roll Call and Determination of a Quorum

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

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

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

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

Government Code Section 551.071(2) – Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter (Open Meetings Act).

RECONVENE REGULAR MEETING.

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

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: I pledge allegiance to the flag of the United States of America; and to the republic for which it stands, one nation under God, indivisible with liberty and justice for all.

TEXAS PLEDGE: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

PUBLIC COMMENTS The City Council invites any person with business before the Council to speak to the Council. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

ITEMS OF COMMUNITY INTEREST

PEANUT BUTTER FOOD DRIVE FOR NORTH TEXAS FOOD BANK – SEPTEMBER 1-30, 2023

PUBLIC HEARING ON PROPOSED TAX RATE AND BUDGET – FINAL ACTION ON TAX RATE AND BUDGET, TUESDAY, SEPTEMBER 5, 2023, 6 PM

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, SEPTEMBER 13, 2023, 5 PM

NATIONAL NIGHT OUT – TUESDAY, OCTOBER 3, 2023, 6 P.M. – 9 P.M.

PARKERFEST - SUNDAY, OCTOBER 29, 2023, 3:00 PM to 6:00 PM

REMINDER – NOVEMBER 7, 2023 – GENERAL ELECTION (EV AND ED INFO) –

Sunday (Domingo)	Monday (Lunes)	Tuesday (Martes)	Wednesday (Miércoles)	Thursday (Jueves)	Friday (Viernes)	Saturday (Sábado)
October 22 No Voting (22 de octubre) (Sin votar)	October 23 Early Voting (23 de octubre) (Votación adelantada)	October 24 Early Voting (24 de octubre) (Votación adelantada)	October 25 Early Voting (25 de octubre) (Votación adelantada)	October 26 Early Voting (26 de octubre) (Votación adelantada)	October 27 Early Voting (27 de octubre) (Votación adelantada)	October 28 Early Voting (28 de octubre) (Votación adelantada)
	8 am – 5 pm	7 am – 7 pm				

CONSENT AGENDA Routine Council business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Councilmember or member of staff.

1. APPROVAL OF MEETING MINUTES FOR AUGUST 1, 2023.
2. APPROVAL OF MEETING MINUTES FOR AUGUST 8, 2023. [CITY COUNCIL CAPITAL IMPROVEMENT PLAN (CIP) WORKSHOP]
3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-748 PROVIDING FOR THE MODIFICATION AND EXECUTION OF THE JAIL SERVICES CONTRACT AMENDMENT THREE (3) BETWEEN THE CITY OF PARKER AND COLLIN COUNTY.

INDIVIDUAL CONSIDERATION ITEMS

4. TEMPORARY MORATORIUM EXTENSION:

PUBLIC HEARING REGARDING EXTENSION OF THE TEMPORARY MORATORIUM ON THE ACCEPTANCE, REVIEW, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, OR CONSTRUCTION WITHIN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION OF THE CITY OF PARKER.

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 846 EXTENDING THE TEMPORARY MORATORIUM ENACTED BY ORDINANCE NO.'S 844, 839, 833, 824, 815 & 812 ON THE ACCEPTANCE, REVIEW, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, OR CONSTRUCTION WITHIN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION OF THE CITY OF PARKER.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-749 SETTING A PROPOSED TAX RATE; AND APPROVING DATES, TIMES; AND A LOCATION FOR ONE PUBLIC HEARING ON THE PROPOSED FY 2023-2024

BUDGET AND TAX RATE, AND A DATE FOR THE VOTE ON THE ADOPTION OF THE 2023-2024 BUDGET AND APPROVAL OF A TAX RATE.

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-750 OF THE CITY OF PARKER SUSPENDING THE SEPTEMBER 1, 2023 EFFECTIVE DATE OF COSERV GAS, LTD.'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH OTHER CITIES IN THE COSERV SERVICE AREA, TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF THE STEERING COMMITTEE OF CITIES SERVED BY COSERV GAS' RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.
7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-751 MAKING AN APPOINTMENT TO THE PARKS AND RECREATION (P&R) COMMISSION ALTERNATE ONE POSITION EXPIRING NOVEMBER 30, 2024.
8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-752, A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING THE CURRENT ALTERNATE 2 POSITION HOLDER TO THE VACANT PLACE TWO POSITION, AND APPOINTING AN ALTERNATE MEMBER TO SERVE IN THE THEN VACANT ALTERNATE 2 POSITION ON THE ZONING BOARD OF ADJUSTMENT.
9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-753, REGARDING NOMINATION OF A BOARD OF DIRECTOR POSITION FOR THE COLLIN COUNTY CENTRAL APPRAISAL DISTRICT.
10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-754 APPROVING THE PURCHASE OF A NEW 4X4 FORD F550 TYPE 6 WILDLAND/GRASSLAND FIRE TRUCK FROM SIDDONS-MARTIN EMERGENCY GROUP, LLC UNDER ITS HGAC 2023 CONTRACT PRICING AS REPLACEMENT FOR FIRE DEPARTMENT VEHICLE BRUSH 811 AND AUTHORIZING EXECUTION OF THE RELATED CONTRACT DOCUMENTS
11. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-755 APPROVING THE PURCHASE OF A NEW STRUCTURAL FIREFIGHTING PUMPER FIRE TRUCK FROM DACO FIRE EQUIPMENT UNDER ITS HGAC (#FS12-19) AND BUYBOARD (#651-21) CONTRACT PRICING AS REPLACEMENT FOR FIRE DEPARTMENT VEHICLE ENGINE 811 AND AUTHORIZING EXECUTION OF THE RELATED CONTRACT DOCUMENTS.

ROUTINE ITEMS

12. UPDATE(S):

FM2551

ANY ADDITIONAL UPDATES

MONTHLY/QUARTERLY REPORTS

[July 2023 - Building Permit/Code Report](#)

[July 2023 – Court Report](#)

[July 2023 – Finance \(monthly financials\) Report](#)

[Investment 2nd Qtr. Report 2023](#)

July 2023 – Republic Services Inc., dba Allied Waste Services of Plano

July 2023 – Website (PIWIK) Report

DONATION(S)

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

David Santee donated homemade cookies valued at \$10.00 to the Police Department.

FUTURE AGENDA ITEMS

14. FUTURE AGENDA ITEMS

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 to the requirement that a meeting be open. Should Council elect to convene into Executive Session, those exceptions will be specifically identified and announced. Any subsequent action, as a result of this Executive Session, will be taken and recorded in open session.

I certify that this Notice of Meeting was posted on or before August 11, 2023, by 5:00 p.m. at the Parker City Hall, and required by Texas Open Meetings Act (TOMA) is also posted to the City of Parker Website at www.parkertexas.us.

Date Notice Removed

Patti Scott Grey
City Secretary

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



Council Agenda Item

Budget Account Code:	Meeting Date:	See above.
Budgeted Amount:	Department/ Requestor:	Council
Fund Balance-before expenditure:	Prepared by:	ACA/CS Scott Grey
Estimated Cost:	Date Prepared:	August 2, 2023
Exhibits:	1. <u>Peanut Butter Food Drive</u> 2. <u>National Night Out Registration Form</u>	

AGENDA SUBJECT

PEANUT BUTTER FOOD DRIVE FOR NORTH TEXAS FOOD BANK – SEPTEMBER 1-30, 2023

PUBLIC HEARING ON PROPOSED TAX RATE AND BUDGET – FINAL ACTION ON TAX RATE AND BUDGET, TUESDAY, SEPTEMBER 5, 2023, 6 PM

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, SEPTEMBER 13, 2023, 5 PM

NATIONAL NIGHT OUT – TUESDAY, OCTOBER 3, 2023, 6 P.M. – 9 P.M

PARKERFEST - SUNDAY, OCTOBER 29, 2023, 3:00 PM to 6:00 PM

REMINDER – NOVEMBER 7, 2023 – GENERAL ELECTION (EV AND ED INFO) –

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	8 am – 5 pm	8 am – 5 pm	8 am – 5 pm	8 am – 5 pm	8 am – 5 pm	7 am – 7 pm
October 29 Early Voting (29 de octubre) (Votación adelantada)	October 30 Early Voting (30 de octubre) (Votación adelantada)	October 31 Early Voting (31 de octubre) (Votación adelantada)	November 1 Early Voting (1 de noviembre) (Votación adelantada)	November 2 Early Voting (2 de noviembre) (Votación adelantada)	November 3 Early Voting (3 de noviembre) (Votación adelantada)	November 4 No Voting (4 de noviembre) (Sin votar)
11 am – 5 pm	7am - 7pm	7am - 7pm	7am - 7pm	7am - 7pm	7am - 7pm	

SUMMARY

Please review information provided.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	08/07/2023
City Attorney:	<i>Amy J. Stanphill</i>	Date:	08/xx/2023 via Municode
City Administrator:	<i>Luke B. Olson</i>	Date:	08/xx/2023



Major Lee Pettle
5700 E Parker Rd
Allen, TX 75002-6767



August 2023

Dear Major Lee Pettle,

Right now, thousands of friends across our community are struggling to make ends meet. As the cost of living remains historically high, many are turning to the North Texas Food Bank for the very first time.

Parents are choosing to skip meals to make sure their kids have enough to eat. Seniors living on a fixed income stress that without nutritious food, their health may decline. And children worry when they will eat their next meal.

Fortunately, because of support from partners like you, we can continue to meet this ever-increasing demand and provide reliable access to nutritious food across 13 counties in North Texas.

In our fall issue of *Around the Table*, you'll meet some of the amazing neighbors we've helped together. Like Donovan, a single dad working to earn his college degree while caring for his 8-year-old son. And Nolvia, who shares the food she receives from one of our partner food pantries with other members of her community.

We are grateful that you use your influential voice to proclaim that hunger is unacceptable and act on the hunger crisis through smart policy. If you have any questions regarding hunger-related programs in North Texas or would like to become more involved in our mission, please do not hesitate to contact me by phone at 832-851-0303 or by email at valerie.hawthorne@ntfb.org.

Thank you for building a better future for children, seniors and families in North Texas.

Gratefully,

A handwritten signature in blue ink that reads "Valerie Hawthorne".

Valerie Hawthorne, PhD
Government Relations Director



You're transforming
lives through healthy
food for neighbors
across North Texas
this fall.

AROUND *the* TABLE

Fall 2023

Trisha Cunningham
President & CEO



This Fall, Neighbors Facing Hunger Need You



As I reflect on the past few years, I am amazed by the resiliency and strength of our North Texas neighbors — and the transforming impact of your support.

In the face of an unstable economic climate, members of our community facing food insecurity have been hit especially hard. Soaring prices for essentials like fresh produce, meat and even eggs have made affording healthy food much more difficult. And it's why many friends are turning to the North Texas Food Bank for the first time.

I'm incredibly thankful you're someone we can depend on. Especially as children return to school, I know your support ensures our Child Programs will reach kids who might otherwise go without the nourishing food they need.

Inside this issue of *Around the Table*, I'm excited to introduce you to just a few of the neighbors you've helped across North Texas. You'll meet Donovan, a single dad who works hard every day to provide for his son, and Lacresha, who loves to bring her family together with a home-cooked meal. You'll also get to know Nolvia, who pays your generosity forward by sharing the healthy food she receives from one of our partner food pantries with other members of her community.

It's for our neighbors like Donovan, Lacresha and Nolvia that your generous support is needed now more than ever. Because of you, they and many other neighbors never have to worry about how they will provide for their families or when they will eat their next meal.

Thank you for helping neighbors facing hunger this fall. Together, we are building a hunger-free, healthy North Texas.

Gratefully,

Trisha Cunningham
President & CEO

Board of Directors

Meeting Date: 08/15/2023 Item i.

Executive Committee

Jerri Garrison, Baylor Scott & White Health (Chair)
Ginny Kissling, Ryan, LLC (Vice Chair- Chair Elect)
John Beckert, Community Volunteer
Jeff George, Maytal Capital
Calvin Hilton, Community Volunteer
Mabrie Jackson, H-E-B/Central Market
Retta Miller, Jackson Walker, LLP
Mike Preston, Community Volunteer
Adam Saphier, Trammell Crow Co.
Priya Sarjoo, Grant Thornton, LLP

Members at Large

Aradhana (Anna) Asava, HungerMitao
Chris Barrett, Boston Consulting Group
Edmundo Castañeda, Parkland Health
Kimberly Cockrell, Toyota Motor North America
Carey Davis*, Junior League of Dallas
Diana Flores, Dallas College Board of Trustees
Marcella Foreman, Community Volunteer
Patti Hansen, Capital One
Don Janacek, FreshOne Holdings, LLC
Russell Jones, AT&T
Kim Kesler, KPMG, LLP
Rev. Dr. Lael C. Melville, Melville Family Foundation
Tom Nelson, Albertsons/Tom Thumb
Andrew Rosen, Kainos Capital, LP
Tom Walker, Dallas Cowboys Football Club Ltd

*Ex-officio members

General Counsel

Andy Zollinger, DLA Piper LLP (US)

President & CEO

Trisha Cunningham

Life Board Members

John A. Beckert, Community Volunteer
Tom Black, Community Volunteer
Jerry Ellis, Community Volunteer
Anurag Jain, Access Healthcare
Teresa Phillips, TPHD, LLC
Stephan Pyles, Stephan Pyles Concepts

Founders

Jo Curtis
Ambassador Kathryn Hall
Lorraine Griffin Kircher
Liz Minyard

Address and Phone Number for all members:

3677 Mapleshade Lane, Plano, TX 75075
kathym@ntfb.org
214.989.6678

Because of You, Donovan Can Provide Healthy Meals for His Son

Meeting Date: 08/15/2023 Item i.

North Texas neighbors are grateful for your support

As a single dad, Donovan works hard to provide for his 8-year-old son. Every day, he juggles his job and solo parenting while also planning for their future. He's currently studying at an online university to earn his psychology degree. Lately, he's had one more thing to worry about — the high cost of healthy food like meat, milk and eggs.

“Everything is so expensive right now, and even with my SNAP benefits, almost all of it goes to essentials like dairy products,” Donovan says. **“I’m also trying to stay away from fast food and greasy foods, so I really need ingredients that I can use to make healthy meals.”**

To help make ends meet, Donovan visits one of our partner food pantries, where he has reliable access to pantry staples and essential ingredients for nutritious

meals. Even more crucially, he's also able to save for other important expenses like household bills, transportation and school clothes for his son.

“I’m trying to balance everything with being in school and being a full-time father, so this food really helps,” says Donovan gratefully. **“It’s not about how much you have, it’s about what you are willing to do. You never know how you can make a difference.”**

Because of you, hard-working neighbors like Donovan know they can rely on the North Texas Food Bank when they need it most. Your support ensures that they can always provide a healthy meal for their families.

Thank you for investing in dads like Donovan!



Thank You for Feeding Neighbors!

Your support makes a difference for children, seniors and families.



With your help, parents can always put food on the table.



Your gift provides healthy food for kids facing hunger.

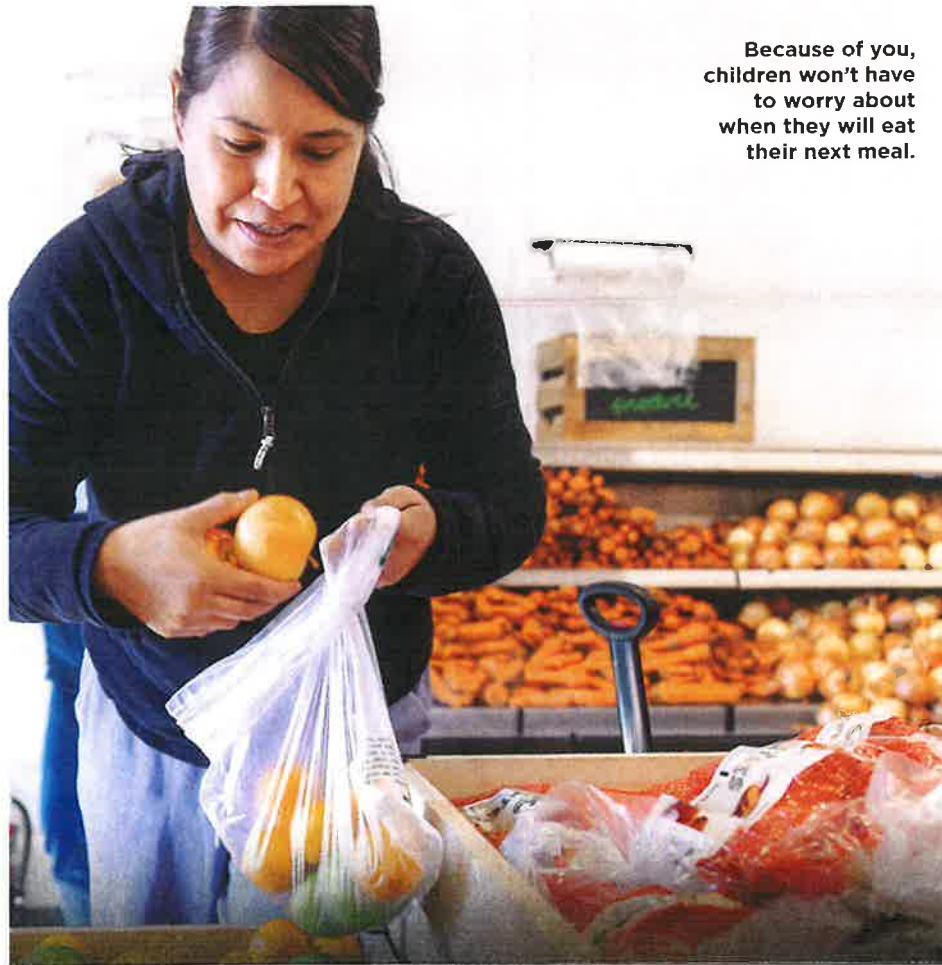


Thanks to you, our neighbors can have reliable access to the nourishment they need.



Facing Hunger This Fall

families across North Texas



Ways to Get Involved

Hunger Action Month

Every September, the North Texas Food Bank joins Feeding America in raising awareness and inspiring action to help end hunger. Throughout our community, we're helping through "30 Days of Fighting Hunger" all month long — from starting a canned food drive to fundraising campaigns to volunteer opportunities, there are many ways you can get involved. Learn more at ntfb.org/HAM.

CANstruction

CANstruction, an annual design and build event of giant canned food structures, will be on display at NorthPark Center from August 26 – September 9. You can make a donation to vote in person or online for your favorite sculpture with donations benefiting the North Texas Food Bank. All canned goods used in the sculptures are also donated to the Food Bank. Learn more at ntfb.org/canstruction.

2023 State Fair of Texas

From September 29 through October 22, the North Texas Food Bank is excited to once again collaborate with the State Fair of Texas to help our neighbors facing hunger. Visitors to this year's state fair can bring two jars of peanut butter on opening day to receive \$10 off admission at the gate. And every Wednesday, guests can bring five canned food items to get admission for only \$5!

Fight Hunger by Leaving a Lasting Legacy

Your compassionate legacy gift will ensure future generations won't have to fear hunger.

By partnering with the North Texas Food Bank, you can help our neighbors receive the nourishing food they need to thrive for years to come.

Types of Planned Gifts

- Wills and living trusts
- Life insurance gifts
- Stock gifts and real estate
- IRA charitable rollovers
- Appreciated securities

If the North Texas Food Bank is already part of your plan, please let us know. For questions or to share what you envision your legacy could be, contact Erin Fincher at 214.269.8976 or erinf@ntfb.org.



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Meeting Date: 08/15/2023 Item i.



SEPTEMBER 1 — 30, 2023

Each September during Hunger Action Month, the North Texas Food Bank's Peanut Butter Drive highlights food insecurity throughout our community by collecting jars of peanut butter and other nut butter varieties. These are distributed through our feeding programs, including our Child Programs which work with schools and other partners to provide healthy foods for children and families.

Last year, thanks to the community's support, we collected nearly 350,000 in pounds and dollars. And this year, our goal is to collect 400,000 in pounds and dollars! Your company or organization can register to host your own drive or participate virtually, or you can collect jars and drop them off at NTFB's Perot Family Campus.

For more information, visit ntfb.org/peanutbutterdrive.

NORTH TEXAS GIVING DAY SEPTEMBER 21, 2023

You can join with fellow North Texans to make this year's North Texas Giving Day the best ever! As the largest community wide giving event, in 2022, we banded together to raise the funds needed to provide **more than 4.5 million nutritious meals!**

As skyrocketing living costs affect all our lives, we need your support again this year. You can help neighbors in need by scheduling your online gift in advance, beginning September 1. Visit ntfb.org/givingday to help our community rise, unite and thrive.

COMMUNITIES FOUNDATION of TEXAS

—NTX—

GIVING DAY

9.21.23 presented by 

“Even \$1 can change a life,”
Lacresha says.

Lacresha can access healthy fall produce for her family, thanks to your support.

Your Support Helps Lacresha Cook Healthy Meals for Her Family

Thanks to you, our neighbors have food on the table

As a caring mother, Lacresha knows how important it is to provide nutritious food for her growing two-year-old daughter. But she also knows how difficult that can be in an unsteady economic environment.

With the high cost of living, Lacresha is grateful to know that she can always count on the North Texas Food Bank and our local feeding partners. Thanks to your support, she finds all the nourishing ingredients she needs to make healthy and delicious meals for her family.

“I love to cook, and this food gives me a way to show my love for my family through cooking,” Lacresha says. “It allows me to bring my family together for a meal, and that creates positive energy that radiates throughout our whole house. Even if it is

just one meal a week, it makes a difference.”

You make it possible for Lacresha to pick up the essentials she needs when her monthly grocery budget runs out. Whether it’s her daughter’s favorite fruit or fish for her husband and herself, the food she brings home helps her worry less about how she’ll feed her family.

“Thank you to everyone who donates, because even \$1 can change a life,” Lacresha says. “When you donate, it helps people like me get food for their family and contribute more to society — so it is just a positive cycle of good energy!”

Your support ensures Lacresha and other North Texas neighbors can thrive knowing they won’t face hunger this fall.



Thank you for ensuring Nolvia's family always has access to nutritious food.

Thanks to You, Nolvia Has Food for Her Family . . . And Her Community

Together, we're transforming lives across North Texas

When Nolvia first started coming to one of the North Texas Food Bank's partner pantries, her family had just moved to the United States. She needed a way to provide for her family while they were adjusting to their new home.

“Honestly, this food bank has helped me so much over the past four years,” Nolvia says. **“Whenever I struggle with food, I know I can come here and find what I need.”**

Caring for a family of four, Nolvia works hard to stretch her budget. Her husband's job provides for most of her family's necessities, but when finances are stretched thin at the end of the month, Nolvia relies on her local food pantry to put healthy food on the table.

“I have two kids who love to eat their fruits and veggies, so it’s a huge help to get them here,” says Nolvia. She often shares the food she brings home with neighbors who are new to the U.S. just like she once was. **“In our apartment complex there are people from other countries just coming in, and I’ll give them what I don’t need.”**

For neighbors like Nolvia, your support is vital — not just for her, but for her family and community. **“I would like to say thank you to those who give. The help I’ve received here has made a big difference,”** she says.

Your partnership transforms lives, and we are incredibly thankful for your continued support of our neighbors this fall and all year long!



Physical Address:
3677 Mapleshade Lane
Plano, TX 75075
P 214.330.1396
F 214.331.4104

Mailing Address:
P.O. Box 676204
Dallas, TX 75267-6204

Our Vision:
A hunger-free, healthy North Texas





Parker Police Department



National Night Out Registration Form October 3, 2023

Registration Deadline: September 22, 2023 at 5 p.m.
Please send completed forms to Michelle Hsieh (mhsieh@parkertexas.us)

Registrant Contact

Name: _____

Phone: _____

Email: _____

Neighborhood (if applicable): _____

HOA (if applicable): _____

Address: _____

Estimated Start Time: _____

Estimated End Time: _____



Council Agenda Item

Budget Account Code:	Meeting Date:	See above.
Budgeted Amount:	Department/ Requestor:	City Secretary
Fund Balance-before expenditure:	Prepared by:	ACA/CS Scott Grey
Estimated Cost:	Date Prepared:	August 7, 2023
Exhibits:	<u>Proposed Minutes</u>	

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR AUGUST 1, 2023.

SUMMARY

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

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	08/11/2023
City Attorney:	<i>Amy J. Stanphill</i>	Date:	08/xx/2023 via Municode
City Administrator:	<i>Luke B. Olson</i>	Date:	08/xx/2023



MINUTES
CITY COUNCIL MEETING
AUGUST 1, 2023

CALL TO ORDER – Roll Call and Determination of a Quorum

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

Mayor Lee Pettle called the meeting to order at 6:00 p.m. Mayor Pro Tem Jim Reed and Councilmembers Todd Fecht and Terry Lynch were present. Councilmember Amanda Noe was absent. Newly appointed Councilmember Randy Kercho was also present.

Staff Present: City Administrator Luke Olson, Asst. City Administrator/City Secretary Patti Scott Grey, Finance/Human Resources Director Grant Savage (arrived at 6:55 p.m.), City Attorney Amy J. Stanphill, Public Works Director Gary Machado, City Engineer John Birkhoff, P.E., Fire Chief Mike Sheff (arrived at 6:20 p.m.), and Police Chief Kenneth Price (arrived at 6:55 p.m.)

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

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

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

Government Code Section 51.074 Personnel: To deliberate the evaluation and appointment of candidates for the vacancy created by the pending resignation of one member of city council.

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

Government Code Section 551.071(2) – Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter (Open Meetings Act).

Mayor Lee Pettle recessed the regular meeting to Executive Session at 6:02 p.m.

RECONVENE REGULAR MEETING.

Mayor Lee Pettle reconvened the meeting at 6:55 p.m.

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

No action was taken.

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Cyndy Lane led the pledge.

TEXAS PLEDGE: Randy Kercho led the pledge.

PUBLIC COMMENTS The City Council invites any person with business before the Council to speak. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

Kathy Harvey, 5804 Gregory Lane, spoke in opposition to item #5 on tonight's agenda, the Panorama Street Preliminary Plat, being approved. She asked that City Council vote to deny the plat.

Margaret Henry, 5408 Gregory Lane, spoke in opposition to item #5 on tonight's agenda, the Panorama Street Preliminary Plat, being approved. She asked that City Council vote to deny the plat.

Emily Plummer, 5908 Gregory Lane, spoke in opposition to item #5 on tonight's agenda, the Panorama Street Preliminary Plat, being approved. She asked that City Council vote to deny the plat.

Ted Lane, 5004 Dublin Creek Lane, spoke in opposition to item #5 on tonight's agenda, the Panorama Street Preliminary Plat, being approved. He asked that City Council vote to deny the plat.

Lynne Orozco, 5704 & 5700 Gregory Lane, spoke in opposition to item #5 on tonight's agenda, the Panorama Street Preliminary Plat, being approved. She asked that City Council vote to deny the plat.

LJA Project Manager Michelle Tilotta, P.E. for Panorama Street Preliminary Plat, 6060 N. Central Expressway, Suite 400, Dallas, TX, 75206, spoke on behalf of the plat applicant. Ms. Tilotta provided additional documents for the plat and requested City Council approve the plat or table action until August 20, 2023 at the latest, if additional review is needed.

J. Victor Muller, 6100 Gregory Lane, spoke in opposition to item #5 on tonight's agenda, the Panorama Street Preliminary Plat, being approved. He asked that City Council vote to deny the plat.

Carrollyn Moebius, 1412 Parkview Lane, Murphy, Texas, spoke in opposition to item #5 on tonight's agenda, the Panorama Street Preliminary Plat, being approved. She asked that City Council vote to deny the plat and said she hopes the City of Parker joins the City of Murphy is requesting a delay as many revisions were just provided.

Buddy Pilgrim, 3106 Bluffs Lane, spoke in opposition to item #5 on tonight's agenda, the Panorama Street Preliminary Plat, being approved. He asked that City Council vote to deny the plat.

Scott Clark, 6000 Gregory Lane, spoke in opposition to item #5 on tonight's agenda, the Panorama Street Preliminary Plat, being approved. He asked that City Council vote to deny the plat.

ITEMS OF COMMUNITY INTEREST

Mayor Pettle reviewed the upcoming Community Interest items below:

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, AUGUST 9, 2023, 5:00 PM

SET PROPOSED TAX RATE - TUESDAY, AUGUST 15, 2023, 6:00 PM

PUBLIC HEARING ON PROPOSED TAX RATE AND BUDGET – FINAL ACTION ON TAX RATE AND BUDGET, TUESDAY, SEPTEMBER 5, 2023, 6:00 PM

PRESENTATION

POLICE VEHICLES

Police Chief Price reviewed the information provided in tonight's City Council packet and requested the City Council approve purchase of a pickup truck, instead of the usual Chevrolet Tahoe as a police vehicle. Chief Price said the Tahoe and truck are similar in price, but the truck is more versatile and will allow the officers to move the speed signs and provide better service in inclement weather, as the truck will be a 4-wheel drive and can hold the equipment necessary. He also noted other cities have reported less maintenance and lower expenses with Ford trucks.

The City Council approved Police Chief Price moving forward with the purchase of the pickup.

CONSENT AGENDA Routine Council business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Councilmember or member of staff.

1. APPROVAL OF MEETING MINUTES FOR JULY 18, 2023. [CITY COUNCIL WORKSHOP – TEXAS OPEN MEETINGS ACT AND ETHICS OVERVIEW]
2. APPROVAL OF MEETING MINUTES FOR JULY 18, 2023. [REGULAR MEETING]

MOTION: Councilmember Lynch moved to approve the consent agenda items 1 and 2 as presented. Councilmember Fecht seconded with Councilmembers Fecht, Lynch, and Reed voting for the motion. Motion carried 3-0.

INDIVIDUAL CONSIDERATION ITEMS

3. CONSIDERATION AND APPROPRIATE ACTION TO FILL A COUNCILMEMBER VACANCY THROUGH MAY 2024 BY EITHER SPECIAL ELECTION IN ACCORDANCE WITH TITLE 12, TEX. ELECTION CODE, § 201.054, OR BY COUNCIL APPOINTMENT AS AUTHORIZED BY TEX. LOC. GOV'T CODE § 22.010 FOR A TYPE A GENERAL LAW CITY WITH TWO YEAR TERMS AND ONE VACANCY; AND IF BY COUNCIL APPOINTMENT, APPOINTEE NOMINATIONS, IF ANY.

The City Council discussed various ways to fill the Councilmember vacancy. They discussed the expense and time involved to have a special election; the time involved to have an application and interview process, and finally City Council appointment of a resident for the remainder of term through May 2024.

There was also discussion of recent quorum and/or special quorum needs due to special and budget meetings.

MOTION: Councilmember Lynch moved to have City Council make nominations and appoint for the Councilmember vacancy. Mayor Pro Tem Reed seconded with Councilmembers Fecht, Lynch, and Reed voting for the motion. Motion carried 3-0.

4. CONSIDERATION AND APPROPRIATE ACTION CONCERNING RESOLUTION NO. 2023-746 APPOINTING A COUNCILMEMBER TO SERVE EFFECTIVE AUGUST 1, 2023, THROUGH THE REGULARLY SCHEDULED ELECTION OF MAY 4, 2024, AND OATH OF OFFICE TO COUNCIL APPOINTEE, IF AN APPOINTMENT IS MADE.

MOTION: Councilmember Lynch moved to nominate Randy Kercho, who is currently serving on the Zoning Board of Adjustment (ZBA); has recently been involved with Capital Improvements (CIP) and served on the Home Rule Commission (HRC) in the past. Mayor Pro Tem Reed seconded.

The Mayor asked Mr. Kercho, who happened to be in attendance, if he would be willing to serve through May 2024. Mr. Kercho agreed to serve.

Councilmembers Fecht, Lynch, and Reed voted to have nomination(s). Motion carried 3-0.

MOTION: Councilmember Lynch moved to approve Resolution No. 2023-746 appointing a Councilmember, namely Randy Kercho, to serve effective August 1, 2023, through the regularly scheduled election of May 4, 2024, and accepted his resignation from ZBA effective immediately [**See Exhibit 1** – Randy Kercho's resignation, dated August 1, 2023.]. Mayor Pro Tem Reed seconded with Councilmembers Fecht, Lynch, and Reed voting for the motion. Motion carried 3-0.

Mayor Pettle administered the Oath of Office to newly appointed Councilmember Randy Kercho. Councilmember Kercho took his respective seat at the dais.

City Council, Staff, and residents welcomed Mr. Kercho.

5. CONSIDERATION OF AND/OR ANY APPROPRIATE ACTION ON PANORAMA STREET PRELIMINARY PLAT, SITUATED IN THE PHILLIP ANDERSON SURVEY, ABSTRACT NO. 10 CITY OF PARKER, COLLIN COUNTY, TEXAS.

City Attorney Stanphill asked if the August 20, 2023 date Ms. Tilotta mentioned earlier tonight should actually be August 19, 2023.

LJA Project Manager Michelle Tilotta, P.E. for Panorama Street Preliminary Plat, 6060 N. Central Expressway, Suite 400, Dallas, TX, 75206, provided copies of an engineering response, dated July 31, 2023, and reviewed the item. [**See Exhibit 2** – LJA Project Manager Michelle Tilotta, P.E.'s response, dated July 31, 2023.].

City Engineer Birkhoff reviewed the item and his response, dated July 27, 2023, to LJA Project Manager Michelle Tilotta's Panorama Street Preliminary Plat with no plans, dated July 20, 2023, stating the plat does not meet the City of Parker's Subdivision Ordinance and concerns regarding timeliness or lack of time for staff to review the submissions.

Public Works Director Machado reported, as stated in tonight's City Council packet on the summary page, on July 20, 2023, Planning and Zoning (P&Z) Commission voted 4-0, {Lozano, Jeang, Leamy, Crutcher}, to recommend the Parker City Council deny approval of the Panorama Street Preliminary Plat.

MOTION: Councilmember Fecht moved to deny the Panorama Street Preliminary Plat, situated in the Phillip Anderson Survey, Abstract No. 10 City of Parker, Collin County, Texas for not meeting Transportation Code and Subdivision Regulations. Mayor Pro Tem Reed seconded with Councilmembers Fecht, Kercho, Lynch, and Reed voting for the motion. Motion carried 4-0.

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-747 MAKING APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENT (ZBA).

Mayor Pettle explained there was a ZBA vacancy due to the recent resignation/transfer to Planning and Zoning (P&Z) Commission of Lucy Estabrook and now an additional vacancy due to the appointment of Councilmember Kercho.

MOTION: Councilmember Lynch moved to approve Resolution No. 2023-747 making an appointment to the Zoning Board of Adjustment (ZBA) Alternate one (1), namely Lindy M. "Buddy" Pilgrim. Councilmember Fecht seconded with Councilmembers Fecht, Kercho, Lynch, and Reed voting for the motion. Motion carried 4-0.

7. AUTHORIZING STAFF AND ENGINEERING TO ADVERTISE AND PREPARE BID DOCUMENTS FOR THE 2024 STREET MAINTENANCE PROJECT.

MOTION: Councilmember Lynch moved to postpone authorizing staff and engineering to advertise and prepare bid documents for the 2024 Street Maintenance Project. Mayor Pro Tem Reed seconded with Councilmembers Fecht, Kercho, Lynch, and Reed voting for the motion. Motion carried 4-0.

ROUTINE ITEMS

8. UPDATE(S):

FM2551

City Administrator Olson and Public Works Director Machado said there has been no real change and nothing new to relay at this time. Texas Department of Transportation (TxDot) is still working on utilities.

COMPREHENSIVE PLAN

Mayor Pettle indicated the committee was in transition as former Councilmember Michael Slaughter resigned and is transferring the information collected to City Administrator Olson. Also, former Councilmember Cindy Meyer has agreed to continue her work on the project and requested any additional residents willing to help would be greatly appreciated.

CAPITAL IMPROVEMENTS PLAN

The Mayor and City Council scheduled a meeting for next Tuesday, August 8, 2023, at 4:00 PM at Parker City Hall.

NEWSLETTER COMMITTEE

Mayor Pettle indicated the committee was "paused" until they find a meeting time and determine how to move forward. The Mayor asked for suggestions,

ANY ADDITIONAL UPDATES

There were no additional updates at this time.

DONATION(S)

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

Maryam Boroujerdi donated 1 dozen mini Bundtinis from Nothing Bundt Cakes valued at \$27.00 to City Staff.

Mayor Pettle, on behalf of herself, City Council, and City Staff, thanked the donors for their kind and generous donations.

FUTURE AGENDA ITEMS

10. FUTURE AGENDA ITEMS

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

Hearing no requests, she encouraged everyone to email her any requests. She noted the Capital Improvement (CIP) on Tuesday, August 8, 2023, 4:00 PM and the next regularly scheduled meeting would be Tuesday, August 15, 2023.

ADJOURN

Mayor Lee Pettle adjourned the meeting at 8:47 p.m.

APPROVED:

Mayor Lee Pettle

ATTESTED:

Patti Scott Grey, City Secretary

Approved on the 15th day
of August, 2023.



Exhibit 1

August 2, 2023

Name: Randy Kercho
 Address: 5009 Edgewater Ct
 Parker, TX _____

I, Randy Kercho, resign from ZBA effective immediately.

Regards,

Randy S. Kercho
 Signature
 Print Name

Any comments:

to become member of Council

City Council accepted date: 8/1/2023

July 31, 2023

Mr. Gary Machado
City of Parker
5700 E. Parker Rd.
Parker, Texas 75002

Re: Panorama Street Preliminary Plat and Engineering Plan

Dear Mr. Machado:

The following are LJA Engineering response on behalf of Margaret Turner to the July 27, 2023, comment letter from the city's consulting engineer Birkhoff, Hendricks & Carter, L.L.P. (the "Plat Comment Letter").

As noted in the Plat Comment Letter, the Preliminary Plat & Engineering Plans for the Panorama Street Addition (the "Street Plat") prepared by LJA Engineering, Inc. include only a new street.

As submitted, the Plat & Engineering Plans for the Panorama Street comply with all applicable City of Parker development requirements and good engineering practice. Listed below are responses to each review comment provided in the Plat Comment Letter.

Adherence to Subdivision Ordinance:

1. Comment: 155.049 (B)(1)(b) Requires two means of access, a divided street or provisions to connect to future street extension. This has not been addressed for City action. No development plans have been submitted to the city for the ETJ and no streets are shown on the City's throughfare map that would indicate this street is even needed. This lot has access to Gregory Lane. Any future subdivision in the ETJ would have to access to FM 2551, to Rolling Ridge Drive in Murphy or there can be two points of access from FM 2551. Currently as shown is a city street to nowhere.

Response: Panorama Street will be connected to future public rights-of-way in the City's ETJ consistent with requirements of 155.049 (B)(1)(b).

2. Comment: 155.049 (B)(2) All platted lots to be connected to water line, looped system. A water line is required along the roadway with provision to connect to extension of the water system. The engineer states a development is planned for the EJ, the tract of land Panorama is on is a Major Plat then the water line from the city system must be extended now to reach this future unplattd subdivision.

Response: No platted lots are the subject of this plat so 155.049 (B)(2) does not apply to the Street Plat. In the future if a water line is required, it can be accommodated in the 17.5' parkway of the proposed road.

3. Comment: 155.049(4) Drainage cannot adversely affect a joining property. Elevated roadway causes potential to back up water to property to the west. No channel design data proved to show water will not back up. Property to the east, water is concentrated and not designed for overflow to pass through the adjoining property. The roadway design as is shows an elevated and no channel calculations on the north side of the elevated roadway sections to convey water to the culverts. The engineer through cross sections and calculations which should have been completed and readily available to support their statement of no adverse effects to the adjoining property have not been provided.

Response: A pilot channel is provided on west side of roadway to prevent water from backing up onto the adjacent property. Calculations, profiles, and cross sections of the channel are provided and demonstrate water will not back up onto the adjacent property. The proposed detention improvements do no increase flows or alter existing flow rates, velocities, quality or depths on the downstream properties.

4. Comment: 155.049(D) (2) boundary iron pins must be 1 inch in diameter and have a length of 18 inches. This will be needed to be confirmed in the engineering plans.

Response: Applicant agrees with the information comment and understands and will comply with applicable regulations. Note 2 on the preliminary plat has been updated to call out the length in addition to the diameter of the iron pin.

5. Comment: 155.049(F) No permanent benchmark is included in the design plans. Details of the benchmark are called for in this section of the subdivision ordinance. This will need to be confirmed in the engineering plans.

Response: Existing benchmarks are included in the Street Plat plans. All required permanent benchmarks will be set and paper descriptions shall be filed with the city prior to final inspection of the completed work consistent with the requirements of Section 155.049(F)(6).

6. Comment: 155.052(C)(4) Gregory Lane is required to be upgraded as it is adjacent to this tract. The adjacent roadway is public right-of-way and if not being upgraded a Traffic Impact Analysis for the new road is required for a rough proportionality calculation to be completed. This engineer as we understand also has knowledge of the development in the ETJ that will fully utilize this proposed road. The property in the ETJ needs to be platted to complement what the engineer is proposing for this project.

Response: Gregory Lane in its current condition is substandard. Applicant has no obligation to cure existing conditions not created by its new development. The portion of Gregory Lane adjacent to the Street Plat requires no improvements.

A trip distribution memo contemplating the proposed roadway and ETJ development is included for reference. This can be utilized by the City to prepare a rough proportionality calculation consistent with the city's obligation under Texas Local Government Code section 212.904. No Traffic Impact Analysis is required until residential lots are platted that will have access to Gregory Lane. The property in the ETJ will be platted to complement what is proposed for this project.

7. Comment: 155.052(18)(C)(b) Street sign is required at Gregory and Panorama. Section 155.052(18)(a) requires the name to be approved by City P&Z. This will need to be confirmed in the engineering plans.

Response: Street Plat plans depict a stop sign. Such plans will be updated to make clear the stop sign is a combination stop sign and street name sign. Applicant requests City P&Z approve the proposed street name Panorama.

8. Comment: 155.052(C)(13) Reserve strip is not allowed. Strip of land west side of ROW (reserve strip) is not allowed. A proposed access easement on the reserve strip does not remove the reserve strip that is not allowed. There is drainage in the reserve strip area that must be designed, and the design provided for review.

Response: The strip on the west side of ROW is used to accommodate drainage requirements and does not deny access. The adjacent property owner shall have access to Panorama Street via the proposed access easement by separate instrument.

9. Comment: 155.052(O) The reserve strip west of shown ROW must be Right of way and a drainage channel is required to be designed to convey storm water to point of concentration. The required water line will need to be in the right of way. Place the water line on the east side of shown Right of way.

Response: The strip on the west side of the ROW is used to accommodate drainage requirements and does not deny access. The Street Plat plans provide for drainage designed to convey storm water to the point of concentration. There is no required water line for the Street Plat because no lots are being platted.

10. Comment: 155.057 Private easement for electrical service (streetlights) is required. Show this easement on the plat, a separate instrument is not required and is not acceptable on a major plat.

Response: Applicant agrees with the information comment and understands and will comply with applicable regulations. A private easement for electric service will be granted by separate instrument and will not be included in the Street Plat consistent with the requirements of 155.057.A.1.

11. Comment: 155.052 (15)(a) Streets shall be related approximately to the topography grade and shall conform to as closely as possible to the original topography. The elevated roadway is not acceptable. We do not understand what you are trying to prevent flooding from, by an elevated roadway. A properly designed storm sewer system would not allow flooding while meeting the character of the topography. There are adjacent property owners that are affected by public improvements on this tract.

Response: Panorama Street is related appropriately to the topography. The original topography is modified only to the extent required to prevent flooding so does conform as closely as possible to the original. The roadway is elevated to provided sufficient detention storage and conveyance of offsite flows via the proposed channels. This design does not adversely affect upstream and downstream property owners.

12. Comment: 155.052(15)(b) Plans must show design speed for the vertical curves. This will need to be confirmed in the engineering plans.

Response: The design speed of 30 mph is provided on paving sheets.

13. Comment: 155.054(A)(1) Provide source and calculations that established the 100-year water surface. Maxwell Creek to the east is a studied reach. Offsite water is being handled by this design and downstream must be proven out not to have affects on the downstream property owners. The pond is shown to have emergency overflow and that water must be conveyed. During public comments it was stated that testimony before other governmental agency had water coming to these ponds, however the drainage area map does not reflect this and as such the ponds, however the drainage area map does not reflect this and as such the ponds are grossly oversized for predevelopment flows from upstream. It appears that all know information is not being provided to the city for their review.

Response: Updated calculations are provided in the plans that show how the 100-yr water surface elevation onsite has been established. The proposed grading and storm infrastructure does not increase flow rates to Maxwell Creek and does not alter existing drainage flow rates, velocities, quality, or depths on downstream properties. No FEMA floodplain is present on the property.

14. Comment: 155.054(A)(4) Provide calculations that roadway ditch in Gregory has adequate capacity and free board based on adding additional storm water to this channel. Improve the channel until capacity and freeboard can be achieved. Maxwell Creek is to the east of the proposed improvements. The engineer states that no additional water is being conveyed to the roadway channel in Gregory Lane. The plans are clear that by raising the roadway a positive grade is established from Gregory to the elevated road section. The roadway is proposed to be a concrete curb and gutter section. No inlets are included to pick up this flow, so it does go into the roadway channel. The design engineer set the grade to drain water to Gregory.

Response: Inlets are provided on Panorama Street to intercept flows from the ROW. Calculations are provided to show capacity in the existing bar ditch on Gregory Lane.

15. Comment: 155.054(B)(1) Provide details of outlet structure that is designed for the 2, 25, 50 and 100 year storm. Include the structural details for a V-notch or stepped weir. Once plans are resubmitted, we will review the calculations for each storm.

Response: All outfalls are designed for the 2, 25, 50 and 100 year storm – see calculations provided in Street Plat plans.

16. Comment: 155.054(B)(6) Provide maintenance plan for the retention pond. Address aquatic growth, silt removal plan, mosquito control mowing plan and permanent erosion control measures. The maintenance plan is required regardless of who owns the pond. The pond must be maintained to protect the property owners downstream. The plan will need to include measures the city must take in order to insure the pond operates properly to protect the general public.

Response: A maintenance plan is included for review.

17. Comment: 155.051 Provide photometrics for street lights proposed and details for shield to keep light from adjoining properties. The engineer has proposed street lights and the splash for the street lights must be checked and most likely light shield will be required to protect the adjacent property owners. Who owns the street lights is not important to address the adjacent property owners.

Response: Regardless of ownership, the street lights will be designed to not adversely effect adjacent property owners. The allowable light measured at the property line will not exceed 1 foot candle.

18. Comment: 155.054(A)(3)(d) Include in erosion control methods requirements of this section of the subdivision ordinance including watering and fertilizing schedule. This must be part of the erosion control plans being prepared by the engineer of record. The SWPPP will follow at construction and is prepared by the contractor. The contractor needs to know the requirements to properly prepare the SWPPP.

Response: Language from the ordinance has been added to the erosion control plan for reference in preparation of the SWPPP.

19. Comment: 155.027(f)(v) Provide method to undercut rock if encountered place topsoil to establish vegetation.

Response: No rock will be encountered during construction of Panorama Street based on its design. Topsoil exists to establish vegetation.

20. Comment: 155.052 (17) Cul de Sac streets shall not be longer than 600 feet. The length of this street exceeds this requirement. There are no streets platted in the ETJ. There are no streets shown in the City's throughfare plan that shows the ETJ area needs to be connected to Gregory. The street does not meet the ordinance.

Response: Panorama Street is not a cul de sac. The temporary turn-around shown in the Street Plat plans will be removed when Panorama Street is connected to the street to be constructed on the adjacent ETJ property.

Please be aware that the plan set was prepared under my supervision as the project manager for the roadway improvements.

Consistent with the requirements of Texas law and Parker regulations, we respectfully request the Plat & Engineering Plans for Panorama Street be approved.

Respectfully,



Michelle Tilotta, P.E.
Project Manager



Council Agenda Item

Budget Account Code:	Meeting Date:	See above.
Budgeted Amount:	Department/ Requestor:	City Secretary
Fund Balance-before expenditure:	Prepared by:	ACA/CS Scott Grey
Estimated Cost:	Date Prepared:	August 10, 2023
Exhibits:	<u>Proposed Minutes</u>	

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR AUGUST 8, 2023. [CITY COUNCIL CAPITAL IMPROVEMENT PLAN (CIP) WORKSHOP]

SUMMARY

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

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	08/11/2023
City Attorney:	<i>Amy J. Stanphill</i>	Date:	08/ xx /2023 via Municode
City Administrator:	<i>Luke B. Olson</i>	Date:	08/ xx /2023



MINUTES
CITY COUNCIL MEETING
AUGUST 8, 2023

CALL TO ORDER – Roll Call and Determination of a Quorum

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

Mayor Lee Pettle called the meeting to order at 4:00 p.m. Mayor Pro Tem Jim Reed and Councilmembers Randy Kercho, Terry Lynch, and Amanda Noe were present. Councilmember Todd Fecht was absent.

Staff Present: City Administrator Luke Olson, City Attorney Amy J. Stanphill, Public Works Director Gary Machado, City Engineer John Birkhoff, P.E.,

PUBLIC COMMENTS The City Council invites any person with business before the Council to speak. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

No comments

WORKSHOP

CAPITAL IMPROVEMENT PLAN (CIP)

Mayor Pettle updated everyone on the status of Capital Improvement Plan (CIP) [inaudible] and introduced Councilmembers Lynch and Reed, who reviewed various documents in tonight's August 8, 2023 City Council Special Meeting packet. **[Please see information provided in packet.]**

ADJOURN

Mayor Lee Pettle adjourned the meeting at 6:59 p.m.

APPROVED:

Mayor Lee Pettle

Approved on the 15th day
of August, 2023.

ATTESTED:

Patti Scott Grey, City Secretary



Council Agenda Item

Budget Account Code:	Meeting Date:	See above.
Budgeted Amount:	Department/ Requestor:	Police
Fund Balance-before expenditure:	Prepared by:	City Secretary Scott Grey for Police Chief Price
Estimated Cost:	Date Prepared:	August 2, 2023
Exhibits:	1. Proposed Resolution 2. FY23 Jail Services Amendment 3. FY 2023 Inmate Housing Fees 4-19-22	

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-748 PROVIDING FOR THE MODIFICATION AND EXECUTION OF THE JAIL SERVICES CONTRACT AMENDMENT THREE (3) BETWEEN THE CITY OF PARKER AND COLLIN COUNTY.

SUMMARY

This is a one-year extension of the Jail Services Agreement with Collin County executed by Council in 2020 (Resolution No. 2020-640) and renewed on 06/01/2021 (Resolution No. 2021-668). As stated in Item #1 of the Contract Amendment Two (2), the term of this extension shall be for a period of one (1) year beginning October 1, 2023 and shall continue in full force and effect through September 30, 2024. Either party may terminate this Agreement for any reason by giving a 90-day written notice to the other party. Item #2 establishes the Basic Charge of \$107.30 per day or part of day per inmate will be charged to the City for one year beginning October 1, 2023 and ending September 30, 2024. The current rate is \$76.54. The original Agreement was adopted in 2002.

(Note: The Proposed Inmate per day Expense Entity Impact fee sheet states: "CARES Act funding was used in FY2020 to cover a portion of Public Safety Salaries. These savings translated into a lower daily rate for FY 2022. As expected, the expenditures returned to normal over the course of FY 2022 and FY 2023.")

The Police Department is requesting that Council approve this agreement.

As Council is aware, we have entered into an agreement with Wylie Police Department for primary jail services so that Class C Misdemeanor charges, including Parker Municipal Court Warrants, can be processed in that facility. The Police Department would reserve this Collin County Agreement as a back-up jail facility. We will not be charged unless we book a prisoner into the Collin County Facility.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Kenneth Price</i>	Date:	08/02/2023
City Attorney:	<i>Amy J. Stanphill</i>	Date:	08/XX/2023 via Municode
City Administrator:	<i>Luke B. Olson</i>	Date:	08/XX/2023

RESOLUTION NO. 2023-748
(Amendment to Collin County Jail Services Agreement)

**A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS,
PROVIDING FOR THE AMENDMENT OF THE JAIL SERVICES
AGREEMENT BETWEEN THE CITY OF PARKER AND COLLIN COUNTY.**

WHEREAS, the City of Parker is authorized by state law to execute an agreement for Jail Service with Collin County; and

WHEREAS, the City of Parker finds it necessary to have Police Jail Service for the health and protection of its Residents and their property; and

WHEREAS, Collin County's Sheriff's Office is an official State of Texas recognized and authorized agency to provide Police Jail Services, and the City Council of the City of Parker has approved an agreement with Collin County for the provision of jail services; and

WHEREAS, Collin County has proposed an amendment to said agreement increasing the fees therein.

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

SECTION 1. The Parker City Council does authorize the Mayor to execute an amendment to the agreement with Collin County for Police Jail Services in substantially the form attached hereto as Exhibit "A".

SECTION 2. This resolution shall be effective upon its passage.

APPROVED AND ADOPTED this 15th day of August, 2023.

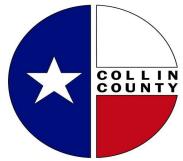
ATTEST:

Lee Pettle, Mayor

Patti Scott Grey, City Secretary

APPROVED TO FORM:

Amy J. Stanphill, City Attorney



Contract Modification Document

Office of the Purchasing Agent
Collin County Administration Building
2300 Bloomdale Rd, Ste 3160
McKinney, TX 75071
972-548-4165

Vendor: City of Parker
5700 E. Parker Road
Parker, TX 75002

Contract No. 2021-005
Contract: Jail Services, City of Parker

YOU ARE DIRECTED TO MAKE THE FOLLOWING MODIFICATION TO THIS CONTRACT

Item #1 The agreement will be renewed for a period of one (1) year, beginning October 1, 2023, through and including September 30, 2024, at the rate below.

Item #2 Charges for fiscal year 2024: \$107.30 per day, per inmate

Except as provided herein, all terms and conditions of the contract remain in full force and effect and may only be modified in writing signed by both parties.

Amendment No. 3 has been accepted and authorized on _____ by authority of the Collin County Commissioners Court by Court Order No. _____, to be effective on 10/1/2023.

ACCEPTED BY:

SIGNATURE

(Print Name)

TITLE: _____

DATE: _____

SIGNATURE

Michelle Charnoski, NIGP-CPP, CPPB

(Print Name)

TITLE: Purchasing Agent

DATE: _____

HISTORICAL INFORMATION

Awarded by Court Order No. 2020-965-10-05

Amendment	No. 1	Court Order No.	<u>2021-607-06-28</u>	Summary	Renewal 1
Amendment	No. 2	Court Order No.	<u>2022-1101-10-10</u>	Summary	Renewal 2
Amendment	No. 3	Court Order No.		Summary	Agreement extended and fees

Entity	FY 2019 Actual Paid	FY 2020 Actual Paid	FY 2021 Actual Paid	FY 2022 Actual Paid	FY 2022 Inmate Days Utilizing FY 2024 Adopted Rate	FY 2023 YTD Actual Paid
Anna	\$ 4,395.09	\$ 4,543.88	\$ 4,296.27	\$ 3,057.60	\$ 5,579.09	\$ 688.86
Anna ISD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Baylor Scott & White	-	-	-	-	\$ -	\$ -
Celina	3,589.86	2,271.94	822.69	1,117.20	\$ 2,038.51	\$ 153.08
Collin Co. Community College	-	-	274.23	58.80	\$ 107.29	\$ -
Community ISD	-	-	-	-	\$ -	\$ -
DART	-	188.94	-	294.00	\$ 536.45	\$ -
Fairview	188.94	98.78	639.87	176.40	\$ 321.87	\$ 306.16
Farmersville	3,873.27	1,284.14	1,462.56	940.80	\$ 1,716.64	\$ -
Farmersville ISD	-	-	-	-	\$ -	\$ -
Josephine	-	98.78	-	-	\$ -	\$ -
Lavon	1,133.64	790.24	-	-	\$ -	\$ 153.08
Lucas	94.47	-	-	-	\$ -	\$ -
McKinney	70,285.68	36,977.85	33,090.42	20,756.40	\$ 37,873.45	\$ 5,817.34
Melissa	3,495.39	3,457.30	5,119.06	2,822.40	\$ 5,149.93	\$ 688.86
Murphy	3,400.92	4,642.66	1,279.74	58.80	\$ 107.29	\$ 76.54
Parker	-	395.12	-	-	\$ -	\$ -
Princeton	7,935.48	5,926.80	4,753.32	4,998.00	\$ 9,119.67	\$ 1,607.34
Prosper	3,684.33	4,247.54	914.10	1,058.40	\$ 1,931.22	\$ 1,836.96
Prosper ISD	-	-	-	176.40	\$ 321.87	\$ -
St Paul	-	-	-	-	\$ -	\$ -
Westminister	-	-	-	-	\$ -	\$ -
Wylie	7,179.72	2,271.94	91.41	-	\$ -	\$ -
	\$ 109,256.79	\$ 67,195.91	\$ 52,743.67	\$ 35,515.20	\$ 64,803.30	\$ 11,328.22
Rates	\$ 94.47	\$ 98.78	\$ 91.41	\$ 58.80	\$ 107.30	\$ 76.54
# City Days	1,157	680	577	604		148
Federal Inmate Housing	\$ 952,492.33	\$ 1,179,869.74	\$ 510,154.19	\$ 1,183,665.00	\$ 1,183,665.00	\$ 416,115.00
# Federal Days	13,648	11,944	4,859	11,273		3,963

Facility Utilization

% County	96.16%	96.39%	98.41%	96.70%	97.39%
% City	0.30%	0.19%	0.17%	0.17%	0.09%
% Federal	3.54%	3.41%	1.42%	3.13%	2.52%

RESOLUTION NO. 2021-668
(Amendment to Collin County Jail Services Agreement)

**A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS,
PROVIDING FOR THE AMENDMENT OF THE JAIL SERVICES
AGREEMENT BETWEEN THE CITY OF PARKER AND COLLIN COUNTY.**

WHEREAS, the City of Parker is authorized by state law to execute an agreement for Jail Service with Collin County; and

WHEREAS, the City of Parker finds it necessary to have Police Jail Service for the health and protection of its Residents and their property; and

WHEREAS, Collin County's Sheriff's Office is an official State of Texas recognized and authorized agency to provide Police Jail Services, and the City Council of the City of Parker has approved an agreement with Collin County for the provision of jail services; and

WHEREAS, Collin County has proposed an amendment to said agreement reducing the fees therein.

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

SECTION 1. The Parker City Council does authorize the Mayor to execute an amendment to the agreement with Collin County for Police Jail Services in substantially the form attached hereto as Exhibit "A".

SECTION 2. This resolution shall be effective upon its passage.

APPROVED AND ADOPTED this 1st day of June, 2021.

ATTEST:


Lee Pettle, Mayor
Lee Pettle
Patti Scott Grey, City Secretary

APPROVED TO FORM:


Brandon Shelby, City Attorney



Contract Amendment

One (1)

Office

Meeting Date: 08/15/2023 Item 3.

Collin County Administration Building
2300 Bloomdale Rd, Ste 3160
McKinney, TX 75071
972-548-4165

Vendor: City of Parker
5700 E. Parker Road
Parker, TX 75002

Effective Date 10/1/2021
Contract No. 2021-005
Contract Interlocal Agreement for Jail
Services

Awarded by Court Order No.: 2020-965-10-05
Amendment 1 Court Order No.: _____

YOU ARE DIRECTED TO MAKE THE FOLLOWING AMENDMENT TO THIS CONTRACT

ITEM #1: Extend agreement for the period of October 1, 2021 through September 30, 2022, with the option for either party to terminate the contract with ninety (90) days written notice.

ITEM #2: Charges for fiscal year 2022: \$58.80 per day, per inmate

Except as provided herein, all terms and conditions of the contract remain in full force and effect and may only be modified in writing signed by both parties.

ACCEPTED BY:

Lee Pettle (Print Name)
City of Parker
5700 E. Parker Road
Parker, TX 75002

ACCEPTED AND AUTHORIZED BY
AUTHORITY OF COLLIN COUNTY
COMMISSIONERS' COURT

Collin County Administration Building
2300 Bloomdale Rd, Ste 3160
McKinney, Texas 75071

SIGNATURE

Lee Pettle
TITLE: Mayor
DATE: 6/1/2021

Michelle Charnoski
Purchasing Agent, CPPB
DATE: _____

RESOLUTION NO. 2020-640
(2020-2021 Jail Services Agreement)

**A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS,
PROVIDING FOR THE EXECUTION OF AN INTERLOCAL JAIL
SERVICES AGREEMENT BETWEEN THE CITY OF PARKER AND
COLLIN COUNTY.**

WHEREAS, the City of Parker is authorized by state law to execute an interlocal agreement for Jail Service with Collin County; and

WHEREAS, the City of Parker finds it necessary to have Police Jail Service for the health and protection of its Residents and their property; and

WHEREAS, Collin County's Sheriff's Office is an official State of Texas recognized and authorized agency to provide Police Jail Services, and the City of Parker does not provide such Services; and

WHEREAS, The City of Parker has budgeted sufficient funds to make the required payments.

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

SECTION 1. The Parker City Council does authorize the Mayor to enter into an agreement with Collin County for Police Jail Services in substantially similar form to that attached hereto and approved by the City Attorney.

SECTION 2. This resolution shall be effective upon its execution by the Mayor.

APPROVED AND ADOPTED this 9th day of September, 2020.

ATTEST:


Patti Scott Grey, City Secretary




Mayor Pro Tem Ed Standridge

APPROVED TO FORM:


Brandon Shelby, City Attorney

RESOLUTION NO. 2020-640
(2020-2021 Jail Services Agreement)

Interlocal Jail Services Agreement

This agreement is entered into on the 9th day of September 2020, by and between the City of Parker and Collin County. Both are political subdivisions of the State of Texas.

Recitals

1. The County operates the Collin County Detention Facility, including the Minimum Security facility, (the Detention Facility or County Jail) under chapter 351 of the Local Government Code and part 9 of title 37 of the Texas Administrative Code.
2. The County generally operates the County Jail for the confinement of persons accused or convicted of a violation of state law. *See* Code of Crim. Proc., arts. 2.17–2.18. But the Sheriff may also accept custody of persons accused of class C misdemeanors. *See* Tex. Att'y Gen. Op. No. JM-0151 (1984).
3. The City desires to obtain certain jail services from the County to be performed for the City to insure the confinement of persons accused or convicted of a class C misdemeanor or other violation of a municipal ordinance.

Therefore, under the authority of the Interlocal Cooperation Act, Chapter 791, Texas Government Code, the parties agree as follows:

Section 1. Definitions

1.01 Jail Services

The term “jail services” means all services legally necessary to provide for the confinement in the County Jail of persons accused or convicted of an offense.

Section 2. Term

2.01 Term

The term of this agreement shall commence on October 1, 2020, and shall continue in full force and effect through September 30, 2021. This agreement may be renewed for additional one (1) year periods at the rates established and agreed upon by both parties each renewal year.

2.02 Termination

A party may terminate this Agreement for any reason by giving 90 days written notice to the other party.

Section 3. Services

3.01 Services

The County agrees to provide to City jail services necessary for the confinement of persons accused or convicted of an offense, subject to the availability of space at the County jail at the time the City requests jail services. Space will be unavailable when the County Jail is filled to 100% of its capacity and unable to accept additional inmates.

The Jail Administrator may determine when the County Jail is filled to 100% capacity and unable to accept additional inmates. The Jail Administrator will consider the jail's population, expected incoming inmates (e.g. under other jail-services agreements), expected releases, the gender and security-classification mix of the inmate population, inmates' health restrictions, space or cells needed to house and care for problematic or vulnerable inmates, and state law, including the rules and regulations of the Texas Commission on Jail Standards. At times, particular pods or cells may be unavailable for some reason, such as maintenance which shall be taken into account in determining whether the County Jail is filled at 100% of its capacity.

3.02 Persons Accepted

- (1) The Detention Facility will accept persons arrested via a Class C warrant, if the detainee is presented by a Peace Officer with the original warrant, a certified or facsimile copy of a valid arrest warrant, or if the jail staff receives a teletype or email confirmation of the warrant.
- (2) The Detention Facility will allow any Peace Officer to execute any Class C warrant on any detainee in the facility's custody, if the warrant is an original, certified, facsimile, or similarly reliable copy, or if the jail staff receives teletype or email confirmation.
- (3) The Detention Facility will accept all on-view or warrantless arrests of Class C violators. An arresting officer must provide the Detention Facility with (i) the time of arrest and (ii) a properly completed and signed probable-cause affidavit for each person arrested, for compliance with art. 17.033(a) of the Code of Criminal Procedure. Alternatively, an arresting officer must provide an original, certified, facsimile, or similarly reliable copy or confirmation of a magistrate's determination that probable cause exists to believe the arrestee committed the offense as required by art. 17.033(a) of the Code of Criminal Procedure.
- (4) When a defendant has been convicted of a Class C misdemeanor, a Judgment & Sentence is entered against the defendant under to art. 45.041 of the Code of Criminal Procedure. If the defendant defaults in the discharge of the judgment, a Judge may order the defendant confined in a jail. The Detention Facility will accept defendants on such jail commitments only if they are accompanied by a certified copy of the Judgment, Sentence and Order that complies with art. 45.046 of the Code of Criminal Procedure, and that states in part:

- a. “the defendant is not indigent and the defendant has failed in good faith to discharge the fines and costs” or
- b. “the defendant is indigent and has failed to make a good faith effort to discharge the fine and costs under Article 45.049; and could have discharged the fine and costs under Article 45.049 without experiencing any undue hardship.”

Section 4. Non-Exclusivity of Service Provision

The County may contract to perform services similar or identical to those specified in this Agreement for other municipalities, utility districts, or governmental entities as the County, in its sole discretion, sees fit.

Section 5. Compensation

5.01 Basic Charge

The City will pay the County a Basic Charge of \$91.41 per day or part of a day per inmate that the City requests be confined on the City’s charges, and who is confined, in the County Jail. This Basic Charge, along with Additional Charges under sections 5.02–5.04, will fairly compensate the County. *See Gov’t Code, § 791.011(e).*

5.02 Additional Charges

In addition to paying the Basic Charge, the City will reimburse the County for expenses associated with providing jail services to inmates held on the City’s charges (the City’s inmates). The City will reimburse the County for providing health-care services, including ambulance, medical, hospital, dental, and psychiatric or psychological services to the City’s inmates. Where reasonable and consistent with the County’s legal obligations to care for inmates, including providing them with first aid and emergency and non-emergency medical care and care and monitoring for an at-risk inmate, the County will take reasonable steps to confer with the City about the reasonably foreseeable costs of maintaining the City’s inmates in the Detention Center before incurring an undue balance of such costs.

For conference purposes, “the City” means an officer with sufficient authority to make binding decisions about an inmate’s care or whether to issue a personal recognizance bond with respect to an inmate.

In provisions of the Sandra Bland Act, the legislature directed the Texas Commission on Jail Standards to adopt rules and procedures with regard to a county jail providing access to a mental-health professional through a telemental health service 24 hours a day, access to a health professional at the jail or through a telehealth service 24 hours a day, or, if a health professional is unavailable at the jail or through a telehealth service, provide for the City’s inmate to be transported to access a health professional. *See Sandra Bland Act, S.B. 1849 (2017), 85th Reg. Sess., § 3.05 (codified at Gov’t Code, § 511.009(a)(23)); id.*

§ 3.10 (requiring the Commission to adopt rules and procedures under § 511.009(23) no later than Sept. 1, 2018, and requiring a county jail to comply with such rules and procedures on and after September 1, 2020). It is possible that Collin County—with advice from its health-services provider or other expert—will voluntarily take steps to comply with such rules and procedures or provide these types of access to inmates before September 1, 2020. If so, then Collin County will confer with the City about its plans to comply with the Sandra Bland Act, regulations resulting from the Act, or similar law, and the parties will negotiate terms for the City to reimburse the County for reasonable costs of providing such services to the City's inmates.

5.03 Billing

The County will bill the City monthly for jail services. The City will pay the bills under Chapter 2251 of the Government Code, including interest on payments that are not timely made as provided therein.

5.04 Cost of Additional Charges

The County will charge the City for services under section 5.02 of this Agreement at the cost to the County of providing those services to the inmates. The County will provide reasonable documentation or other support of such charges upon the City's request.

5.05 Source of Payment

The City will make all payments required under this Agreement from current revenues available to the City. *See Gov't Code, § 791.011(d)(3).*

Section 6. Lawful Arrest and Detention

The City will comply with all federal, state and local laws regarding conditions precedent to arrest and detention including, but not limited to, determinations of probable cause and other requirements necessary for lawful arrest and detention. Further, the City is solely responsible for compliance with pre-detention procedures and that the City will hold the County harmless from any liability, including, but not limited to, obligations, costs, claims, judgments, attorneys' fees and litigation costs, and attachments, caused by or flowing from the City's alleged or actual failure to comply with conditions precedent to lawful arrest and detention.

Section 7. Procedures

7.01 Delivery and Release of Inmates

The City agrees to comply with all County rules and procedures regarding jail security in delivering inmates to the Collin County Jail and receiving inmates to be released.

7.02 Removal on Termination

The City agrees to remove all persons confined on the City's behalf in the Collin County Jail pursuant to this Agreement at least one day before the date of this Agreement's termination.

Section 8. Civil Liability

The City and County (“Parties”) agree through this contract that the Parties are individually responsible for any civil liability that arises from their provision of services under this Agreement. *See Gov’t Code, § 791.006(b).*

This provision falls under subsection (b) of sections 5 and 7 of article XI of the Texas Constitution.

For purposes of this section 8, “County” includes its officials, officers, deputies, employees, insurers, and agents. “City” includes its officials, officers, deputies, employees, insurers, and agents.

With regard to the provision of a defense under this paragraph, the Parties will reasonably cooperate with the one another in defending a claim or suit, including providing reasonable access to, and copies of, documents, electronic or magnetic data, and access to witnesses or other persons with discoverable knowledge such as detention officers, employees, or other persons under the Parties’ supervision or control.

This agreement does not create any form of personal liability on the part of any official, officer, employee, or agent who is an individual of the City of Parker or Collin County. Each party will not sue or try to hold an official, officer, employee, or individual agent of the other party personally liable for any personal injuries or property damage.

The parties do not waive any form of immunity by signing this agreement other than as provided herein.

The parties do not intend to create a claim or right for, or in favor of, a person who is not a party to this agreement.

Section 9. Amendment

This Agreement will not be amended or modified other than in a written agreement signed by the parties. No party will try to enforce a purported amendment that is not written and properly approved by each party’s governing body under section 791.011(d) of the Government Code.

Section 10. Controlling Law

Texas law will govern this Agreement and the parties’ claims and defenses arising out of, or related to, their relationship and performances under this Agreement, regardless of a forum’s choice-of-law rules.

Section 11. Notices

11.01 Form of Notice

Unless otherwise specified, the parties will communicate under this Agreement in writing or by email. A party will send important communications, including communications under section 12, in writing and by certified mail to the liaisons in section 11.02.

11.02 Addresses

A party will address a communication to the other's address as follows:

(A) Collin County, to:
Sheriff Jim Skinner
Collin County Sheriff's Office
4300 Community Ave.
McKinney, Texas 75071

(B) Collin County Administrator, to:
Bill Bilyeu
2300 Bloomdale #4192
McKinney, Texas 75071

(C) Collin County Purchasing
Collin County Administration Bldg.
2300 Bloomdale Road, Suite 3160
McKinney, Texas 75071

(D) Lee Pettle, Mayor
Parker City Hall
5700 E. Parker Road
Parker, TX 75002

Richard D. Brooks, Chief of Police
Parker City Hall
5700 E. Parker Road
Parker, TX 75002

or to such person at such other address as may from time to time be specified in a notice given as provided in this section 11. The City may also provide a copy of a communication to:

The Honorable Chris Hill
Collin County Judge
Collin County Administration Building
2300 Bloomdale Rd. Suite 4192
McKinney, Texas 75071

Section 12. Resolution of Disputes

Should a dispute arise out of this agreement, the County and the City will first attempt to resolve it through direct discussions in a spirit of mutual cooperation. If the Parties' attempts to resolve their disagreements through negotiations fail, the disputes will be mediated by a mutually acceptable third party to be chosen by the County and the City within fifteen days after written notice by one Party to the other demanding mediation under this section. The County and City will share equally in the costs of the

mediation. This section's purpose is to reasonably ensure that the County and the City will in good faith use mediation or another non-binding dispute resolution process before pursuing litigation. A Party's participation in mediation or another non-binding dispute resolution process will not be construed as a waiver by a Party of (1) any rights, privileges, defenses, remedies or immunities available to a Party; (2) a Party's termination rights; or (3) other termination provisions or expiration dates provided herein. In the event of a lawsuit or any form of ADR, each party will bear its own attorney's fees and expenses.

Section 13. Captions

The headings to the various sections of this Agreement have been inserted for convenient reference only and shall not modify, define, limit or expand the express provision of this Agreement.

Section 14. Counterparts

This Agreement may be executed in counterparts and may be photocopied. A party may use a complete counterpart or photocopy as if it were an original.

Section 15. Obligations of Condition

All obligations of each party under this Agreement are conditions to further performance of the other party's continued performance of its obligation under the Agreement.

Section 16. Exclusive Right to Enforce this Agreement

The County and the City have the exclusive right to bring suit to enforce this Agreement, and no other party may bring suit, as a third-party beneficiary or otherwise, to enforce this Agreement.

Section 17. Prior Agreements Superseded

This Agreement constitutes the sole and only agreement of the parties as to the matters set forth here.

In witness whereof, the parties hereto have executed this Agreement as of the day and year first above written.

Section 18. No Partnership or Agency

The Parties hereto have not created a partnership and nothing contained in this Agreement shall in any manner whatsoever constitute any Party the partner, agent or legal representative of the other Party, nor create any fiduciary relationship between them for any purpose whatsoever. No Party shall have any authority to act for, or to assume any obligations or responsibility on behalf of, the other party except as may be, from time to time, agreed upon in writing between the Parties or as otherwise expressly provided in this Agreement.

Section 19. Force Majeure

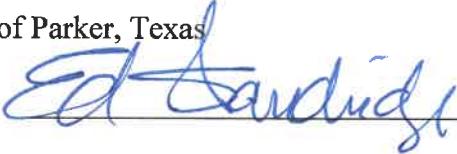
Force Majeure: No party shall be liable or responsible to the other party, nor be deemed to have defaulted under or breached this Agreement, for any failure or delay in fulfilling or performing any term of this Agreement, when and to the extent such failure or delay is caused by or results from acts beyond the affected party's reasonable control, including, without limitation: acts of God; flood, fire or explosion; war, invasion, riot or other civil unrest; actions, embargoes or blockades in effect on or after the date of this Agreement; or national or regional emergency (each of the foregoing, a "Force Majeure Event"). A party whose performance is affected by a Force Majeure Event shall give notice to the other party, stating the period of time the occurrence is expected to continue and shall use diligent efforts to end the failure or delay and minimize the effects of such Force Majeure Event.

Collin County, Texas

By: _____
Chris Hill, County Judge

Date: _____

City of Parker, Texas

By: 

Date: September 9, 2020

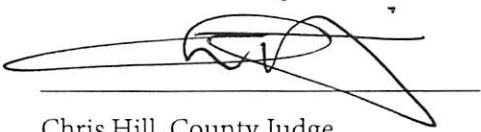
Title: Ed Standridge, Mayor Pro Tem

State of Texas	§	Court Order
Collin County	§	2020-965-10-05
Commissioners Court	§	

An order of the Collin County Commissioners Court approving an interlocal agreement.

The Collin County Commissioners Court hereby approves an interlocal jail services agreement with the City of Parker effective October 1, 2020 through and including September 30, 2021, as detailed in the attached documentation.

A motion was made, seconded, and carried by a majority of the court members in attendance during a regular session on Monday, October 5, 2020.



Chris Hill, County Judge



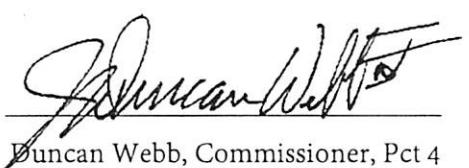
Susan Fletcher, Commissioner, Pct 1



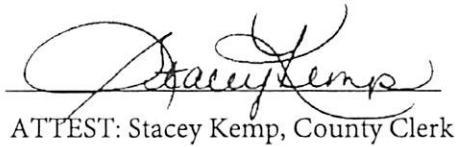
Cheryl Williams, Commissioner, Pct 2



Darrell Hale, Commissioner, Pct 3



Duncan Webb, Commissioner, Pct 4



ATTEST: Stacey Kemp, County Clerk

Interlocal Jail Services Agreement

This agreement is entered into on the 5 day of October 2020, by and between the City of Parker and Collin County. Both are political subdivisions of the State of Texas.

Recitals

1. The County operates the Collin County Detention Facility, including the Minimum Security facility, (the Detention Facility or County Jail) under chapter 351 of the Local Government Code and part 9 of title 37 of the Texas Administrative Code.
2. The County generally operates the County Jail for the confinement of persons accused or convicted of a violation of state law. *See* Code of Crim. Proc., arts. 2.17–2.18. But the Sheriff may also accept custody of persons accused of class C misdemeanors. *See* Tex. Att'y Gen. Op. No. JM-0151 (1984).
3. The City desires to obtain certain jail services from the County to be performed for the City to insure the confinement of persons accused or convicted of a class C misdemeanor or other violation of a municipal ordinance.

Therefore, under the authority of the Interlocal Cooperation Act, Chapter 791, Texas Government Code, the parties agree as follows:

Section 1. Definitions

1.01 Jail Services

The term “jail services” means all services legally necessary to provide for the confinement in the County Jail of persons accused or convicted of an offense.

Section 2. Term

2.01 Term

The term of this agreement shall commence on October 1, 2020, and shall continue in full force and effect through September 30, 2021. This agreement may be renewed for additional one (1) year periods at the rates established and agreed upon by both parties each renewal year.

2.02 Termination

A party may terminate this Agreement for any reason by giving 90 days written notice to the other party.

Section 3. Services

3.01 Services

The County agrees to provide to City jail services necessary for the confinement of persons accused or convicted of an offense, subject to the availability of space at the County jail at the time the City requests jail services. Space will be unavailable when the County Jail is filled to 100% of its capacity and unable to accept additional inmates.

The Jail Administrator may determine when the County Jail is filled to 100% capacity and unable to accept additional inmates. The Jail Administrator will consider the jail's population, expected incoming inmates (e.g. under other jail-services agreements), expected releases, the gender and security-classification mix of the inmate population, inmates' health restrictions, space or cells needed to house and care for problematic or vulnerable inmates, and state law, including the rules and regulations of the Texas Commission on Jail Standards. At times, particular pods or cells may be unavailable for some reason, such as maintenance which shall be taken into account in determining whether the County Jail is filled at 100% of its capacity.

3.02 Persons Accepted

- (1) The Detention Facility will accept persons arrested via a Class C warrant, if the detainee is presented by a Peace Officer with the original warrant, a certified or facsimile copy of a valid arrest warrant, or if the jail staff receives a teletype or email confirmation of the warrant.
- (2) The Detention Facility will allow any Peace Officer to execute any Class C warrant on any detainee in the facility's custody, if the warrant is an original, certified, facsimile, or similarly reliable copy, or if the jail staff receives teletype or email confirmation.
- (3) The Detention Facility will accept all on-view or warrantless arrests of Class C violators. An arresting officer must provide the Detention Facility with (i) the time of arrest and (ii) a properly completed and signed probable-cause affidavit for each person arrested, for compliance with art. 17.033(a) of the Code of Criminal Procedure. Alternatively, an arresting officer must provide an original, certified, facsimile, or similarly reliable copy or confirmation of a magistrate's determination that probable cause exists to believe the arrestee committed the offense as required by art. 17.033(a) of the Code of Criminal Procedure.
- (4) When a defendant has been convicted of a Class C misdemeanor, a Judgment & Sentence is entered against the defendant under to art. 45.041 of the Code of Criminal Procedure. If the defendant defaults in the discharge of the judgment, a Judge may order the defendant confined in a jail. The Detention Facility will accept defendants on such jail commitments only if they are accompanied by a certified copy of the Judgment, Sentence and Order that complies with art. 45.046 of the Code of Criminal Procedure, and that states in part:

- a. “the defendant is not indigent and the defendant has failed in good faith to discharge the fines and costs” or
- b. “the defendant is indigent and has failed to make a good faith effort to discharge the fine and costs under Article 45.049; and could have discharged the fine and costs under Article 45.049 without experiencing any undue hardship.”

Section 4. Non-Exclusivity of Service Provision

The County may contract to perform services similar or identical to those specified in this Agreement for other municipalities, utility districts, or governmental entities as the County, in its sole discretion, sees fit.

Section 5. Compensation

5.01 Basic Charge

The City will pay the County a Basic Charge of \$91.41 per day or part of a day per inmate that the City requests be confined on the City’s charges, and who is confined, in the County Jail. This Basic Charge, along with Additional Charges under sections 5.02–5.04, will fairly compensate the County. *See Gov’t Code, § 791.011(e).*

5.02 Additional Charges

In addition to paying the Basic Charge, the City will reimburse the County for expenses associated with providing jail services to inmates held on the City’s charges (the City’s inmates). The City will reimburse the County for providing health-care services, including ambulance, medical, hospital, dental, and psychiatric or psychological services to the City’s inmates. Where reasonable and consistent with the County’s legal obligations to care for inmates, including providing them with first aid and emergency and non-emergency medical care and care and monitoring for an at-risk inmate, the County will take reasonable steps to confer with the City about the reasonably foreseeable costs of maintaining the City’s inmates in the Detention Center before incurring an undue balance of such costs.

For conference purposes, “the City” means an officer with sufficient authority to make binding decisions about an inmate’s care or whether to issue a personal recognizance bond with respect to an inmate.

In provisions of the Sandra Bland Act, the legislature directed the Texas Commission on Jail Standards to adopt rules and procedures with regard to a county jail providing access to a mental-health professional through a telemental health service 24 hours a day, access to a health professional at the jail or through a telehealth service 24 hours a day, or, if a health professional is unavailable at the jail or through a telehealth service, provide for the City’s inmate to be transported to access a health professional. *See Sandra Bland Act, S.B. 1849 (2017), 85th Reg. Sess., § 3.05 (codified at Gov’t Code, § 511.009(a)(23)); id.*

§ 3.10 (requiring the Commission to adopt rules and procedures under § 511.009(23) no later than Sept. 1, 2018, and requiring a county jail to comply with such rules and procedures on and after September 1, 2020). It is possible that Collin County—with advice from its health-services provider or other expert—will voluntarily take steps to comply with such rules and procedures or provide these types of access to inmates before September 1, 2020. If so, then Collin County will confer with the City about its plans to comply with the Sandra Bland Act, regulations resulting from the Act, or similar law, and the parties will negotiate terms for the City to reimburse the County for reasonable costs of providing such services to the City's inmates.

5.03 Billing

The County will bill the City monthly for jail services. The City will pay the bills under Chapter 2251 of the Government Code, including interest on payments that are not timely made as provided therein.

5.04 Cost of Additional Charges

The County will charge the City for services under section 5.02 of this Agreement at the cost to the County of providing those services to the inmates. The County will provide reasonable documentation or other support of such charges upon the City's request.

5.05 Source of Payment

The City will make all payments required under this Agreement from current revenues available to the City. *See Gov't Code, § 791.011(d)(3).*

Section 6. Lawful Arrest and Detention

The City will comply with all federal, state and local laws regarding conditions precedent to arrest and detention including, but not limited to, determinations of probable cause and other requirements necessary for lawful arrest and detention. Further, the City is solely responsible for compliance with pre-detention procedures and that the City will hold the County harmless from any liability, including, but not limited to, obligations, costs, claims, judgments, attorneys' fees and litigation costs, and attachments, caused by or flowing from the City's alleged or actual failure to comply with conditions precedent to lawful arrest and detention.

Section 7. Procedures

7.01 Delivery and Release of Inmates

The City agrees to comply with all County rules and procedures regarding jail security in delivering inmates to the Collin County Jail and receiving inmates to be released.

7.02 Removal on Termination

The City agrees to remove all persons confined on the City's behalf in the Collin County Jail pursuant to this Agreement at least one day before the date of this Agreement's termination.

Section 8. Civil Liability

The City and County (“Parties”) agree through this contract that the Parties are individually responsible for any civil liability that arises from their provision of services under this Agreement. *See Gov’t Code, § 791.006(b).*

This provision falls under subsection (b) of sections 5 and 7 of article XI of the Texas Constitution.

For purposes of this section 8, “County” includes its officials, officers, deputies, employees, insurers, and agents. “City” includes its officials, officers, deputies, employees, insurers, and agents.

With regard to the provision of a defense under this paragraph, the Parties will reasonably cooperate with the one another in defending a claim or suit, including providing reasonable access to, and copies of, documents, electronic or magnetic data, and access to witnesses or other persons with discoverable knowledge such as detention officers, employees, or other persons under the Parties’ supervision or control.

This agreement does not create any form of personal liability on the part of any official, officer, employee, or agent who is an individual of the City of Parker or Collin County. Each party will not sue or try to hold an official, officer, employee, or individual agent of the other party personally liable for any personal injuries or property damage.

The parties do not waive any form of immunity by signing this agreement other than as provided herein.

The parties do not intend to create a claim or right for, or in favor of, a person who is not a party to this agreement.

Section 9. Amendment

This Agreement will not be amended or modified other than in a written agreement signed by the parties. No party will try to enforce a purported amendment that is not written and properly approved by each party’s governing body under section 791.011(d) of the Government Code.

Section 10. Controlling Law

Texas law will govern this Agreement and the parties’ claims and defenses arising out of, or related to, their relationship and performances under this Agreement, regardless of a forum’s choice-of-law rules.

Section 11. Notices

11.01 Form of Notice

Unless otherwise specified, the parties will communicate under this Agreement in writing or by email. A party will send important communications, including communications under section 12, in writing and by certified mail to the liaisons in section 11.02.

11.02 Addresses

A party will address a communication to the other's address as follows:

or to such person at such other address as may from time to time be specified in a notice given as provided in this section 11. The City may also provide a copy of a communication to:

The Honorable Chris Hill
Collin County Judge
Collin County Administration Building
2300 Bloomdale Rd. Suite 4192
McKinney, Texas 75071

Section 12. Resolution of Disputes

Should a dispute arise out of this agreement, the County and the City will first attempt to resolve it through direct discussions in a spirit of mutual cooperation. If the Parties' attempts to resolve their disagreements through negotiations fail, the disputes will be mediated by a mutually acceptable third party to be chosen by the County and the City within fifteen days after written notice by one Party to the other demanding mediation under this section. The County and City will share equally in the costs of the

mediation. This section's purpose is to reasonably ensure that the County and the City will in good faith use mediation or another non-binding dispute resolution process before pursuing litigation. A Party's participation in mediation or another non-binding dispute resolution process will not be construed as a waiver by a Party of (1) any rights, privileges, defenses, remedies or immunities available to a Party; (2) a Party's termination rights; or (3) other termination provisions or expiration dates provided herein. In the event of a lawsuit or any form of ADR, each party will bear its own attorney's fees and expenses.

Section 13. Captions

The headings to the various sections of this Agreement have been inserted for convenient reference only and shall not modify, define, limit or expand the express provision of this Agreement.

Section 14. Counterparts

This Agreement may be executed in counterparts and may be photocopied. A party may use a complete counterpart or photocopy as if it were an original.

Section 15. Obligations of Condition

All obligations of each party under this Agreement are conditions to further performance of the other party's continued performance of its obligation under the Agreement.

Section 16. Exclusive Right to Enforce this Agreement

The County and the City have the exclusive right to bring suit to enforce this Agreement, and no other party may bring suit, as a third-party beneficiary or otherwise, to enforce this Agreement.

Section 17. Prior Agreements Superseded

This Agreement constitutes the sole and only agreement of the parties as to the matters set forth here.

In witness whereof, the parties hereto have executed this Agreement as of the day and year first above written.

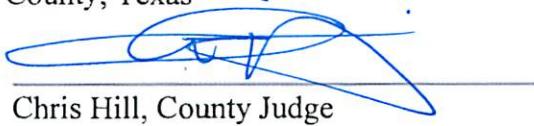
Section 18. No Partnership or Agency

The Parties hereto have not created a partnership and nothing contained in this Agreement shall in any manner whatsoever constitute any Party the partner, agent or legal representative of the other Party, nor create any fiduciary relationship between them for any purpose whatsoever. No Party shall have any authority to act for, or to assume any obligations or responsibility on behalf of, the other party except as may be, from time to time, agreed upon in writing between the Parties or as otherwise expressly provided in this Agreement.

Section 19. Force Majeure

Force Majeure: No party shall be liable or responsible to the other party, nor be deemed to have defaulted under or breached this Agreement, for any failure or delay in fulfilling or performing any term of this Agreement, when and to the extent such failure or delay is caused by or results from acts beyond the affected party's reasonable control, including, without limitation: acts of God; flood, fire or explosion; war, invasion, riot or other civil unrest; actions, embargoes or blockades in effect on or after the date of this Agreement; or national or regional emergency (each of the foregoing, a "Force Majeure Event"). A party whose performance is affected by a Force Majeure Event shall give notice to the other party, stating the period of time the occurrence is expected to continue and shall use diligent efforts to end the failure or delay and minimize the effects of such Force Majeure Event.

Collin County, Texas

By: 

Chris Hill, County Judge

Date: 6 OCTOBER 2020

City of Parker, Texas

By: 

Date: September 9, 2020

Title: Ed Standridge, Mayor Pro Tem

RESOLUTION NO. 2020-640
(2020-2021 Jail Services Agreement)

**A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS,
PROVIDING FOR THE EXECUTION OF AN INTERLOCAL JAIL
SERVICES AGREEMENT BETWEEN THE CITY OF PARKER AND
COLLIN COUNTY.**

WHEREAS, the City of Parker is authorized by state law to execute an interlocal agreement for Jail Service with Collin County; and

WHEREAS, the City of Parker finds it necessary to have Police Jail Service for the health and protection of its Residents and their property; and

WHEREAS, Collin County's Sheriff's Office is an official State of Texas recognized and authorized agency to provide Police Jail Services, and the City of Parker does not provide such Services; and

WHEREAS, The City of Parker has budgeted sufficient funds to make the required payments.

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

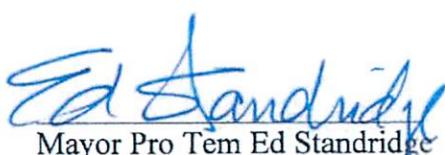
SECTION 1. The Parker City Council does authorize the Mayor to enter into an agreement with Collin County for Police Jail Services in substantially similar form to that attached hereto and approved by the City Attorney.

SECTION 2. This resolution shall be effective upon its execution by the Mayor.

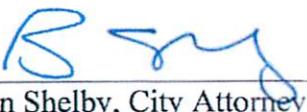
APPROVED AND ADOPTED this 9th day of September, 2020.

ATTEST:


Patti Scott Grey, City Secretary


Mayor Pro Tem Ed Standridge

APPROVED TO FORM:


Brandon Shelby, City Attorney

RESOLUTION NO. 2020-640
(2020-2021 Jail Services Agreement)

From: [Brooke Scullin](#)
To: [Richard Brooks](#)
Cc: [Shannon Poe](#); [Patti Grey](#)
Subject: FY 21 Signed Final Jail Interlocal Agreement & Court Order-City of Parker
Date: Tuesday, October 13, 2020 3:37:16 PM
Attachments: [FY 21 City of Parker Jail Services Signed & Final Court Order.pdf](#)

Good afternoon,

Here is the signed final copy of the Jail Interlocal Agreement and court order for FY21, for your records. Please let me know if you will need an original to be mailed. Have a wonderful day!

Thank you,

Brooke Scullin

Buyer Assistant
Collin County Purchasing
2300 Bloomdale Road, Suite 3160
McKinney, TX 75071
972-548-4130



Council Agenda Item

Budget Account Code:	Meeting Date:	See above.
Budgeted Amount:	Department/ Requestor:	Council
Fund Balance-before expenditure:	Prepared by:	ACA/CS Scott Grey for Public Works Director Gary Machado
Estimated Cost:	Date Prepared:	August 2, 2023
Exhibits:	1. Proposed Ordinance (w-Exhibits) 2. Public Hearing Notice 3. Ord. No.'s 844, 839, 833, 824, 815 & 812 (Temporary Moratorium on Acceptance of Development Applications)	

AGENDA SUBJECT

TEMPORARY MORATORIUM EXTENSION:

PUBLIC HEARING REGARDING EXTENSION OF THE TEMPORARY MORATORIUM ON THE ACCEPTANCE, REVIEW, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, OR CONSTRUCTION WITHIN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION OF THE CITY OF PARKER.

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 846 EXTENDING THE TEMPORARY MORATORIUM ENACTED BY ORDINANCE NO.'S 844, 839, 833, 824, 815 & 812 ON THE ACCEPTANCE, REVIEW, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, OR CONSTRUCTION WITHIN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION OF THE CITY OF PARKER.

SUMMARY

Please review information provided.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Gary Machado</i>	Date:	08/02/2023
City Attorney:	<i>Amy J. Stanphill</i>	Date:	08/XX/2023 via Municode
City Administrator:	<i>Luke B. Olson</i>	Date:	08/XX/2023

ORDINANCE NO. 2023-846***(Extension of Temporary Moratorium on Acceptance of Development Applications)***

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, EXTENDING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, AUTHORIZATION, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, AND CONSTRUCTION IN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION, PROVIDING FINDINGS OF FACT, DEFINITIONS, APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, AND DETERMINATION AND APPEALS; PROVIDING FOR SEVERABILITY, REPEALER, ENFORCEMENT, PROPER NOTICE AND MEETING, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Parker, Texas (the “City Council”), as a duly-elected legislative body, finds that it is facing significant historic and contemporary land use challenges that existing regulations and infrastructure were not designed to address; and

WHEREAS, the City Council finds that it is in the best interest of the City and its citizens to extend the enacted moratorium in order to temporarily suspend the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, and construction on real property in the City Limits and extraterritorial jurisdiction (“ETJ”); and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that are for the good government, peace, or order of the City and is necessary for carrying out a power granted by law to the City; and

WHEREAS, Texas Local Government Code Chapters 211, 212, 213, 214, and 217 grant the City certain regulation authority concerning construction, land use, nuisances, structures, and development-related activities; and

WHEREAS, the City seeks to ensure that impending and future development is conducted in a fiscally sustainable and environmentally responsible manner; and

WHEREAS, the City limits and ETJ are comprised of a combination of topographical, ecological, and other features that create significant development challenges; and

WHEREAS, as codified in Texas Water Code Chapter 552, Subchapter A, the Legislature of the State of Texas granted municipalities the authority to own and operate “utility systems,” which include water systems designed to provide domestic consumption of water; and

WHEREAS, Texas Water Code Section 552.015 grants Type A general-law municipalities the authority to provide for municipal water supply systems; and

WHEREAS, the City has determined that it is necessary to the health, safety, and welfare of the people in the City limits and ETJ to encourage and promote the development and use of the

City's water utility and supply systems to serve the water provision needs of the citizens in the City limits and ETJ to prevent failure of water supply within the system; and

WHEREAS, the City conducted an updated analysis to determine the adequacy of the City's current water supply, facilities, and the need beyond the estimated capacity that is expected to result from properties currently in development; and

WHEREAS, upon review of the updated analysis by the City's Engineer and City Administrator, the City Council has made findings contained herein as **Attachment B** related to the inadequacy of existing essential public facilities in accordance with Section 212.135 of the Texas Local Government Code; and

WHEREAS, the City Council finds that certain essential public water infrastructure, supply, and improvements throughout the City limits and ETJ are inadequate and insufficient to adequately serve new development; and

WHEREAS, relying on the analysis provided by City staff, the outstanding permits issued by the City prior to this moratorium, and the City's impact fee analysis, the City Council makes the following findings:

1. Taking in account all water that has been committed by contract, the City's water facilities are at capacity; and
2. The current water system has bottlenecks that threaten the proper operation of the City's water system; and
3. Based on these bottlenecks and the contractual commitments that will utilize all additional supply of the City's water system, there is currently no additional supply available to commit to development of lots; and
4. This moratorium is reasonably limited to property located in the City limits and ETJ.

WHEREAS, the City continues to take actions to increase the water supply of the City of Parker, including but not limited to investigating options within the current contract with North Texas Municipal Water District and alternative options, but until actions can be finalized to increase the water capacity, allowing for additional water service connections to the Parker water service area will only exacerbate the situation; and

WHEREAS, the City Council finds that a temporary moratorium on the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, and construction in the City limits and ETJ will prevent the situation from becoming worse, and will allow the City time to address the measures needed to remedy the shortage of supply and to secure funds to pay for such remedial measures; and

WHEREAS, additional evaluation of the existing supply, infrastructure, and development is needed to allow for growth and development within the City limits and ETJ while protecting the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, the City desires to continue its study and evaluation of the impact of further development, the need and source of additional water supply and facilities, appropriate water regulations, and issues that will affect future growth and development of the area within its jurisdiction; and

WHEREAS, the City finds this evaluation process will require community input and will take a reasonable amount of time to complete; and

WHEREAS, the City has determined that resources for additional water supply must be readily available to the City before the City's water system can serve new development; and

WHEREAS, the City has determined that it is necessary to study and update its development ordinances and procedures in order to clarify and improve its planning policies based on the forthcoming regulations, strengthen the connection between the City's Code of Ordinances and the goals and needs of the City's residents, and to protect the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, in order for the City to have adequate and reasonable time to review, evaluate, and revise the City's development ordinances in light of the most recent legislative changes effective September 1, 2023, and to consider the impact of the ordinances upon future growth, public health and safety, development, the natural environment, and place of architectural and ecological importance and significance within the City limits and ETJ, the City wishes to maintain the *status quo* by extending the enacted temporary moratorium, during which certain applications for development permits and/or approvals will be suspended; and

WHEREAS, the purpose of prohibiting certain applications for development permits and/or approvals during this period includes, within limitation, preserving the *status quo* during the planning process, eliminating incentives for hurried applications, facilitating thoughtful and consistent planning, avoiding exploitation of the delays inherent in the municipal legislative process, and preventing applications from undermining the effectiveness of the revised rules by applying for permits and/or approvals in order to avoid the application of new, possibly more restrictive, development regulations; and

WHEREAS, in recognition of the importance of development permits and/or approvals to the community, the City desires to implement the moratorium for a stated and fixed time period, and to include a waiver provision in accordance with Texas Local Government Code Chapter 212, Subchapter E; and

WHEREAS, all notices and hearings, including a hearing by the Planning & Zoning Commission, were published and held in accordance with applicable statutes, law, and regulations and a temporary moratorium was originally adopted on March 11, 2022 for a period of 90 days; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at City Council and City Council approved an extension on June 7, 2022 for an additional 90 days following the original term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at City Council and City Council approved an extension on September 6, 2022 for an additional 90 days following that then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at the City Council and City Council approved an extension on December 6, 2022 for an additional 90 days following that then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at the City Council and City Council approved an extension on March 7, 2023 for an additional 90 days following that then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at the City Council and City Council approved an extension on May 23, 2023 for an additional 90 days following that then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing set for August 15, 2023 at the City Council for City Council's consideration of an extension of an additional 90 days following the then-current term.

WHEREAS, based on the updated findings contained herein, information provided by City staff, and the evidence submitted at public hearings, the City Council has determined that existing development ordinances and regulations and other applicable laws are inadequate to prevent existing essential public water facilities from exceeding capacity, thereby being detrimental to the public health, safety, and welfare of the residents of Parker; and

WHEREAS, the City Council finds that the enactment of this Ordinance is directly related to the immediate preservation of the public peace, health, or safety;

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

Section 1. INCORPORATION OF RECITALS/FINDINGS OF FACT

The recitals contained in the preamble of this ordinance are incorporated into the body of this Ordinance as if set out fully herein as legislative findings of fact.

Section 2. DEFINITIONS

As used in this Ordinance, these terms shall be defined as follows. Terms appearing in this Ordinance but not defined herein shall have the meanings provided in the City's Code of Ordinances, or if not defined therein then the common meanings in accordance with ordinary usage.

- A. **“Essential Public Facilities”** means water, sewer/wastewater, or storm drainage facilities or street improvements provided by a municipality or private utility.
- B. **“Permit”** means a license, certificate, approval, registration, consent, permit, contract, or other agreement for construction related to, or provision of, service from a water or wastewater utility owned, operated, or controlled by a regulatory agency, or other form of authorization required by law, rule, regulation, order, or ordinance that a person must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought
- C. **“Project”** means an endeavor over which a regulatory agency exerts its jurisdiction and for which one (1) or more permits are required to initiate, continue, or complete the endeavor.
- D. **“Property Development”** means the construction, reconstruction, or other alteration or improvement of buildings or the subdivision or replatting of a subdivision of property.

Section 3. **APPLICABILITY**

The City of Parker hereby enacts this Ordinance in order to extend the temporary moratorium enacted on March 11, 2022 on the acceptance and processing of certain applications and issuance of particular permits and other forms of municipal authorizations related to specific construction and land development activities. This extension of the temporary moratorium applies to all city zoning district uses within the City limits and ETJ.

Unless a Project falls within an Exception (as provided below), this temporary moratorium applies to all applications for property development permits. Permits that are affected or not affected by the moratorium are attached as **Attachment A**. The applicability of the moratorium to any permit not listed shall be determined based on the purpose of the moratorium and may be added to the list by the City Administrator or Mayor.

Section 4. **PURPOSE**

This temporary moratorium is being extended to maintain the *status quo*, and to:

- A. Review the City’s policies on the acceptance of applications for municipal Permits for construction or development;
- B. Update the City’s permitting and planning requirements and processes for utility and water infrastructure;
- C. Obtain and review public input and expert guidance; and
- D. Update the City’s water utility infrastructure and supply.

Section 5. ENACTMENT

The City of Parker hereby enacts this Ordinance extending the temporary moratorium on the City's acceptance, review, approval, and issuance of permits in the City limits and ETJ.

Section 6. DURATION

The duration of the extension of this temporary moratorium shall be for a period of ninety (90) days from September 3, 2003, the expiration of the previously adopted extension, after enactment of this Ordinance to December 2, 2023, or repeal of this Ordinance by the City, whichever is sooner..

Section 7. EXTENSION

If the City determines that the period is insufficient for the City to fully complete its study and increase its water supply, this Ordinance may be renewed or extended for an additional period of time necessary to complete the implementation of the changes to the City codes, policies, and processes and the implementation of actions necessary to expand the City's water supply in accordance with the time limits as provided by law upon a majority vote of the City Council.

Section 8. EXCEPTIONS AND EXEMPTIONS

A. **Exceptions.** Any property owner who believes that he or she falls within the below exceptions shall provide notice of the exception at time of application for any permit with the City-approved form. Exceptions are administratively approved or denied. Any exception that is denied may be appealed to the City Council. Exceptions will be determined within the same time period as the administrative completeness check for each Project, or within ten business days, whichever is sooner. If a Grandfathered Development Status Determination Report is required, then the exception can be applied concurrently with the Request but the time frame of the Request shall be controlling.

1. **No Impact Projects.** The temporary moratorium extended by this Ordinance does not apply to a Project that does not:
 - Impact Water Supply and/or Capacity; and

To make a determination of whether a Project is no impact as listed, an applicant shall apply for an exception to the moratorium.

2. **Ongoing Projects.** The temporary moratorium extended by this Ordinance does not apply to any Projects that are currently, actively in progress for which valid City permits have been issued and have not expired as of February 25, 2022, such being the fifth business day after the date on which the City published notice of the public hearings to consider the implementation of a temporary moratorium. The provisions of this

Ordinance do not apply to any completed application or plan for development for a Permit, plat, verification, rezoning, site plan, approved water plan, or new or revised certificate of occupancy for Property Development that were filed prior to February 25, 2022. New Permits applied for as part of a previously approved Project may proceed once an exception is applied for and approved as described herein.

3. **Grandfathered Projects.** The temporary moratorium extended by this Ordinance shall not apply to Projects that are grandfathered as provided by state law. Property owners asserting grandfathered rights under Texas Local Government Code Chapter 245 must submit an application claiming an exception to this temporary moratorium to the planning department for review in accordance with City policy. Grandfathered status can be approved through an approved Grandfathered Development Status Determination Request. If a Grandfathered Development Status Determination Request has been finalized by staff on or after February 25, 2022, then a new request is not required to meet this exception. New permits applied for as part of a previously vested Project may proceed once an exception is applied for and approved as described herein.
4. **Development Agreement.** Property owners with a negotiated approval granted by the City Council providing for construction standards, platting, water, wastewater, and development rules pursuant to Texas Local Government Code Chapter 212, Subchapter G may apply for an exception in accordance with City policy. New Permits applied for as part of a Development Agreement Project may proceed once an exception is applied for and approved as described herein.

B. Waivers. Any property owner who does not assert rights under Texas Local Government Code Chapter 245, but who seeks authorization to proceed with the development permitting process during the time of the temporary moratorium can request a waiver. Property owners agreeing to construct certain water infrastructure at property owners' sole expense in accordance with Texas Local Government Code Chapter 212, Subchapter E may apply for a waiver in accordance with City policy.

Section 9. DETERMINATIONS AND APPEALS

A. Exceptions. The Public Works Director or his designee shall make all initial determinations regarding the status of all Projects seeking to apply for Permits during this temporary moratorium and recognition of all Exceptions (as provided herein). Exceptions for Projects filed within thirty (30) days of the effective date of this Ordinance may be filed without a corresponding Permit application. Any exception application filed within this period will be decided within (10) business days of receipt. Any exception that is denied may be appealed to City Council or the applicant may apply for a Waiver. An exception may be applied for by lot, Project, plat, or all area covered by a particular Permit or agreement.

- B. City Council.** City Council shall make a final decision on waivers within 10 days of filing of application.
- C. Waivers.** The decision to approve an Exemption (as provided for above) shall rest solely with the City Council. Any denial will stand until the moratorium is lifted unless the Project requesting the waiver has a substantial change and reapplies for a waiver.

Section 10. REPEALER

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance shall control.

Section 11. SEVERABILITY

If any article, paragraph, sentence, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional, and shall not affect the validity of this Ordinance as a whole.

Section 12. ENFORCEMENT

The City shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law. Any person violating any provision of this temporary moratorium is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this Ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law and/or equity.

Section 13. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice and a public hearing were also provided as required by Texas Government Code Chapter 212, Subchapter E.

Section 14. EFFECTIVE DATE

This Ordinance shall be effective upon its approved execution and shall extend the moratorium for 90 days from the final day of the previously extended term of the temporary moratorium, which is September 3, 2023, to December 2, 2023.

**READ, PASSED, AND APPROVED BY THE CITY COUNCIL OF PARKER,
COLLIN COUNTY, TEXAS, THIS 15TH DAY OF AUGUST 2023.**

ATTEST:

Patti Scott Grey, City Secretary

Lee Pettle, Mayor

APPROVED AS TO LEGAL FORM:

Amy J. Stanphill, City Attorney

Proposed

ATTACHMENT A

PERMITS SUBJECT TO MORATORIUM

- Building Permit Application
- Development Agreement
- Development Agreement Minor Modification/Amendment
- Plan Review Application
- Subdivision Application
- Site Development Application
- Conditional Use Permit
- Variance Application
- Wastewater Application
- Special District Agreement/Amendment
- Accessory Dwelling Unit Permit
- Mobile/Modular Home Permit

PERMITS NOT SUBJECT TO MORATORIUM

- Zoning Amendment/PDD Application
- Contractor Registration Form
- Grandfathered Status Request/Appeal
- City Limits/ETJ Determination Letter
- Street Cut/Driveway Permit
- Operational Permit/Inspection Application
- On Site Sewage Facility Permit Application
- Pre-Development Meeting Form
- Certificate of Appropriateness
- Annexation Application
- Sign Permit
- Master Sign Plan
- License to Encroach
- Exterior Lighting Compliance Review
- Zoning Determination Letter Request
- Building Addition Permit
- Accessory Structure Permit
- Demolition Permit
- Asbestos Compliance Statement
- Pyrotechnics/Fireworks Application
- Certificates of Occupancy Application
- Any Fire Permits
- Swimming Pool Permit

ATTACHMENT B

Proposed

BIRKHOFF, HENDRICKS & CARTER, L.L.P.

PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Phone (214) 361-7900

www.bhcllp.com

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 GARY C. HENDRICKS, P.E., R.P.L.S.
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 CRAIG M. KERKHOFF, P.E.
 JUSTIN R. IVY, P.E.
 COOPER E. REINBOLD, P.E.

August 10, 2022

Mr. Luke Olson
 City Administrator
 City of Parker
 5700 E. Parker Road
 Parker, Texas 75002

Re: Water Projections - July 2023

Dear Mr. Olson:

We have completed a preliminary demand study from records received for the summer of 2023. The day of maximum pumpage was determined and selected records were received from the city. The water records from the City show Friday, June 30th as being the day of maximum usage. We reviewed the hourly records on the day of maximum usage and have tabulated those hourly results. Based on the number of current connections of 2,108 (41 additional meters from a year ago) and a per unit density of 2.79 persons per unit calculates a population of 5,882 (115 additional people from a year ago). For June 30th the maximum daily demand was 3,917,493 gallons which equates to a per capita demand of 666.0 gallons per capita. The maximum hourly demand occurred at 6 AM at a rate of 1,078.2 gallons per capita. The attached exhibits show how water was used on June 30, 2023, hour by hour and how the levels in the tanks fluctuated throughout the day.

The current North Texas Municipal Water District (NTMWD) contract allocates a maximum supply of 3.5 million gallons per day (MGD). By the current NTMWD contract, the NTMWD can provide the city 2.5(peak factor) times the average day volume. From August 1, 2022, through June 30, 2023 (11 months), the NTMWD supplied the City of Parker 591,630,000 gallons or an average volume of 1,771,347 gallons per day. Based on the 11 month average a peak flow rate of 4.43 MGD can be supplied by the NTMWD. On June 30th the city received a supply of 3.92 MGD from the NTMWD.

Based on the per capita demands experienced during the summer of 2022 and 2023, the City has exceeded its contractual NTMWD supply of 3.5 MGD. NTMWD was able to supply the peak demand experienced by the City of Parker.

Based on the 2023 peak usage being consistent with the 2022 peak usage, we recommend no additional lots be approved for development until a contract with NTMWD is executed to supply water to the Central Pump Station.

We are available at your convenience to discuss our findings and recommendations.

Sincerely,

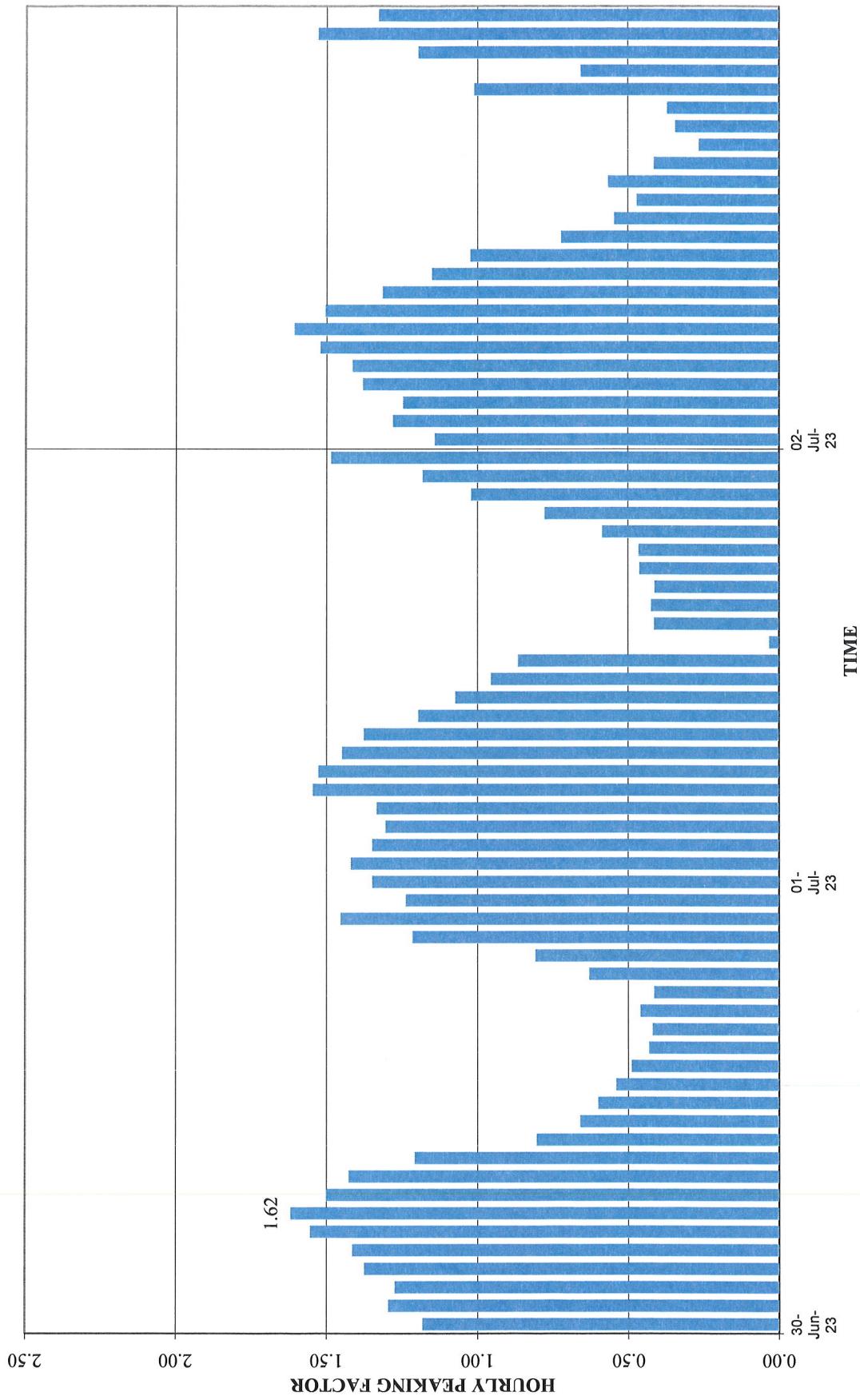


John W. Birkhoff, P.E.

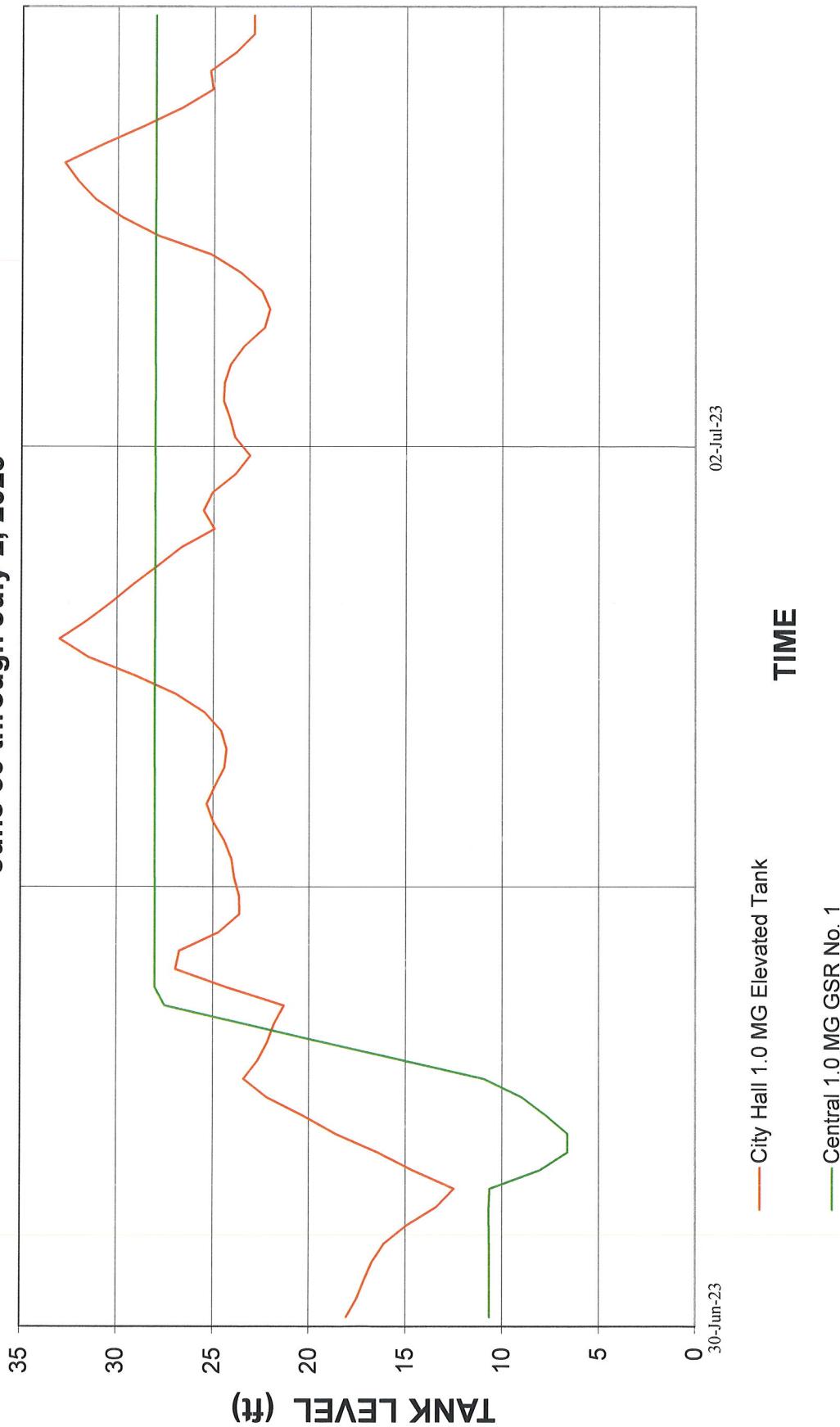
TABLE 1: CITY OF PARKER - DEMAND STUDY RESULTS
June 30 - July 2, 2023

DATE	Time (hr)	Total Hourly Pumpage (GAL)	Volume into Elev. Storage (GAL)	Volume out of Elev. Storage (GAL)	Difference Between Vol. into Elev. Stor. & Out of Elev Storage (GAL) () Represents Refill Deficiency	Net System Demand (GAL)	Net System Hour Demand (gal/day)	HOURLY PEAKING FACTOR
June 30, 2023	0:00	193,038.0	0.0	0.0		193,038.0	4,632,912.0	1.18
	1:00	195,704.4	0.0	15,714.5		211,418.9	5,074,053.6	1.30
	2:00	195,349.8	0.0	12,571.6		207,921.4	4,990,113.6	1.27
	3:00	211,852.8	0.0	12,571.6		224,424.4	5,386,185.6	1.37
	4:00	211,967.4	0.0	18,857.4		230,824.8	5,539,795.2	1.41
	5:00	216,018.6	0.0	37,714.8		253,733.4	6,089,601.6	1.55
	6:00	217,094.4	0.0	47,143.5		264,237.9	6,341,709.6	1.62
	7:00	216,648.0	0.0	28,286.1		244,934.1	5,878,418.4	1.50
	8:00	211,406.4	(66,000.9)	87,298.8		232,704.3	5,584,903.9	1.43
	9:00	206,714.4	(56,572.2)	47,007.1		197,149.3	4,731,582.3	1.21
	10:00	200,248.2	(69,143.8)	0.0		131,104.4	3,146,505.6	0.80
	11:00	197,947.8	(90,363.4)	0.0		107,584.4	2,582,025.1	0.66
	12:00	194,709.0	(96,864.0)	0.0		97,845.0	2,348,280.8	0.60
	13:00	196,150.8	(108,010.6)	0.0		88,140.2	2,115,363.7	0.54
	14:00	195,498.6	(141,021.2)	25,143.2		79,620.6	1,910,894.8	0.49
	15:00	195,498.6	(141,021.2)	15,714.5		70,191.9	1,684,606.0	0.43
	16:00	196,551.6	(137,663.5)	9,428.7		68,316.8	1,639,602.4	0.42
	17:00	196,768.8	(137,663.5)	15,714.5		74,819.8	1,795,674.4	0.46
	18:00	178,434.6	(111,003.2)	0.0		67,431.4	1,618,352.7	0.41
	19:00	179,373.0	(76,745.9)	0.0		102,627.1	2,463,050.4	0.63
	20:00	126,154.8	0.0	5,606.8		131,761.6	3,162,278.4	0.81
	21:00	139,785.6	0.0	58,663.5		198,449.1	4,762,778.4	1.22
	22:00	202,777.2	0.0	34,403.9		237,181.1	5,692,346.4	1.45
	23:00	202,033.2	0.0	0.0		202,033.2	4,848,796.8	1.24
TOTAL		4,677,726.0	(1,232,073.5)	471,840.5	760,233.0	DAILY DEMAND 3,917,493.0		
July 1, 2023	0:00	200,397.0	(9,428.7)	0.0		190,968.3	4,583,239.2	1.35
	1:00	204,082.2	(3,142.9)	0.0		200,939.3	4,822,543.2	1.42
	2:00	203,440.8	(12,475.6)	0.0		190,965.2	4,583,164.8	1.35
	3:00	200,328.0	(15,594.5)	0.0		184,733.5	4,433,604.0	1.30
	4:00	201,060.6	(12,023.8)	0.0		189,036.8	4,536,883.2	1.33
	5:00	203,796.0	0.0	15,142.7		218,938.7	5,254,528.8	1.55
	6:00	203,784.6	0.0	12,475.6		216,260.2	5,190,244.8	1.53
	7:00	202,067.4	0.0	3,118.9		205,186.3	4,924,471.2	1.45
	8:00	201,243.6	(6,237.8)	0.0		195,005.8	4,680,139.2	1.38
	9:00	196,917.6	(27,467.7)	0.0		169,449.9	4,066,797.6	1.20
	10:00	195,063.6	(43,040.4)	0.0		152,023.2	3,648,556.8	1.07
	11:00	189,398.4	(54,110.4)	0.0		135,288.0	3,246,912.0	0.96
	12:00	175,596.0	(53,139.0)	0.0		122,457.0	2,938,968.0	0.86
	13:00	32,388.6	(27,958.0)	0.0		4,430.6	106,334.4	0.03
	14:00	32,617.2	0.0	25,991.5		58,608.7	1,406,608.8	0.41
	15:00	32,663.4	0.0	27,357.3		60,020.7	1,440,496.8	0.42
	16:00	32,914.8	0.0	25,411.5		58,326.3	1,399,831.2	0.41
	17:00	32,914.8	0.0	32,498.9		65,413.7	1,569,928.8	0.46
	18:00	33,441.6	0.0	32,358.4		65,800.0	1,579,200.0	0.46
	19:00	33,349.8	0.0	49,622.3		82,972.1	1,991,330.4	0.59
	20:00	127,929.0	(17,960.4)	0.0		109,968.6	2,639,246.4	0.78
	21:00	129,748.8	0.0	14,841.5		144,590.3	3,470,167.2	1.02
	22:00	130,011.6	0.0	37,474.8		167,486.4	4,019,673.6	1.18
	23:00	188,368.2	0.0	22,000.3		210,368.5	5,048,844.0	1.49
TOTAL		3,383,523.6	(282,579.2)	298,293.7	(15,714.5)	DAILY DEMAND 3,399,238.1		
July 2, 2023	0:00	188,013.6	(25,143.2)	0.0		162,870.4	3,908,889.6	1.14
	1:00	188,848.8	(6,261.8)	0.0		182,587.0	4,382,088.0	1.28
	2:00	190,245.0	(12,475.6)	0.0		177,769.4	4,266,465.6	1.25
	3:00	193,552.8	0.0	3,118.9		196,671.7	4,720,120.8	1.38
	4:00	192,236.4	0.0	9,356.7		201,593.1	4,838,234.4	1.41
	5:00	194,857.8	0.0	21,976.3		216,834.1	5,204,018.4	1.52
	6:00	194,560.2	0.0	34,571.9		229,132.1	5,499,170.4	1.61
	7:00	204,974.4	0.0	9,428.7		214,403.1	5,145,674.4	1.50
	8:00	203,143.2	(15,714.5)	0.0		187,428.7	4,498,288.8	1.31
	9:00	198,726.0	(34,571.9)	0.0		164,154.1	3,939,698.4	1.15
	10:00	192,694.2	(46,728.9)	0.0		145,965.3	3,503,167.2	1.02
	11:00	178,708.8	(75,893.5)	0.0		102,815.3	2,467,567.2	0.72
	12:00	124,300.8	(46,519.1)	0.0		77,781.7	1,866,760.8	0.55
	13:00	97,966.8	(30,882.6)	0.0		67,084.2	1,610,020.8	0.47
	14:00	98,436.0	(17,698.5)	0.0		80,737.5	1,937,700.0	0.57
	15:00	70,293.6	(11,311.3)	0.0		58,982.3	1,415,575.2	0.41
	16:00	91.8	0.0	37,548.1		37,639.9	903,357.6	0.26
	17:00	91.8	0.0	48,651.6		48,743.4	1,169,841.6	0.34
	18:00	91.8	0.0	52,570.2		52,662.0	1,263,888.0	0.37
	19:00	97,600.2	0.0	46,503.4		144,103.6	3,458,486.4	1.01
	20:00	99,454.2	(5,936.6)	0.0		93,517.6	2,244,422.4	0.66
	21:00	127,219.2	0.0	43,411.4		170,630.6	4,095,134.4	1.20
	22:00	189,432.6	0.0	28,286.1		217,718.7	5,225,248.8	1.53
	23:00	189,192.6	0.0	0.0		189,192.6	4,540,622.4	1.33
TOTAL		3,414,732.6	(329,137.5)	335,423.3	(6,285.8)	DAILY DEMAND 3,421,018.4		

CITY OF PARKER, TEXAS
DEMAND CURVE
July 6 through July 9, 2022



CITY OF PARKER, TEXAS
HOURLY TANK LEVELS
June 30 through July 2, 2023



Order Confirmation / Invoice

Customer: CITY OF PARKER
Ad Order #: 0001853615
Sales Rep: Max (Mert) Tezkol

Customer Account: 100069579
PO Number:
Order Taker: Max (Mert) Tezkol

Net Amount:	Tax Amount:	Total Amount:	\$273.60
Payment Method:	Payment Amount:	Amount Due:	

Ad Order #: 0001853615

Ad Number: 0001853615-01

Color: Ad Size: 2 X 26.00 Li

Ad Content

Public Hearing Notice for Consideration of an Extension of the Moratorium on New Development
 Pursuant to Texas Local Government Code Chapter 212, there will be a public hearing by the City of Parker's City Council concerning an extension of the temporary moratorium on the acceptance, review, and approvals necessary for the subdivision, site planning, development, or construction within the city limits and extraterritorial jurisdiction of the City of Parker, originally enacted Friday, March 11, 2022, at a scheduled meeting on Tuesday, August 15, 2023 beginning at 6:00 p.m., followed by discussion and possible action on the proposed ordinance by the Council regarding the same. The Public Hearing will be held at the Parker City Hall, 5700 E. Parker Road, Parker, Texas 75002. Contact Public Works Director Gary Machado at (972) 442-6811 for more information or to comment regarding the proposed moratorium at any time before the public hearing.

Run Dates	Product	Placement/Classification - Position
Publish Date: 07/31/2023 Stop Date: 07/31/2023	Dallas Morning News	Legals Bids Notices - LN Legal Notices
Publish Date: 07/31/2023 Stop Date: 08/06/2023	DallasNews.com	Legals Bids Notices - LN Legal Notices

ORDINANCE NO. 844
(Extension of Temporary Moratorium on Acceptance of Development Applications)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, EXTENDING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, AUTHORIZATION, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, AND CONSTRUCTION IN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION, PROVIDING FINDINGS OF FACT, DEFINITIONS, APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, AND DETERMINATION AND APPEALS; PROVIDING FOR SEVERABILITY, REPEALER, ENFORCEMENT, PROPER NOTICE AND MEETING, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Parker, Texas (the “City Council”), as a duly-elected legislative body, finds that it is facing significant historic and contemporary land use challenges that existing regulations and infrastructure were not designed to address; and

WHEREAS, the City Council finds that it is in the best interest of the City and its citizens to extend the enacted moratorium in order to temporarily suspend the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, and construction on real property in the City Limits and extraterritorial jurisdiction (“ETJ”); and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that are for the good government, peace, or order of the City and is necessary for carrying out a power granted by law to the City; and

WHEREAS, Texas Local Government Code Chapters 211, 213, 214, and 217 grant the City certain regulation authority concerning construction, land use, nuisances, structures, and development-related activities; and

WHEREAS, the City seeks to ensure that impending and future development is conducted in a fiscally sustainable and environmentally responsible manner; and

WHEREAS, the City limits and ETJ are comprised of a combination of topographical, ecological, and other features that create significant development challenges; and

WHEREAS, as codified in Texas Water Code Chapter 552, Subchapter A, the Legislature of the State of Texas granted municipalities the authority to own and operate “utility systems,” which include water systems designed to provide domestic consumption of water; and

WHEREAS, Texas Water Code Section 552.015 grants Type A general-law municipalities the authority to provide for municipal water supply systems; and

WHEREAS, the City has determined that it is necessary to the health, safety, and welfare of the people in the City limits and ETJ to encourage and promote the development and use of the

City's water utility and supply systems to serve the water provision needs of the citizens in the City limits and ETJ to prevent failure of water supply within the system; and

WHEREAS, the City conducted an updated analysis to determine the adequacy of the City's current water supply, facilities, and the need beyond the estimated capacity that is expected to result from properties currently in development; and

WHEREAS, upon review of the updated analysis by the City's Engineer and City Administrator, the City Council has made findings contained herein as **Attachment B** related to the inadequacy of existing essential public facilities in accordance with Section 212.135 of the Texas Local Government Code; and

WHEREAS, the City Council finds that certain essential public water infrastructure, supply, and improvements throughout the City limits and ETJ are inadequate and insufficient to adequately serve new development; and

WHEREAS, relying on the analysis provided by City staff, the outstanding permits issued by the City prior to this moratorium, and the City's impact fee analysis, the City Council makes the following findings:

1. Taking in account all water that has been committed by contract, the City's water facilities are at capacity; and
2. The current water system has bottlenecks that threaten the proper operation of the City's water system; and
3. Based on these bottlenecks and the contractual commitments that will utilize all additional supply of the City's water system, there is currently no additional supply available to commit to development of lots; and
4. This moratorium is reasonably limited to property located in the City limits and ETJ.

WHEREAS, the City continues to take actions to increase the water supply of the City of Parker, including but not limited to investigating options within the current contract with North Texas Municipal Water District and alternative options, but until actions can be finalized to increase the water capacity, allowing for additional water service connections to the Parker water service area will only exacerbate the situation; and

WHEREAS, the City Council finds that a temporary moratorium on the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, and construction in the City limits and ETJ will prevent the situation from becoming worse, and will allow the City time to address the measures needed to remedy the shortage of supply and to secure funds to pay for such remedial measures; and

WHEREAS, additional evaluation of the existing supply, infrastructure, and development is needed to allow for growth and development within the City limits and ETJ while protecting the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, the City desires to continue its study and evaluation of the impact of further development, the need and source of additional water supply and facilities, appropriate water regulations, and issues that will affect future growth and development of the area within its jurisdiction; and

WHEREAS, the City finds this evaluation process will require community input and will take a reasonable amount of time to complete; and

WHEREAS, the City has determined that resources for additional water supply must be readily available to the City before the City's water system can serve new development; and

WHEREAS, the City has determined that it is necessary to study and update its development ordinances and procedures in order to clarify and improve its planning policies based on the forthcoming regulations, strengthen the connection between the City's Code of Ordinances and the goals and needs of the City's residents, and to protect the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, in order for the City to have adequate and reasonable time to review, evaluate, and revise the City's development ordinances, and to consider the impact of the ordinances upon future growth, public health and safety, development, the natural environment, and place of architectural and ecological importance and significance within the City limits and ETJ, the City wishes to maintain the *status quo* by extending the enacted temporary moratorium, during which certain applications for development permits and/or approvals will be suspended; and

WHEREAS, the purpose of prohibiting certain applications for development permits and/or approvals during this period includes, within limitation, preserving the *status quo* during the planning process, eliminating incentives for hurried applications, facilitating thoughtful and consistent planning, avoiding exploitation of the delays inherent in the municipal legislative process, and preventing applications from undermining the effectiveness of the revised rules by applying for permits and/or approvals in order to avoid the application of new, possibly more restrictive, development regulations; and

WHEREAS, in recognition of the importance of development permits and/or approvals to the community, the City desires to implement the moratorium for a stated and fixed time period, and to include a waiver provision in accordance with Texas Local Government Code Chapter 212, Subchapter E; and

WHEREAS, all notices and hearings, including a hearing by the Planning & Zoning Commission, were published and held in accordance with applicable statutes, law, and regulations and a temporary moratorium was originally adopted on March 11, 2022 for a period of 90 days; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at City Council and City Council approved an extension on June 7, 2022 for an additional 90 days following the original term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at City Council and City Council approved an extension on September 6, 2022 for an additional 90 days following that then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at the City Council and City Council approved an extension on December 6, 2022 for an additional 90 days following that then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at the City Council and City Council approved an extension on March 7, 2023 for an additional 90 days following that then-current term; and

WHEREAS, the notice for an additional extension of the temporary moratorium was published in the newspaper for a public hearing at City Council; and

WHEREAS, based on the updated findings contained herein, information provided by City staff, and the evidence submitted at public hearings, the City Council has determined that existing development ordinances and regulations and other applicable laws are inadequate to prevent existing essential public water facilities from exceeding capacity, thereby being detrimental to the public health, safety, and welfare of the residents of Parker; and

WHEREAS, the City Council finds that the enactment of this Ordinance is directly related to the immediate preservation of the public peace, health, or safety;

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

Section 1. INCORPORATION OF RECITALS/FINDINGS OF FACT

The recitals contained in the preamble of this ordinance are incorporated into the body of this Ordinance as if set out fully herein as legislative findings of fact.

Section 2. DEFINITIONS

As used in this Ordinance, these terms shall be defined as follows. Terms appearing in this Ordinance but not defined herein shall have the meanings provided in the City's Code of Ordinances, or if not defined therein then the common meanings in accordance with ordinary usage.

- A. **“Essential Public Facilities”** means water, sewer/wastewater, or storm drainage facilities or street improvements provided by a municipality or private utility.
- B. **“Permit”** means a license, certificate, approval, registration, consent, permit, contract, or other agreement for construction related to, or provision of, service from a water or wastewater utility owned, operated, or controlled by a

regulatory agency, or other form of authorization required by law, rule, regulation, order, or ordinance that a person must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought

- C. **“Project”** means an endeavor over which a regulatory agency exerts its jurisdiction and for which one (1) or more permits are required to initiate, continue, or complete the endeavor.
- D. **“Property Development”** means the construction, reconstruction, or other alteration or improvement of buildings or the subdivision or replatting of a subdivision of property.

Section 3. APPLICABILITY

The City of Parker hereby enacts this Ordinance in order to extend the temporary moratorium enacted on March 11, 2022 on the acceptance and processing of certain applications and issuance of particular permits and other forms of municipal authorizations related to specific construction and land development activities. This extension of the temporary moratorium applies to all city zoning district uses within the City limits and ETJ.

Unless a Project falls within an Exception (as provided below), this temporary moratorium applies to all applications for property development permits. Permits that are affected or not affected by the moratorium are attached as Attachment A. The applicability of the moratorium to any permit not listed shall be determined based on the purpose of the moratorium and may be added to the list by the City Administrator or Mayor.

Section 4. PURPOSE

This temporary moratorium is being extended to maintain the *status quo*, and to:

- A. Review the City’s policies on the acceptance of applications for municipal Permits for construction or development;
- B. Update the City’s permitting and planning requirements and processes for utility and water infrastructure;
- C. Obtain and review public input and expert guidance; and
- D. Update the City’s water utility infrastructure and supply.

Section 5. ENACTMENT

The City of Parker hereby enacts this Ordinance extending the temporary moratorium on the City’s acceptance, review, approval, and issuance of permits in the City limits and ETJ.

Section 6. DURATION

The duration of the extension of this temporary moratorium shall be for a period of ninety (90) days after enactment of this Ordinance, or repeal of this Ordinance by the City, whichever is sooner.

Section 7. EXTENSION

If the City determines that the period is insufficient for the City to fully complete its study and increase its water supply, this Ordinance may be renewed or extended for an additional period of time necessary to complete the implementation of the changes to the City codes, policies, and processes and the implementation of actions necessary to expand the City's water supply in accordance with the time limits as provided by law upon a majority vote of the City Council.

Section 8. EXCEPTIONS AND EXEMPTIONS

A. Exceptions. Any property owner who believes that he or she falls within the below exceptions shall provide notice of the exception at time of application for any permit with the City-approved form. Exceptions are administratively approved or denied. Any exception that is denied may be appealed to the City Council. Exceptions will be determined within the same time period as the administrative completeness check for each Project, or within ten business days, whichever is sooner. If a Grandfathered Development Status Determination Report is required, then the exception can be applied concurrently with the Request but the time frame of the Request shall be controlling.

- 1. No Impact Projects.** The temporary moratorium extended by this Ordinance does not apply to a Project that does not:
 - Impact Water Supply and/or Capacity; and

To make a determination of whether a Project is no impact as listed, an applicant shall apply for an exception to the moratorium.

- 2. Ongoing Projects.** The temporary moratorium extended by this Ordinance does not apply to any Projects that are currently, actively in progress for which valid City permits have been issued and have not expired as of February 25, 2022, such being the fifth business day after the date on which the City published notice of the public hearings to consider the implementation of a temporary moratorium. The provisions of this Ordinance do not apply to any completed application or plan for development for a Permit, plat, verification, rezoning, site plan, approved water plan, or new or revised certificate of occupancy for Property Development that were filed prior to February 25, 2022. New Permits applied for as part of a previously approved Project may proceed once an exception is applied for and approved as described herein.

3. **Grandfathered Projects.** The temporary moratorium extended by this Ordinance shall not apply to Projects that are grandfathered as provided by state law. Property owners asserting grandfathered rights under Texas Local Government Code Chapter 245 must submit an application claiming an exception to this temporary moratorium to the planning department for review in accordance with City policy. Grandfathered status can be approved through an approved Grandfathered Development Status Determination Request. If a Grandfathered Development Status Determination Request has been finalized by staff on or after February 25, 2022, then a new request is not required to meet this exception. New permits applied for as part of a previously vested Project may proceed once an exception is applied for and approved as described herein.
4. **Development Agreement.** Property owners with a negotiated approval granted by the City Council providing for construction standards, platting, water, wastewater, and development rules pursuant to Texas Local Government Code Chapter 212, Subchapter G may apply for an exception in accordance with City policy. New Permits applied for as part of a Development Agreement Project may proceed once an exception is applied for and approved as described herein.

B. Waivers. Any property owner who does not assert rights under Texas Local Government Code Chapter 245, but who seeks authorization to proceed with the development permitting process during the time of the temporary moratorium can request a waiver. Property owners agreeing to construct certain water infrastructure at property owners' sole expense in accordance with Texas Local Government Code Chapter 212, Subchapter E may apply for a waiver in accordance with City policy.

Section 9. DETERMINATIONS AND APPEALS

- A. Exceptions.** The Public Works Director or his designee shall make all initial determinations regarding the status of all Projects seeking to apply for Permits during this temporary moratorium and recognition of all Exceptions (as provided herein). Exceptions for Projects filed within thirty (30) days of the effective date of this Ordinance may be filed without a corresponding Permit application. Any exception application filed within this period will be decided within (10) business days of receipt. Any exception that is denied may be appealed to City Council or the applicant may apply for a Waiver. An exception may be applied for by lot, Project, plat, or all area covered by a particular Permit or agreement.
- B. City Council.** City Council shall make a final decision on waivers within 10 days of filing of application.
- C. Waivers.** The decision to approve an Exemption (as provided for above) shall rest solely with the City Council. Any denial will stand until the moratorium is lifted unless the Project requesting the waiver has a substantial change and reapplies for a waiver.

Section 10. REPEALER

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance shall control.

Section 11. SEVERABILITY

If any article, paragraph, sentence, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional, and shall not affect the validity of this Ordinance as a whole.

Section 12. ENFORCEMENT

The City shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law. Any person violating any provision of this temporary moratorium is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this Ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law and/or equity.

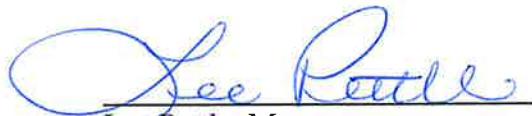
Section 13. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice and a public hearing were also provided as required by Texas Government Code Chapter 212, Subchapter E.

Section 14. EFFECTIVE DATE

This Ordinance shall be effective upon the final day of the previously extended term of the temporary moratorium which is June 5, 2023 and shall extend the moratorium for 90 days.

**READ, PASSED, AND APPROVED BY THE CITY COUNCIL OF PARKER,
COLLIN COUNTY, TEXAS, THIS 23RD DAY OF MAY 2023.**



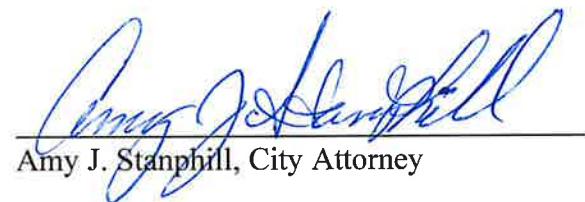
Lee Pettle, Mayor

ATTEST:



Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:



Amy J. Stanphill, City Attorney

ATTACHMENT A

PERMITS SUBJECT TO MORATORIUM

- Building Permit Application
- Development Agreement
- Development Agreement Minor Modification/Amendment
- Plan Review Application
- Subdivision Application
- Site Development Application
- Conditional Use Permit
- Variance Application
- Wastewater Application
- Special District Agreement/Amendment
- Accessory Dwelling Unit Permit
- Mobile/Modular Home Permit

PERMITS NOT SUBJECT TO MORATORIUM

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- Contractor Registration Form
- Grandfathered Status Request/Appeal
- City Limits/ETJ Determination Letter
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- Pyrotechnics/Fireworks Application
- Certificates of Occupancy Application
- Any Fire Permits
- Swimming Pool Permit

Order Confirmation / Invoice

Customer: CITY OF PARKER
Ad Order #: 0001847776
Sales Rep: Max (Mert) Tezkol

Customer Account: 100069579
PO Number:
Order Taker: Max (Mert) Tezkol

Net Amount:	\$273.60	Tax Amount:	\$0.00	Total Amount:	\$273.60
Payment Method:	Check/Money Order	Payment Amount:	\$0.00	Amount Due:	\$273.60

Ad Order #: 0001847776

Ad Number: 0001847776-01

Color: Ad Size: 2 X 26.00 Li

Ad Content

Public Hearing Notice for Consideration of an Extension of the Moratorium on New Development

Pursuant to Texas Local Government Code Chapter 212, there will be a public hearing by the City of Parker's City Council concerning an extension of the temporary moratorium on the acceptance, review, and approvals necessary for the subdivision, site planning, development, or construction within the city limits and extraterritorial jurisdiction of the City of Parker, originally enacted Friday, March 11, 2022, at a scheduled meeting on Tuesday, May 23, 2023 beginning at 6:00 p.m., followed by discussion and possible action on the proposed ordinance by the Council, regarding the same. The Public Hearing will be held at the Parker City Hall, 5700 E. Parker Road, Parker, Texas 75002. Contact Public Works Director Gary Machado at (972) 442-6811 for more information or to comment regarding the proposed moratorium at any time before the public hearing.

Run Dates

Publish Date: 05/08/2023 Stop Date: 05/08/2023
 Publish Date: 05/08/2023 Stop Date: 05/14/2023

Product

Dallas Morning News
 DallasNews.com

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BIRKHOFF, HENDRICKS & CARTER, L.L.P.

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 ANDREW MATA, JR., P.E.

DEREK B. CHANEY, P.E., R.P.L.S.
 CRAIG M. KERKHOFF, P.E.
 JUSTIN R. IVY, P.E.
 COOPER E. REINBOLD, P.E.

May 16, 2023

Mr. Luke Olson
 City Administrator
 City of Parker
 5700 E. Parker Road
 Parker, Texas 75002

Re: Water Projections

Dear Mr. Olson:

As summer approaches, we anticipate an increase in the peak water demand as the City experienced in 2022 due to the additional residential homes constructed. During the summer of 2022 the NTMWD supplied the city with a maximum daily rate 3.84 MGD on the day of peak usage. This is in excess of the contract rate of 3.5 MGD. Below is a summary of the summer data presented at the first council meeting in September:

The current North Texas Municipal Water District (NTMWD) contract allocates a maximum supply of 3.5 million gallons per day (MGD). For the month ending July 31st the NTMWD supplied the City of Parker 119,031,000 gallons or an average of 3.84 MGD. From August 1, 2021, thru July 31, 2022, the NTMWD supplied the City of Parker 633,119,000 gallons or an average volume of 1,734,573 gallons per day. By the current NTMWD contract the NTMWD can provide the city 2.5 (peak factor) times the average day volume. For July of 2022 the average to maximum day peaking factor was. 2.21.

From December 1, 2022, through May 12, 2023, 38 additional homes have been brought online. The city projects over the next 60 to 90 days an additional 7 homes will be brought online. Those 45 homes equate to approximately 137 people.

Based on the summer of 2022 records, we recommend no additional lots be approved for development until a contract with NTMWD is executed to supply water to the Central Pump Station. Further, we recommend the city develop water management controls that would be incorporated in a water management plan along with an educational component to the citizens. Until a new contract is executed with the NTMWD hot dry summers will stress the distribution system beyond its capacity. Water management controls will need to be implemented to minimize the impacts of demand being greater than supply.

We are available at your convenience to discuss our findings and recommendations.

Sincerely,

Craig M. Kerkhoff, P.E., C.F.M.

ORDINANCE NO. 839
(Extension of Temporary Moratorium on Acceptance of Development Applications)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, EXTENDING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, AUTHORIZATION, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, AND CONSTRUCTION IN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION, PROVIDING FINDINGS OF FACT, DEFINITIONS, APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, AND DETERMINATION AND APPEALS; PROVIDING FOR SEVERABILITY, REPEALER, ENFORCEMENT, PROPER NOTICE AND MEETING, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Parker, Texas (the “City Council”), as a duly-elected legislative body, finds that it is facing significant historic and contemporary land use challenges that existing regulations and infrastructure were not designed to address; and

WHEREAS, the City Council finds that it is in the best interest of the City and its citizens to extend the enacted moratorium in order to temporarily suspend the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, and construction on real property in the City Limits and extraterritorial jurisdiction (“ETJ”); and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that are for the good government, peace, or order of the City and is necessary for carrying out a power granted by law to the City; and

WHEREAS, Texas Local Government Code Chapters 211, 213, 214, and 217 grant the City certain regulation authority concerning construction, land use, nuisances, structures, and development-related activities; and

WHEREAS, the City seeks to ensure that impending and future development is conducted in a fiscally sustainable and environmentally responsible manner; and

WHEREAS, the City limits and ETJ are comprised of a combination of topographical, ecological, and other features that create significant development challenges; and

WHEREAS, as codified in Texas Water Code Chapter 552, Subchapter A, the Legislature of the State of Texas granted municipalities the authority to own and operate “utility systems,” which include water systems designed to provide domestic consumption of water; and

WHEREAS, Texas Water Code Section 552.015 grants Type A general-law municipalities the authority to provide for municipal water supply systems; and

WHEREAS, the City has determined that it is necessary to the health, safety, and welfare of the people in the City limits and ETJ to encourage and promote the development and use of the

City's water utility and supply systems to serve the water provision needs of the citizens in the City limits and ETJ to prevent failure of water supply within the system; and

WHEREAS, the City conducted an updated analysis to determine the adequacy of the City's current water supply, facilities, and the need beyond the estimated capacity that is expected to result from properties currently in development; and

WHEREAS, upon review of the updated analysis by the City's Engineer and City Administrator, the City Council has made findings contained herein as **Attachment B** related to the inadequacy of existing essential public facilities in accordance with Section 212.135 of the Texas Local Government Code; and

WHEREAS, the City Council finds that certain essential public water infrastructure, supply, and improvements throughout the City limits and ETJ are inadequate and insufficient to adequately serve new development; and

WHEREAS, relying on the analysis provided by City staff, the outstanding permits issued by the City prior to this moratorium, and the City's impact fee analysis, the City Council makes the following findings:

1. Taking in account all water that has been committed by contract, the City's water facilities are at capacity; and
2. The current water system has bottlenecks that threaten the proper operation of the City's water system; and
3. Based on these bottlenecks and the contractual commitments that will utilize all additional supply of the City's water system, there is currently no additional supply available to commit to development of lots; and
4. This moratorium is reasonably limited to property located in the City limits and ETJ.

WHEREAS, the City continues to take actions to increase the water supply of the City of Parker, including but not limited to investigating options within the current contract with North Texas Municipal Water District and alternative options, but until actions can be finalized to increase the water capacity, allowing for additional water service connections to the Parker water service area will only exacerbate the situation; and

WHEREAS, the City Council finds that a temporary moratorium on the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, and construction in the City limits and ETJ will prevent the situation from becoming worse, and will allow the City time to address the measures needed to remedy the shortage of supply and to secure funds to pay for such remedial measures; and

WHEREAS, additional evaluation of the existing supply, infrastructure, and development is needed to allow for growth and development within the City limits and ETJ while protecting the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, the City desires to continue its study and evaluation the impact of further development, the need and source of additional water supply and facilities, appropriate water regulations, and issues that will affect future growth and development of the area within its jurisdiction; and

WHEREAS, the City finds this evaluation process will require community input and will take a reasonable amount of time to complete; and

WHEREAS, the City has determined that resources for additional water supply must be readily available to the City before the City's water system can serve new development; and

WHEREAS, the City has determined that it is necessary to study and update its development ordinances and procedures in order to clarify and improve its planning policies based on the forthcoming regulations, strengthen the connection between the City's Code of Ordinances and the goals and needs of the City's residents, and to protect the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, in order for the City to have adequate and reasonable time to review, evaluate, and revise the City's development ordinances, and to consider the impact of the ordinances upon future growth, public health and safety, development, the natural environment, and place of architectural and ecological importance and significance within the City limits and ETJ, the City wishes to maintain the *status quo* by extending the enacted temporary moratorium, during which certain applications for development permits and/or approvals will be suspended; and

WHEREAS, the purpose of prohibiting certain applications for development permits and/or approvals during this period includes, within limitation, preserving the *status quo* during the planning process, eliminating incentives for hurried applications, facilitating thoughtful and consistent planning, avoiding exploitation of the delays inherent in the municipal legislative process, and preventing applications from undermining the effectiveness of the revised rules by applying for permits and/or approvals in order to avoid the application of new, possibly more restrictive, development regulations; and

WHEREAS, in recognition of the importance of development permits and/or approvals to the community, the City desires to implement the moratorium for a stated and fixed time period, and to include a waiver provision in accordance with Texas Local Government Code Chapter 212, Subchapter E; and

WHEREAS, all notices and hearings, including a hearing by the Planning & Zoning Commission, were published and held in accordance with applicable statutes, law, and regulations and a temporary moratorium was originally adopted on March 11, 2022 for a period of 90 days; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at City Council and City Council approved an extension on June 7, 2022 for an additional 90 days following the original term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at City Council and City Council approved an extension on September 6, 2022 for an additional 90 days following that then-current term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at the City Council and City Council approved an extension on December 6, 2022 for an additional 90 days following that then-current term; and

WHEREAS, the notice for an additional extension of the temporary moratorium was published in the newspaper for a public hearing at City Council; and

WHEREAS, based on the updated findings contained herein, information provided by City staff, and the evidence submitted at public hearings, the City Council has determined that existing development ordinances and regulations and other applicable laws are inadequate to prevent existing essential public water facilities from exceeding capacity, thereby being detrimental to the public health, safety, and welfare of the residents of Parker; and

WHEREAS, the City Council finds that the enactment of this Ordinance is directly related to the immediate preservation of the public peace, health, or safety;

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

Section 1. INCORPORATION OF RECITALS/FINDINGS OF FACT

The recitals contained in the preamble of this ordinance are incorporated into the body of this Ordinance as if set out fully herein as legislative findings of fact.

Section 2. DEFINITIONS

As used in this Ordinance, these terms shall be defined as follows. Terms appearing in this Ordinance but not defined herein shall have the meanings provided in the City's Code of Ordinances, or if not defined therein then the common meanings in accordance with ordinary usage.

- A. **“Essential Public Facilities”** means water, sewer/wastewater, or storm drainage facilities or street improvements provided by a municipality or private utility.
- B. **“Permit”** means a license, certificate, approval, registration, consent, permit, contract, or other agreement for construction related to, or provision of, service from a water or wastewater utility owned, operated, or controlled by a regulatory agency, or other form of authorization required by law, rule, regulation, order, or ordinance that a person must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought

- C. **“Project”** means an endeavor over which a regulatory agency exerts its jurisdiction and for which one (1) or more permits are required to initiate, continue, or complete the endeavor.
- D. **“Property Development”** means the construction, reconstruction, or other alteration or improvement of buildings or the subdivision or replatting of a subdivision of property.

Section 3. APPLICABILITY

The City of Parker hereby enacts this Ordinance in order to extend the temporary moratorium enacted on March 11, 2022 on the acceptance and processing of certain applications and issuance of particular permits and other forms of municipal authorizations related to specific construction and land development activities. This extension of the temporary moratorium applies to all city zoning district uses within the City limits and ETJ.

Unless a Project falls within an Exception (as provided below), this temporary moratorium applies to all applications for property development permits. Permits that are affected or not affected by the moratorium are attached as Attachment A. The applicability of the moratorium to any permit not listed shall be determined based on the purpose of the moratorium and may be added to the list by the City Administrator or Mayor.

Section 4. PURPOSE

This temporary moratorium is being extended to maintain the *status quo*, and to:

- A. Review the City’s policies on the acceptance of applications for municipal Permits for construction or development;
- B. Update the City’s permitting and planning requirements and processes for utility and water infrastructure;
- C. Obtain and review public input and expert guidance; and
- D. Update the City’s water utility infrastructure and supply.

Section 5. ENACTMENT

The City of Parker hereby enacts this Ordinance extending the temporary moratorium on the City’s acceptance, review, approval, and issuance of permits in the City limits and ETJ.

Section 6. DURATION

The duration of the extension of this temporary moratorium shall be for a period of ninety (90) days after enactment of this Ordinance, or repeal of this Ordinance by the City, whichever is sooner.

Section 7. EXTENSION

If the City determines that the period is insufficient for the City to fully complete its study and increase its water supply, this Ordinance may be renewed or extended for an additional period of time necessary to complete the implementation of the changes to the City codes, policies, and processes and the implementation of actions necessary to expand the City's water supply in accordance with the time limits as provided by law upon a majority vote of the City Council.

Section 8. EXCEPTIONS AND EXEMPTIONS

A. **Exceptions.** Any property owner who believes that he or she falls within the below exceptions shall provide notice of the exception at time of application for any permit with the City-approved form. Exceptions are administratively approved or denied. Any exception that is denied may be appealed to the City Council. Exceptions will be determined within the same time period as the administrative completeness check for each Project, or within ten business days, whichever is sooner. If a Grandfathered Development Status Determination Report is required, then the exception can be applied concurrently with the Request but the time frame of the Request shall be controlling.

1. **No Impact Projects.** The temporary moratorium extended by this Ordinance does not apply to a Project that does not:
 - Impact Water Supply and/or Capacity; and

To make a determination of whether a Project is no impact as listed, an applicant shall apply for an exception to the moratorium.

2. **Ongoing Projects.** The temporary moratorium extended by this Ordinance does not apply to any Projects that are currently, actively in progress for which valid City permits have been issued and have not expired as of February 25, 2022, such being the fifth business day after the date on which the City published notice of the public hearings to consider the implementation of a temporary moratorium. The provisions of this Ordinance do not apply to any completed application or plan for development for a Permit, plat, verification, rezoning, site plan, approved water plan, or new or revised certificate of occupancy for Property Development that were filed prior to February 25, 2022. New Permits applied for as part of a previously approved Project may proceed once an exception is applied for and approved as described herein.
3. **Grandfathered Projects.** The temporary moratorium extended by this Ordinance shall not apply to Projects that are grandfathered as provided by state law. Property owners asserting grandfathered rights under Texas Local Government Code Chapter 245 must submit an application claiming an exception to this temporary moratorium to the planning department for

review in accordance with City policy. Grandfathered status can be approved through an approved Grandfathered Development Status Determination Request. If a Grandfathered Development Status Determination Request has been finalized by staff on or after February 25, 2022, then a new request is not required to meet this exception. New permits applied for as part of a previously vested Project may proceed once an exception is applied for and approved as described herein.

4. **Development Agreement.** Property owners with a negotiated approval granted by the City Council providing for construction standards, platting, water, wastewater, and development rules pursuant to Texas Local Government Code Chapter 212, Subchapter G may apply for an exception in accordance with City policy. New Permits applied for as part of a Development Agreement Project may proceed once an exception is applied for and approved as described herein.

B. Waivers. Any property owner who does not assert rights under Texas Local Government Code Chapter 245, but who seeks authorization to proceed with the development permitting process during the time of the temporary moratorium can request a waiver. Property owners agreeing to construct certain water infrastructure at property owners' sole expense in accordance with Texas Local Government Code Chapter 212, Subchapter E may apply for a waiver in accordance with City policy.

Section 9. DETERMINATIONS AND APPEALS

A. Exceptions. The Public Works Director or his designee shall make all initial determinations regarding the status of all Projects seeking to apply for Permits during this temporary moratorium and recognition of all Exceptions (as provided herein). Exceptions for Projects filed within thirty (30) days of the effective date of this Ordinance may be filed without a corresponding Permit application. Any exception application filed within this period will be decided within (10) business days of receipt. Any exception that is denied may be appealed to City Council or the applicant may apply for a Waiver. An exception may be applied for by lot, Project, plat, or all area covered by a particular Permit or agreement.

B. City Council. City Council shall make a final decision on waivers within 10 days of filing of application.

C. Waivers. The decision to approve an Exemption (as provided for above) shall rest solely with the City Council. Any denial will stand until the moratorium is lifted unless the Project requesting the waiver has a substantial change and reapplies for a waiver.

Section 10. REPEALER

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance shall control.

Section 11. SEVERABILITY

If any article, paragraph, sentence, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to invalid, illegal, or unconstitutional, and shall not affect the validity of this Ordinance as a whole.

Section 12. ENFORCEMENT

The City shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law. Any person violating any provision of this temporary moratorium is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this Ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law and/or equity.

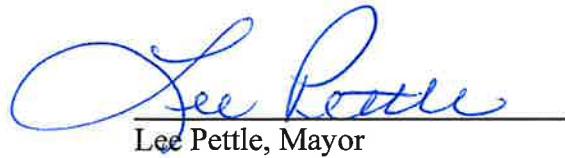
Section 13. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice and a public hearing were also provided as required by Texas Government Code Chapter 212, Subchapter E.

Section 14. EFFECTIVE DATE

This Ordinance shall be effective upon the final day of the previously extended term of the temporary moratorium which is March 7, 2023 and shall extend the moratorium for 90 days.

READ, PASSED, AND APPROVED BY THE CITY COUNCIL OF PARKER,
COLLIN COUNTY, TEXAS, THIS 21ST DAY OF FEBRUARY 2023.



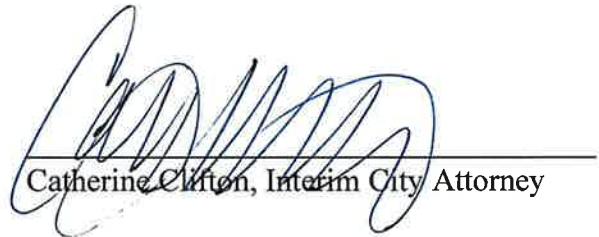
Lee Pettle
Lee Pettle, Mayor

ATTEST:



Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:



Catherine Clinton, Interim City Attorney

ATTACHMENT A

PERMITS SUBJECT TO MORATORIUM

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- Any Fire Permits
- Swimming Pool Permit

ORDINANCE NO. 833
(Extension of Temporary Moratorium on Acceptance of Development Applications)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, EXTENDING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, AUTHORIZATION, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, AND CONSTRUCTION IN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION, PROVIDING FINDINGS OF FACT, DEFINITIONS, APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, AND DETERMINATION AND APPEALS; PROVIDING FOR SEVERABILITY, REPEALER, ENFORCEMENT, PROPER NOTICE AND MEETING, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Parker, Texas (the “City Council”), as a duly-elected legislative body, finds that it is facing significant historic and contemporary land use challenges that existing regulations and infrastructure were not designed to address; and

WHEREAS, the City Council finds that it is in the best interest of the City and its citizens to extend the enacted moratorium in order to temporarily suspend the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, and construction on real property in the City Limits and extraterritorial jurisdiction (“ETJ”); and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that are for the good government, peace, or order of the City and is necessary for carrying out a power granted by law to the City; and

WHEREAS, Texas Local Government Code Chapters 211, 213, 214, and 217 grant the City certain regulation authority concerning construction, land use, nuisances, structures, and development-related activities; and

WHEREAS, the City seeks to ensure that impending and future development is conducted in a fiscally sustainable and environmentally responsible manner; and

WHEREAS, the City limits and ETJ are comprised of a combination of topographical, ecological, and other features that create significant development challenges; and

WHEREAS, as codified in Texas Water Code Chapter 552, Subchapter A, the Legislature of the State of Texas granted municipalities the authority to own and operate “utility systems,” which include water systems designed to provide domestic consumption of water; and

WHEREAS, Texas Water Code Section 552.015 grants Type A general-law municipalities the authority to provide for municipal water supply systems; and

WHEREAS, the City has determined that it is necessary to the health, safety, and welfare of the people in the City limits and ETJ to encourage and promote the development and use of the

City's water utility and supply systems to serve the water provision needs of the citizens in the City limits and ETJ to prevent failure of water supply within the system; and

WHEREAS, the City conducted an updated analysis to determine the adequacy of the City's current water supply, facilities, and the need beyond the estimated capacity that is expected to result from properties currently in development; and

WHEREAS, upon review of the updated analysis by the City's Engineer and City Administrator, the City Council has made findings contained herein as **Attachment B** related to the inadequacy of existing essential public facilities in accordance with Section 212.135 of the Texas Local Government Code; and

WHEREAS, the City Council finds that certain essential public water infrastructure, supply, and improvements throughout the City limits and ETJ are inadequate and insufficient to adequately serve new development; and

WHEREAS, relying on the analysis provided by City staff, the outstanding permits issued by the City prior to this moratorium, and the City's impact fee analysis, the City Council makes the following findings:

1. Taking in account all water that has been committed by contract, the City's water facilities are at capacity; and
2. The current water system has bottlenecks that threaten the proper operation of the City's water system; and
3. Based on these bottlenecks and the contractual commitments that will utilize all additional supply of the City's water system, there is currently no additional supply available to commit to development of lots; and
4. This moratorium is reasonably limited to property located in the City limits and ETJ.

WHEREAS, the City continues to take actions to increase the water supply of the City of Parker, including but not limited to investigating options within the current contract with North Texas Municipal Water District and alternative options, but until actions can be finalized to increase the water capacity, allowing for additional water service connections to the Parker water service area will only exacerbate the situation; and

WHEREAS, the City Council finds that a temporary moratorium on the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, and construction in the City limits and ETJ will prevent the situation from becoming worse, and will allow the City time to address the measures needed to remedy the shortage of supply and to secure funds to pay for such remedial measures; and

WHEREAS, additional evaluation of the existing supply, infrastructure, and development is needed to allow for growth and development within the City limits and ETJ while protecting the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, the City desires to continue its study and evaluation the impact of further development, the need and source of additional water supply and facilities, appropriate water regulations, and issues that will affect future growth and development of the area within its jurisdiction; and

WHEREAS, the City finds this evaluation process will require community input and will take a reasonable amount of time to complete; and

WHEREAS, the City has determined that resources for additional water supply must be readily available to the City before the City's water system can serve new development; and

WHEREAS, the City has determined that it is necessary to study and update its development ordinances and procedures in order to clarify and improve its planning policies based on the forthcoming regulations, strengthen the connection between the City's Code of Ordinances and the goals and needs of the City's residents, and to protect the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, in order for the City to have adequate and reasonable time to review, evaluate, and revise the City's development ordinances, and to consider the impact of the ordinances upon future growth, public health and safety, development, the natural environment, and place of architectural and ecological importance and significance within the City limits and ETJ, the City wishes to maintain the *status quo* by extending the enacted temporary moratorium, during which certain applications for development permits and/or approvals will be suspended; and

WHEREAS, the purpose of prohibiting certain applications for development permits and/or approvals during this period includes, within limitation, preserving the *status quo* during the planning process, eliminating incentives for hurried applications, facilitating thoughtful and consistent planning, avoiding exploitation of the delays inherent in the municipal legislative process, and preventing applications from undermining the effectiveness of the revised rules by applying for permits and/or approvals in order to avoid the application of new, possibly more restrictive, development regulations; and

WHEREAS, in recognition of the importance of development permits and/or approvals to the community, the City desires to implement the moratorium for a stated and fixed time period, and to include a waiver provision in accordance with Texas Local Government Code Chapter 212, Subchapter E; and

WHEREAS, all notices and hearings, including a hearing by the Planning & Zoning Commission, were published and held in accordance with applicable statutes, law, and regulations and a temporary moratorium was originally adopted on March 11, 2022 for a period of 90 days; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at City Council and City Council approved an extension on June 7, 2022 for an additional 90 days following the original term; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at City Council and City Council approved an extension on September 6, 2022 for an additional 90 days following that then-current term; and

WHEREAS, the notice for an additional extension of the temporary moratorium was published in the newspaper for a public hearing at City Council; and

WHEREAS, based on the updated findings contained herein, information provided by City staff, and the evidence submitted at public hearings, the City Council has determined that existing development ordinances and regulations and other applicable laws are inadequate to prevent existing essential public water facilities from exceeding capacity, thereby being detrimental to the public health, safety, and welfare of the residents of Parker; and

WHEREAS, the City Council finds that the enactment of this Ordinance is directly related to the immediate preservation of the public peace, health, or safety;

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

Section 1. INCORPORATION OF RECITALS/FINDINGS OF FACT

The recitals contained in the preamble of this ordinance are incorporated into the body of this Ordinance as if set out fully herein as legislative findings of fact.

Section 2. DEFINITIONS

As used in this Ordinance, these terms shall be defined as follows. Terms appearing in this Ordinance but not defined herein shall have the meanings provided in the City's Code of Ordinances, or if not defined therein then the common meanings in accordance with ordinary usage.

- A. **“Essential Public Facilities”** means water, sewer/wastewater, or storm drainage facilities or street improvements provided by a municipality or private utility.
- B. **“Permit”** means a license, certificate, approval, registration, consent, permit, contract, or other agreement for construction related to, or provision of, service from a water or wastewater utility owned, operated, or controlled by a regulatory agency, or other form of authorization required by law, rule, regulation, order, or ordinance that a person must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought
- C. **“Project”** means an endeavor over which a regulatory agency exerts its jurisdiction and for which one (1) or more permits are required to initiate, continue, or complete the endeavor.

D. “**Property Development**” means the construction, reconstruction, or other alteration or improvement of buildings or the subdivision or replatting of a subdivision of property.

Section 3. APPLICABILITY

The City of Parker hereby enacts this Ordinance in order to extend the temporary moratorium enacted on March 11, 2022 on the acceptance and processing of certain applications and issuance of particular permits and other forms of municipal authorizations related to specific construction and land development activities. This extension of the temporary moratorium applies to all city zoning district uses within the City limits and ETJ.

Unless a Project falls within an Exception (as provided below), this temporary moratorium applies to all applications for property development permits. Permits that are affected or not affected by the moratorium are attached as **Attachment A**. The applicability of the moratorium to any permit not listed shall be determined based on the purpose of the moratorium and may be added to the list by the City Administrator or Mayor.

Section 4. PURPOSE

This temporary moratorium is being extended to maintain the *status quo*, and to:

- A. Review the City’s policies on the acceptance of applications for municipal Permits for construction or development;
- B. Update the City’s permitting and planning requirements and processes for utility and water infrastructure;
- C. Obtain and review public input and expert guidance; and
- D. Update the City’s water utility infrastructure and supply.

Section 5. ENACTMENT

The City of Parker hereby enacts this Ordinance extending the temporary moratorium on the City’s acceptance, review, approval, and issuance of permits in the City limits and ETJ.

Section 6. DURATION

The duration of the extension of this temporary moratorium shall be for a period of ninety (90) days after enactment of this Ordinance, or repeal of this Ordinance by the City, whichever is sooner.

Section 7. EXTENSION

If the City determines that the period is insufficient for the City to fully complete its study and increase its water supply, this Ordinance may be renewed or extended for an additional period of time necessary to complete the implementation of the changes to the City codes, policies, and processes and the implementation of actions necessary to expand the City's water supply in accordance with the time limits as provided by law upon a majority vote of the City Council.

Section 8. EXCEPTIONS AND EXEMPTIONS

A. Exceptions. Any property owner who believes that he or she falls within the below exceptions shall provide notice of the exception at time of application for any permit with the City-approved form. Exceptions are administratively approved or denied. Any exception that is denied may be appealed to the City Council. Exceptions will be determined within the same time period as the administrative completeness check for each Project, or within ten business days, whichever is sooner. If a Grandfathered Development Status Determination Report is required, then the exception can be applied concurrently with the Request but the time frame of the Request shall be controlling.

1. **No Impact Projects.** The temporary moratorium extended by this Ordinance does not apply to a Project that does not:
 - Impact Water Supply and/or Capacity; and

To make a determination of whether a Project is no impact as listed, an applicant shall apply for an exception to the moratorium.

2. **Ongoing Projects.** The temporary moratorium extended by this Ordinance does not apply to any Projects that are currently, actively in progress for which valid City permits have been issued and have not expired as of February 25, 2022, such being the fifth business day after the date on which the City published notice of the public hearings to consider the implementation of a temporary moratorium. The provisions of this Ordinance do not apply to any completed application or plan for development for a Permit, plat, verification, rezoning, site plan, approved water plan, or new or revised certificate of occupancy for Property Development that were filed prior to February 25, 2022. New Permits applied for as part of a previously approved Project may proceed once an exception is applied for and approved as described herein.
3. **Grandfathered Projects.** The temporary moratorium extended by this Ordinance shall not apply to Projects that are grandfathered as provided by state law. Property owners asserting grandfathered rights under Texas Local Government Code Chapter 245 must submit an application claiming an exception to this temporary moratorium to the planning department for review in accordance with City policy. Grandfathered status can be approved through an approved Grandfathered Development Status Determination Request. If a Grandfathered Development Status

Determination Request has been finalized by staff on or after February 25, 2022, then a new request is not required to meet this exception. New permits applied for as part of a previously vested Project may proceed once an exception is applied for and approved as described herein.

4. **Development Agreement.** Property owners with a negotiated approval granted by the City Council providing for construction standards, platting, water, wastewater, and development rules pursuant to Texas Local Government Code Chapter 212, Subchapter G may apply for an exception in accordance with City policy. New Permits applied for as part of a Development Agreement Project may proceed once an exception is applied for and approved as described herein.

B. Waivers. Any property owner who does not assert rights under Texas Local Government Code Chapter 245, but who seeks authorization to proceed with the development permitting process during the time of the temporary moratorium can request a waiver. Property owners agreeing to construct certain water infrastructure at property owners' sole expense in accordance with Texas Local Government Code Chapter 212, Subchapter E may apply for a waiver in accordance with City policy.

Section 9. DETERMINATIONS AND APPEALS

A. Exceptions. The Public Works Director or his designee shall make all initial determinations regarding the status of all Projects seeking to apply for Permits during this temporary moratorium and recognition of all Exceptions (as provided herein). Exceptions for Projects filed within thirty (30) days of the effective date of this Ordinance may be filed without a corresponding Permit application. Any exception application filed within this period will be decided within (10) business days of receipt. Any exception that is denied may be appealed to City Council or the applicant may apply for a Waiver. An exception may be applied for by lot, Project, plat, or all area covered by a particular Permit or agreement.

B. City Council. City Council shall make a final decision on waivers within 10 days of filing of application.

C. Waivers. The decision to approve an Exemption (as provided for above) shall rest solely with the City Council. Any denial will stand until the moratorium is lifted unless the Project requesting the waiver has a substantial change and reapplies for a waiver.

Section 10. REPEALER

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance shall control.

Section 11. SEVERABILITY

If any article, paragraph, sentence, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to invalid, illegal, or unconstitutional, and shall not affect the validity of this Ordinance as a whole.

Section 12. ENFORCEMENT

The City shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law. Any person violating any provision of this temporary moratorium is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this Ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law and/or equity.

Section 13. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice and a public hearing were also provided as required by Texas Government Code Chapter 212, Subchapter E.

Section 14. EFFECTIVE DATE

This Ordinance shall be effective upon the final day of the previously extended term of the temporary moratorium which is December 6, 2022 and shall extend the moratorium for 90 days.

**READ, PASSED, AND APPROVED BY THE CITY COUNCIL OF PARKER,
COLLIN COUNTY, TEXAS, THIS 6TH DAY OF DECEMBER 2022.**



Lee Pettle
Lee Pettle, Mayor

ATTEST:



Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:



Larence M. Lansford, III, City Attorney

ATTACHMENT A**PERMITS SUBJECT TO MORATORIUM**

- Building Permit Application
- Development Agreement
- Development Agreement Minor Modification/Amendment
- Plan Review Application
- Subdivision Application
- Site Development Application
- Conditional Use Permit
- Variance Application
- Wastewater Application
- Special District Agreement/Amendment
- Accessory Dwelling Unit Permit
- Mobile/Modular Home Permit

PERMITS NOT SUBJECT TO MORATORIUM

- Zoning Amendment/PDD Application
- Contractor Registration Form
- Grandfathered Status Request/Appeal
- City Limits/ETJ Determination Letter
- Street Cut/Driveway Permit
- Operational Permit/Inspection Application
- On Site Sewage Facility Permit Application
- Pre-Development Meeting Form
- Certificate of Appropriateness
- Annexation Application
- Sign Permit
- Master Sign Plan
- License to Encroach
- Exterior Lighting Compliance Review
- Zoning Determination Letter Request
- Building Addition Permit
- Accessory Structure Permit
- Demolition Permit
- Asbestos Compliance Statement
- Pyrotechnics/Fireworks Application
- Certificates of Occupancy Application
- Any Fire Permits
- Swimming Pool Permit

Monday, December 5, 2022

The Dallas Morning News

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Search

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Search Results

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Public Hearing Notice for Consideration of an Extension of the Moratorium on New Development

Pursuant to Texas Local Government Code Chapter 212, there will be a public hearing by the City of Parker's City Council concerning an extension of the temporary moratorium on the acceptance, review, and approvals necessary for the subdivision, site planning, development, or construction within the city limits and extraterritorial jurisdiction of the City of Parker, originally enacted Friday, March 11, 2022, at a scheduled meeting on Tuesday, December 6, 2022 beginning at 7:00 p.m., followed by discussion and possible action on the proposed ordinance by the Council regarding the same. The Public Hearing will be held at the Parker City Hall, 5700 E. Parker Road, Parker, Texas 75002. Contact Public Works Director Gary Machado at (972) 442-6811 for more information or to comment regarding the proposed moratorium at any time before the public hearing.

Appeared in: *The Dallas Morning News* on Friday, 11/18/2022 Select notice to print**NOTICE IS HEREBY GIVEN THAT THE GARLAND CITY COUNCIL OF**

Notice is hereby given that the Garland City Council of the City of Garland, Texas, will hold a public hearing at 7:00 P.M. Tuesday, December 6, 2022 in the Council Chambers of William E. Dollar Municipal Building (City Hall), 200 North Fifth Street, to consider the following applications:

Consideration of the application of Atlantic Urbana Acquisition Company II, LLC, requesting approval of 1) a Change in Zoning from Planned Development (PD) District 19-40 for Single-Family Use to a Planned Development (PD) District for Multi-Family-1 (MF-1) Use and 2) a Detail Plan for Multi-Family development. This property is located at 2201 East Miller Road and 2370 East Centerville Road. (District 2) (File Z 21-45)

Consideration of the application of JC Collision, requesting approval of 1) a Specific Use Provision for Automobile Sales, New or Used and 2) a Plan for Automobile Sales, New or Used on a property zoned Industrial (IN) District. This property is located at 2905 Forest Lane. (District 6) (File Z 22-39)

Consideration of the application of Digital Garland Ferris, LP, requesting approval of a Detail Plan for a Data Center. This item may include amendments to Planned Development (PD) District 20-17. This property is located at 805 Holford Road. (District 1) (File Z 22-47)

Appeared in: *The Dallas Morning News* on Sunday, 11/20/2022 Select notice to print**NOTICE OF PUBLIC HEARING ON OCTOBER1, 2021, THE CITY OF**

NOTICE OF PUBLIC HEARING

On October1, 2021, the City of Carrollton received \$834,928 of Community Development Block Grant (CDBG) funds from the United States Department of Housing and Urban Development (HUD). In accordance with federal regulation, these funds were used for the principal benefit of persons of low to moderate income in Carrollton.

The City of Carrollton is currently in the process of preparing a final Consolidated Annual Performance and Evaluation Report (CAPER) for the 2021 program year. This document reviews and reports on the accomplishments of the Carrollton CDBG program for the period spanning October 1, 2021, through September 30, 2022. A draft copy of the report is available for public review at City Hall, 1945 E. Jackson Road, Carrollton, Texas in the Environmental Services Department within the Community Development Program. A digital copy is also available online at <https://www.cityofcarrollton.com>.

The city will hold two public hearings to receive comments on the Consolidated Annual Performance and Evaluation Report (CAPER) for the 2021 Program year. The first public hearing will be held before the Neighborhood Advisory Commission at 6:30pm on Thursday, November 10, 2022, in the City Hall Council Chambers. The second public hearing will be held before the Carrollton City Council at 7pm on Tuesday, December 6, 2022.

If you are unable to attend, you may submit written comments and/or ideas to the following address:

City of Carrollton
c/o Brian Passwaters
Environmental Services
1945 E. Jackson Road
Carrollton, TX 75006

You may submit your comments by email at: community.development@cityofcarrollton.com

PHONE: (972) 466-5727
FAX: (972) 466-3175

Appeared in: *The Dallas Morning News* on 10/23/2022 and 11/06/2022 Select notice to print**22-0007 CITY OF DALLAS ORDINANCES THE DALLAS CITY COUNCIL**

22-0007
CITY OF DALLAS ORDINANCES

The Dallas city council passed the following ordinances at a meeting of the city council on November 9, 2022. This ordinance becomes effective with this publication in accordance with the city charter.

Ordinance No. 32342

An ordinance amending Chapter 34, "Personnel Rules," of the Dallas City Code by amending Sections 34-9 and 34-25; allowing holiday pay for temporary employees; providing a saving clause; providing a severability clause; and providing an effective date.

Ordinance No. 32343

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS

COUNTY OF DALLAS

Before me, a Notary Public in and for Dallas County, this day personally appeared Mert Tezkol, advertising Representative for The Dallas Morning News, being duly sworn by oath, states the attached advertisement of

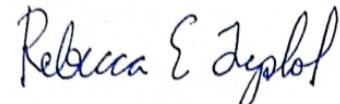
CITY OF PARKER AD# 1837491
was published in The Dallas Morning News

DATE PUBLISHED
November 18, 2022

A handwritten signature in blue ink, appearing to read "Mert Tezkol".

Mert Tezkol

November 18, 2022

A handwritten signature in blue ink, appearing to read "Rebecca E. Tezkol".

(Notary Public)

ORDINANCE NO. 824
(Extension of Temporary Moratorium on Acceptance of Development Applications)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, EXTENDING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, AUTHORIZATION, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, AND CONSTRUCTION IN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION, PROVIDING FINDINGS OF FACT, DEFINITIONS, APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, AND DETERMINATION AND APPEALS; PROVIDING FOR SEVERABILITY, REPEALER, ENFORCEMENT, PROPER NOTICE AND MEETING, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Parker, Texas (the “City Council”), as a duly-elected legislative body, finds that it is facing significant historic and contemporary land use challenges that existing regulations and infrastructure were not designed to address; and

WHEREAS, the City Council finds that it is in the best interest of the City and its citizens to extend the enacted moratorium in order to temporarily suspend the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, and construction on real property in the City Limits and extraterritorial jurisdiction (“ETJ”); and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that are for the good government, peace, or order of the City and is necessary for carrying out a power granted by law to the City; and

WHEREAS, Texas Local Government Code Chapters 211, 213, 214, and 217 grant the City certain regulation authority concerning construction, land use, nuisances, structures, and development-related activities; and

WHEREAS, the City seeks to ensure that impending and future development is conducted in a fiscally sustainable and environmentally responsible manner; and

WHEREAS, the City limits and ETJ are comprised of a combination of topographical, ecological, and other features that create significant development challenges; and

WHEREAS, as codified in Texas Water Code Chapter 552, Subchapter A, the Legislature of the State of Texas granted municipalities the authority to own and operate “utility systems,” which include water systems designed to provide domestic consumption of water; and

WHEREAS, Texas Water Code Section 552.015 grants Type A general-law municipalities the authority to provide for municipal water supply systems; and

WHEREAS, the City has determined that it is necessary to the health, safety, and welfare of the people in the City limits and ETJ to encourage and promote the development and use of the

City's water utility and supply systems to serve the water provision needs of the citizens in the City limits and ETJ to prevent failure of water supply within the system; and

WHEREAS, the City conducted an updated analysis to determine the adequacy of the City's current water supply, facilities, and the need beyond the estimated capacity that is expected to result from properties currently in development; and

WHEREAS, upon review of the updated analysis by the City's Engineer and City Administrator, the City Council has made findings contained herein as **Attachment B** related to the inadequacy of existing essential public facilities in accordance with Section 212.135 of the Texas Local Government Code; and

WHEREAS, the City Council finds that certain essential public water infrastructure, supply, and improvements throughout the City limits and ETJ are inadequate and insufficient to adequately serve new development; and

WHEREAS, relying on the analysis provided by City staff, the outstanding permits issued by the City prior to this moratorium, and the City's impact fee analysis, the City Council makes the following findings:

1. Taking in account all water that has been committed by contract, the City's water facilities are at capacity; and
2. The current water system has bottlenecks that threaten the proper operation of the City's water system; and
3. Based on these bottlenecks and the contractual commitments that will utilize all additional supply of the City's water system, there is currently no additional supply available to commit to development of lots; and
4. This moratorium is reasonably limited to property located in the City limits and ETJ.

WHEREAS, the City continues to take actions to increase the water supply of the City of Parker, but until actions can be finalized to increase the water capacity, allowing for additional water service connections to the Parker water service area will only exacerbate the situation; and

WHEREAS, the City Council finds that a temporary moratorium on the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, and construction in the City limits and ETJ will prevent the situation from becoming worse, and will allow the City time to address the measures needed to remedy the shortage of supply and to secure funds to pay for such remedial measures; and

WHEREAS, additional evaluation of the existing supply, infrastructure, and development is needed to allow for growth and development within the City limits and ETJ while protecting the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, the City desires to study and evaluate the impact of further development, the need for additional water supply and facilities, appropriate water regulations, and issues that will affect future growth and development of the area within its jurisdiction; and

WHEREAS, the City finds this evaluation process will require community input and will take a reasonable amount of time to complete; and

WHEREAS, the City has determined that it is necessary to study and update its development ordinances and procedures in order to clarify and improve its planning policies based on the forthcoming regulations, strengthen the connection between the City's Code of Ordinances and the goals and needs of the City's residents, and to protect the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, in order for the City of have adequate and reasonable time to review, evaluate, and revise the City's development ordinances, and to consider the impact of the ordinances upon future growth, public health and safety, development, the natural environment, and place of architectural and ecological importance and significance within the City limits and ETJ, the City wishes to maintain the *status quo* by extending the enacted temporary moratorium, during which certain applications for development permits and/or approvals will be suspended; and

WHEREAS, the purpose of prohibiting certain applications for development permits and/or approvals during this period includes, within limitation, preserving the *status quo* during the planning process, eliminating incentives for hurried applications, facilitating thoughtful and consistent planning, avoiding exploitation of the delays inherent in the municipal legislative process, and preventing applications from undermining the effectiveness of the revised rules by applying for permits and/or approvals in order to avoid the application of new, possibly more restrictive, development regulations; and

WHEREAS, in recognition of the importance of development permits and/or approvals to the community, the City desires to implement the moratorium for a stated and fixed time period, and to include a waiver provision in accordance with Texas Local Government Code Chapter 212, Subchapter E; and

WHEREAS, all notices and hearings, including a hearing by the Planning & Zoning Commission, were published and held in accordance with applicable statutes, law, and regulations and a temporary moratorium was originally adopted on March 11, 2022 for a period of 90 days; and

WHEREAS, the notice for the possible extension of the temporary moratorium was published in the newspaper for a public hearing at City Council and City Council approved an extension on June 7, 2022 for an additional 90 days following the original term; and

WHEREAS, the notice for an additional extension of the temporary moratorium was published in the newspaper for a public hearing at City Council; and

WHEREAS, based on the updated findings contained herein, information provided by City staff, and the evidence submitted at public hearings, the City Council has determined that existing development ordinances and regulations and other applicable laws are inadequate to prevent

existing essential public water facilities from exceeding capacity, thereby being detrimental to the public health, safety, and welfare of the residents of Parker; and

WHEREAS, the City Council finds that the enactment of this Ordinance is directly related to the immediate preservation of the public peace, health, or safety;

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

Section 1. INCORPORATION OF RECITALS/FINDINGS OF FACT

The recitals contained in the preamble of this ordinance are incorporated into the body of this Ordinance as it set out fully herein as legislative findings of fact.

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- A. **“Essential Public Facilities”** means water, sewer/wastewater, or storm drainage facilities or street improvements provided by a municipality or private utility.
- B. **“Permit”** means a license, certificate, approval, registration, consent, permit, contract, or other agreement for construction related to, or provision of, service from a water or wastewater utility owned, operated, or controlled by a regulatory agency, or other form of authorization required by law, rule, regulation, order, or ordinance that a person must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought
- C. **“Project”** means an endeavor over which a regulatory agency exerts its area and for which one (1) or more permits are required to initiate, continue, or complete the endeavor.
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construction and land development activities. This extension of the temporary moratorium applies to all city zoning district uses within the City limits and ETJ.

Unless a Project falls within an Exception (as provided below), this temporary moratorium applies to all applications for property development permits. Permits that are affected or not affected by the moratorium are attached as Attachment A. The applicability of the moratorium to any permit not listed shall be determined based on the purpose of the moratorium and may be added to the list by the City Administrator.

Section 4. PURPOSE

This temporary moratorium is being extended to maintain the *status quo*, and to:

- A. Review the City's policies on the acceptance of applications for municipal Permits for construction or development;
- B. Update the City's permitting and planning requirements and processes for utility and water infrastructure;
- C. Obtain and review public input and expert guidance; and
- D. Update the City's water utility infrastructure and supply.

Section 5. ENACTMENT

The City of Parker hereby enacts this Ordinance extending the temporary moratorium on the City's acceptance, review, approval, and issuance of permits in the City limits and ETJ.

Section 6. DURATION

The duration of the extension of this temporary moratorium shall be for a period of ninety (90) days after enactment of this Ordinance, or repeal of this Ordinance by the City, whichever is sooner.

Section 7. EXTENSION

If the City determines that the period is insufficient for the City to fully complete its study and increase its water supply, this Ordinance may be renewed or extended for an additional period of time necessary to complete the implementation of the changes to the City codes, policies, and processes and the implementation of actions necessary to expand the City's water supply in accordance with the time limits as provided by law upon a majority vote of the City Council.

Section 8. EXCEPTIONS AND EXEMPTIONS

- A. **Exceptions.** Any property owner who believes that he or she falls within the below exceptions shall provide notice of the exception at time of application for any permit

with the City-approved form. Exceptions are administratively approved or denied. Any exception that is denied may be appealed to the City Council. Exceptions will be determined within the same time period as the administrative completeness check for each Project, or within ten business days, whichever is sooner. If a Grandfathered Development Status Determination Report is required, then the exception can be applied concurrently with the Request but the time frame of the Request shall be controlling.

1. **No Impact Projects.** The temporary moratorium extended by this Ordinance does not apply to a Project that does not:

- Impact Water Supply and/or Capacity; and

To make a determination of whether a Project is no impact as listed, an applicant shall apply for an exception to the moratorium.

2. **Ongoing Projects.** The temporary moratorium extended by this Ordinance does not apply to any Projects that are currently, actively in progress for which valid City permits have been issued and have not expired as of February 25, 2022, such being the fifth business day after the date on which the City published notice of the public hearings to consider the implementation of a temporary moratorium. The provisions of this Ordinance do not apply to any completed application or plan for development for a Permit, plat, verification, rezoning, site plan, approved water plan, or new or revised certificate of occupancy for Property Development that were filed prior to February 25, 2022. New Permits applied for as part of a previously approved Project may proceed once an exception is applied for and approved as described herein.
3. **Grandfathered Projects.** The temporary moratorium extended by this Ordinance shall not apply to Projects that are grandfathered as provided by state law. Property owners asserting grandfathered rights under Texas Local Government Code Chapter 245 must submit an application claiming an exception to this temporary moratorium to the planning department for review in accordance with City policy. Grandfathered status can be approved through an approved Grandfathered Development Status Determination Request. If a Grandfathered Development Status Determination Request has been finalized by staff on or after February 25, 2022, then a new request is not required to meet this exception. New permits applied for as part of a previously vested Project may proceed once an exception is applied for and approved as described herein.
4. **Development Agreement.** Property owners with a negotiated approval granted by the City Council providing for construction standards, platting, water, wastewater, and development rules pursuant to Texas Local Government Code Chapter 212, Subchapter G may apply for an exception in accordance with City policy. New Permits applied for as part of a

Development Agreement Project may proceed once an exception is applied for and approved as described herein.

B. Waivers. Any property owner who does not assert rights under Texas Local Government Code Chapter 245, but who seeks authorization to proceed with the development permitting process during the time of the temporary moratorium can request a waiver. Property owners agreeing to construct certain water infrastructure at property owners' sole expense in accordance with Texas Local Government Code Chapter 212, Subchapter E may apply for a waiver in accordance with City policy.

Section 9. DETERMINATIONS AND APPEALS

A. Exceptions. The Public Works Director or his designee shall make all initial determinations regarding the status of all Projects seeking to apply for Permits during this temporary moratorium and recognition of all Exceptions (as provided herein). Exceptions for Projects filed within thirty (30) days of the effective date of this Ordinance may be filed without a corresponding Permit application. Any exception application filed within this period will be decided within (10) business days of receipt. Any exception that is denied may be appealed to City Council or the applicant may apply for a Waiver. An exception may be applied for by lot, Project, plat, or all area covered by a particular Permit or agreement.

B. City Council. City Council shall make a final decision on waivers within 10 days of filing of application.

C. Waivers. The decision to approve an Exemption (as provided for above) shall rest solely with the City Council. Any denial will stand until the moratorium is lifted unless the Project requesting the waiver has a substantial change and reapplies for a waiver.

Section 10. REPEALER

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance shall control.

Section 11. SEVERABILITY

If any article, paragraph, sentence, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to invalid, illegal, or unconstitutional, and shall not affect the validity of Ordinance as a whole.

Section 12. ENFORCEMENT

The City shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law. Any person violating any provision of this temporary

moratorium is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this Ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law and/or equity.

Section 13. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice and a public hearing were also provided as required by Texas Government Code Chapter 212, Subchapter E.

Section 14. EFFECTIVE DATE

This Ordinance shall be effective upon the final day of the previously extended term of the temporary mortarium which is September 7, 2022 and shall extend the moratorium for 90 days.

**READ, PASSED, AND APPROVED BY THE CITY COUNCIL OF PARKER,
COLLIN COUNTY, TEXAS, THIS 6TH DAY OF SEPTEMBER 2022.**



Lee Pettle

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey

Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

Larence M. Lansford, III

Larence M. Lansford, III, City Attorney

ATTACHMENT A

PERMITS SUBJECT TO MORATORIUM

- Building Permit Application
- Development Agreement
- Development Agreement Minor Modification/Amendment
- Plan Review Application
- Subdivision Application
- Site Development Application
- Conditional Use Permit
- Variance Application
- Wastewater Application
- Special District Agreement/Amendment
- Accessory Dwelling Unit Permit
- Mobile/Modular Home Permit

PERMITS NOT SUBJECT TO MORATORIUM

- Zoning Amendment/PDD Application
- Contractor Registration Form
- Grandfathered Status Request/Appeal
- City Limits/ETJ Determination Letter
- Street Cut/Driveway Permit
- Operational Permit/Inspection Application
- On Site Sewage Facility Permit Application
- Pre-Development Meeting Form
- Certificate of Appropriateness
- Annexation Application
- Sign Permit
- Master Sign Plan
- License to Encroach
- Exterior Lighting Compliance Review
- Zoning Determination Letter Request
- Building Addition Permit
- Accessory Structure Permit
- Demolition Permit
- Asbestos Compliance Statement
- Pyrotechnics/Fireworks Application
- Certificates of Occupancy Application
- Any Fire Permits
- Swimming Pool Permit

BIRKHOFF, HENDRICKS & CARTER, L.L.P. PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Phone (214) 361-7900

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JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E., R.P.L.S.
JOE R. CARTER, P.E.
MATT HICKEY, P.E.
ANDREW MATA, JR., P.E.

DEREK B. CHANEY, P.E., R.P.L.S.
CRAIG M. KERKHOFF, P.E.
JUSTIN R. IVY, P.E.
COOPER E. REINBOLD, P.E.

September 2, 2022

Mr. Luke Olson
City Administrator
City of Parker
5700 E. Parker Road
Parker, Texas 75002

Re: Water Projections

Dear Mr. Olson:

We have completed a demand study for the summer of 2022. The summer of 2022 is being ranked in the top 10 hottest summers of record. The 2022 water records from the City shows July 8th as being the day of maximum usage for this summer. We reviewed the hourly records for the maximum day and the day before and after and have tabulated those hourly results. Based on the number of current connections of 2067 and a per unit density of 1.89 persons per unit calculates a population of 5,767. For July 8th the maximum daily demand was 4,011,949 gallons which equates to a per capita demand of 695.7 gallons per capita. The maximum hourly demand occurred at 10 PM at a rate of 1,190 gallons per capita. The attached exhibits show how water was used on July 8th hour by hour and how the levels in the tanks fluctuated throughout the day.

The current North Texas Municipal Water District (NTMWD) contract allocates a maximum supply of 3.5million gallons per day (MGD). For the month ending July 31st the NTMWD supplied the City of Parker 119,031,000 gallons or an average of 3.84 MGD. From August 1, 2021, thru July 31, 2022 the NTMWD supplied the City of Parker 633,119,000 gallons or an average volume of 1,734,573 gallons per day. By the current NTMWD contract the NTMWD can provide the city 2.5(peak factor) times the average day volume. For July of 2022 the average to maximum day peaking factor was. 2.21.

Based on the revised per capita demands experienced during the summer of 2022 the City has exceeded its contractual NTMWD supply of 3.5 MGD, however the peaking factor between average demand and peak demand was not exceeded (2.21 versus 2.5) The summer of 2022 shows the NTMWD was able to supply the peak demand experienced by the City of Parker.

Based on approved lots an additional 797 lots remain to be completed. Those 797 lots equates to a population of approximately 2,224 and a maximum daily demand of 1.55 MGD for a systemwide maximum daily demand of 5.6MGD.

Based on the summer of 2022 records, we recommend no additional lots be approved for development until a contract with NTMWD is executed to supply water to the Central Pump Station. Further, we recommend that the city review the hourly usage records in depth and determine methods to better manage water and its peak use.

We are available at your convenience to discuss our findings and recommendations.

Sincerely,



John W. Birkhoff, P.E.

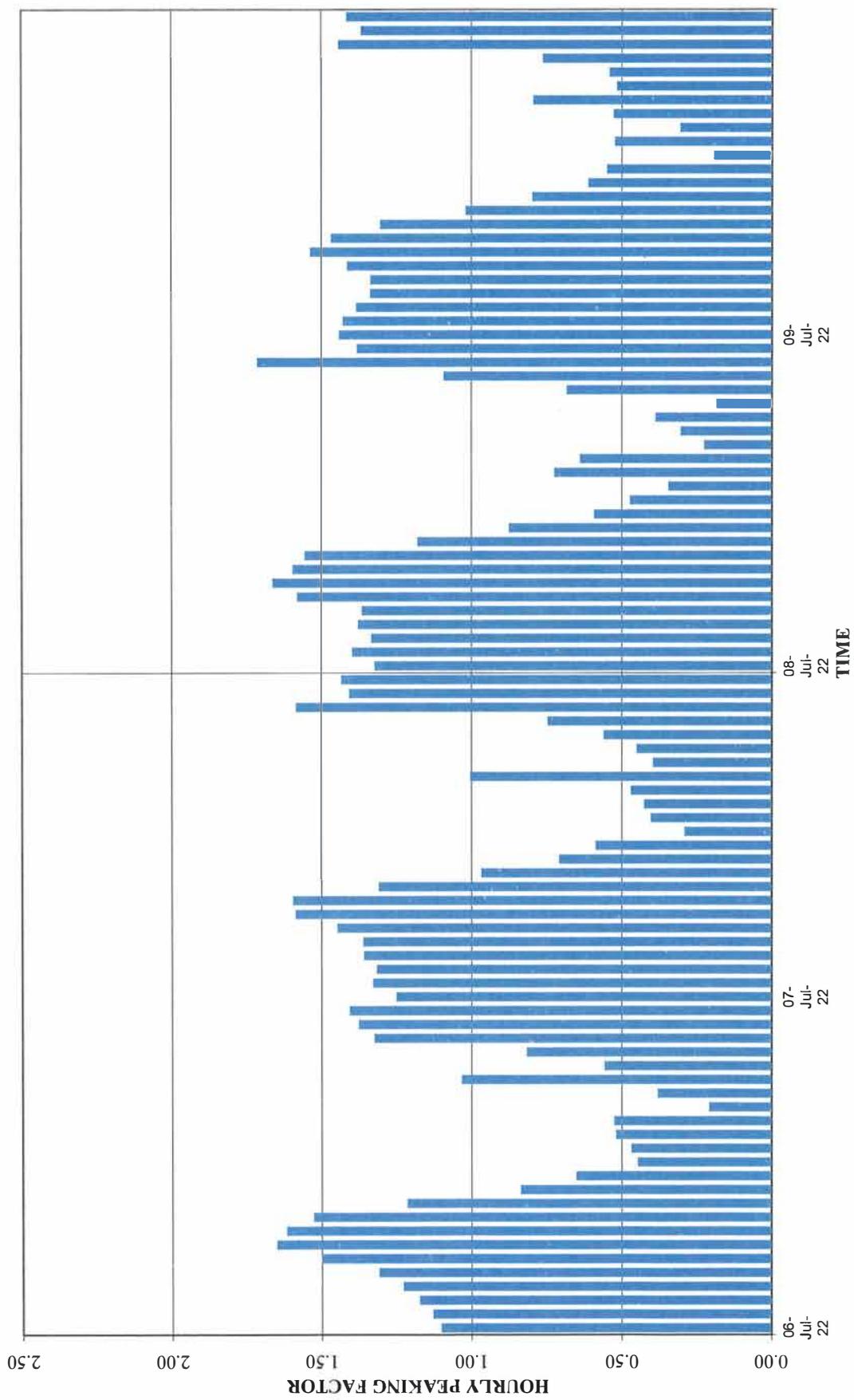
TABLE 1: CITY OF PARKER - DEMAND STUDY RESULTS
July 6 - July 9, 2022

DATE	Time (hr)	Total Hourly Pumpage (GAL)	Volume into Elev. Storage (GAL)	Volume out of Elev. Storage (GAL)	Difference Between Vol. into Elev. Stor. & Out of Elev Storage (GAL) () Represents Refill Deficiency	Net System Demand (GAL)	Net System Hour Demand (gal/day)	HOURLY PEAKING FACTOR
July 6, 2022	0:00	178,159.8	0.0	0.0		178,159.8	4,275,835.2	1.10
	1:00	191,962.2	(9,428.7)	0.0		182,533.5	4,380,804.0	1.13
	2:00	192,854.4	(3,142.9)	0.0		189,711.5	4,553,076.0	1.17
	3:00	192,328.2	0.0	6,285.8		198,614.0	4,766,736.0	1.23
	4:00	195,819.0	0.0	15,714.5		211,533.5	5,076,804.0	1.31
	5:00	198,577.2	0.0	44,000.6		242,577.8	5,821,867.2	1.50
	6:00	200,751.6	0.0	66,000.9		266,752.5	6,402,060.0	1.65
	7:00	201,770.4	0.0	59,715.1		261,485.5	6,275,652.0	1.62
	8:00	199,618.8	0.0	47,143.5		246,762.3	5,922,295.2	1.53
	9:00	193,255.2	0.0	3,142.9		196,398.1	4,713,554.4	1.21
	10:00	188,757.6	(53,644.0)	0.0		135,113.6	3,242,725.3	0.84
	11:00	186,994.8	(81,715.4)	0.0		105,279.4	2,526,705.6	0.65
	12:00	182,176.8	(110,001.5)	0.0		72,175.3	1,732,207.2	0.45
	13:00	190,084.8	(117,836.0)	3,357.6		75,606.4	1,814,554.7	0.47
	14:00	165,227.4	(81,173.9)	0.0		84,053.5	2,017,284.0	0.52
	15:00	98,962.2	(13,989.6)	0.0		84,972.6	2,039,342.4	0.53
	16:00	0.0	0.0	33,705.0		33,705.0	808,920.0	0.21
	17:00	0.0	0.0	61,458.5		61,458.5	1,475,004.0	0.38
	18:00	92,896.8	0.0	74,051.4		166,948.2	4,006,756.8	1.03
	19:00	99,202.8	(9,055.5)	0.0		90,147.3	2,163,535.2	0.56
	20:00	101,125.2	0.0	30,887.8		132,013.0	3,168,312.0	0.82
	21:00	179,578.8	0.0	34,523.9		214,102.7	5,138,464.8	1.32
	22:00	194,262.6	0.0	28,286.1		222,548.7	5,341,168.8	1.38
	23:00	208,478.4	0.0	18,857.4		227,335.8	5,456,059.2	1.41
TOTAL		3,832,845.0	(479,987.5)	527,131.0	(47,143.5)	DAILY DEMAND 3,879,988.5		
July 7, 2022	0:00	209,163.6	0.0	0.0		209,163.6	5,019,926.4	1.25
	1:00	209,552.4	0.0	12,571.6		222,124.0	5,330,976.0	1.33
	2:00	210,594.0	0.0	9,428.7		220,022.7	5,280,544.8	1.32
	3:00	211,486.8	0.0	15,714.5		227,201.3	5,452,831.2	1.36
	4:00	211,864.2	0.0	15,714.5		227,578.7	5,461,888.8	1.36
	5:00	213,615.6	0.0	28,286.1		241,901.7	5,805,640.8	1.45
	6:00	215,091.6	0.0	50,286.4		265,378.0	6,369,072.0	1.59
	7:00	213,375.0	0.0	53,429.3		266,804.3	6,403,303.2	1.60
	8:00	208,968.6	(47,143.5)	57,080.0		218,905.1	5,253,722.5	1.31
	9:00	189,249.6	(88,001.2)	60,437.6		161,686.0	3,880,465.2	0.97
	10:00	184,225.2	(119,430.2)	53,722.4		118,517.4	2,844,416.5	0.71
	11:00	178,583.4	(134,060.8)	53,722.4		98,245.0	2,357,878.9	0.59
	12:00	69,824.4	(71,476.5)	50,364.7		48,712.6	1,169,102.6	0.29
	13:00	0.0	0.0	67,487.9		67,487.9	1,619,708.5	0.40
	14:00	0.0	0.0	71,247.2		71,247.2	1,709,931.7	0.43
	15:00	0.0	0.0	78,555.7		78,555.7	1,885,337.8	0.47
	16:00	99,637.8	0.0	68,289.4		167,927.2	4,030,252.8	1.00
	17:00	101,548.8	(35,289.8)	0.0		66,259.0	1,590,216.0	0.40
	18:00	100,393.2	(25,070.3)	0.0		75,322.9	1,807,749.6	0.45
	19:00	101,766.0	(7,929.3)	0.0		93,836.7	2,252,080.8	0.56
	20:00	103,116.6	0.0	21,786.0		124,902.6	2,997,662.4	0.75
	21:00	177,930.6	0.0	87,121.1		265,051.7	6,361,240.8	1.59
	22:00	194,548.8	0.0	40,857.7		235,406.5	5,649,756.0	1.41
	23:00	208,282.2	0.0	31,429.0		239,711.2	5,753,068.8	1.43
TOTAL		3,612,818.4	(528,401.6)	927,532.1	(399,130.5)	DAILY DEMAND 4,011,948.9		
July 8, 2022	0:00	208,133.4	0.0	12,571.6		220,705.0	5,296,920.0	1.32
	1:00	211,143.6	0.0	22,000.3		233,143.9	5,595,453.6	1.40
	2:00	209,941.8	0.0	12,571.6		222,513.4	5,340,321.6	1.33
	3:00	207,961.8	0.0	22,000.3		229,962.1	5,519,090.4	1.38
	4:00	208,888.8	0.0	18,857.4		227,746.2	5,465,908.8	1.37
	5:00	213,444.0	0.0	50,286.4		263,730.4	6,329,529.6	1.58
	6:00	214,599.6	0.0	62,858.0		277,457.6	6,658,982.4	1.66
	7:00	215,950.2	0.0	50,286.4		266,236.6	6,389,678.4	1.60
	8:00	215,434.8	0.0	44,000.6		259,435.4	6,226,449.6	1.56
	9:00	206,634.0	(9,643.4)	0.0		196,990.6	4,727,773.3	1.18
	10:00	202,513.8	(56,572.2)	0.0		145,941.6	3,502,598.4	0.87
	11:00	199,412.4	(100,572.8)	0.0		98,839.6	2,372,150.4	0.59
	12:00	195,235.2	(116,287.3)	0.0		78,947.9	1,894,749.6	0.47
	13:00	188,895.0	(134,555.5)	3,357.6		57,697.1	1,384,731.5	0.35
	14:00	206,565.6	(201,458.8)	115,698.1		120,804.9	2,899,316.8	0.72
	15:00	209,575.2	(282,042.4)	179,145.3		106,678.1	2,560,275.2	0.64
	16:00	194,857.8	(157,223.3)	0.0		37,634.5	903,227.8	0.23
	17:00	192,099.6	(141,430.5)	0.0		50,669.1	1,216,058.4	0.30
	18:00	189,501.6	(124,765.7)	0.0		64,735.9	1,553,661.6	0.39
	19:00	100,919.4	(70,149.0)	0.0		30,770.4	738,489.6	0.18
	20:00	100,873.8	0.0	13,143.6		114,017.4	2,736,417.6	0.68
	21:00	104,215.2	0.0	78,150.2		182,365.4	4,376,769.6	1.09
	22:00	179,109.6	0.0	106,763.8		285,873.4	6,860,961.6	1.71
	23:00	195,738.6	0.0	34,571.9		230,310.5	5,527,452.0	1.38
TOTAL		4,571,644.8	(1,394,701.0)	826,263.1	568,437.8	DAILY DEMAND 4,003,207.0		

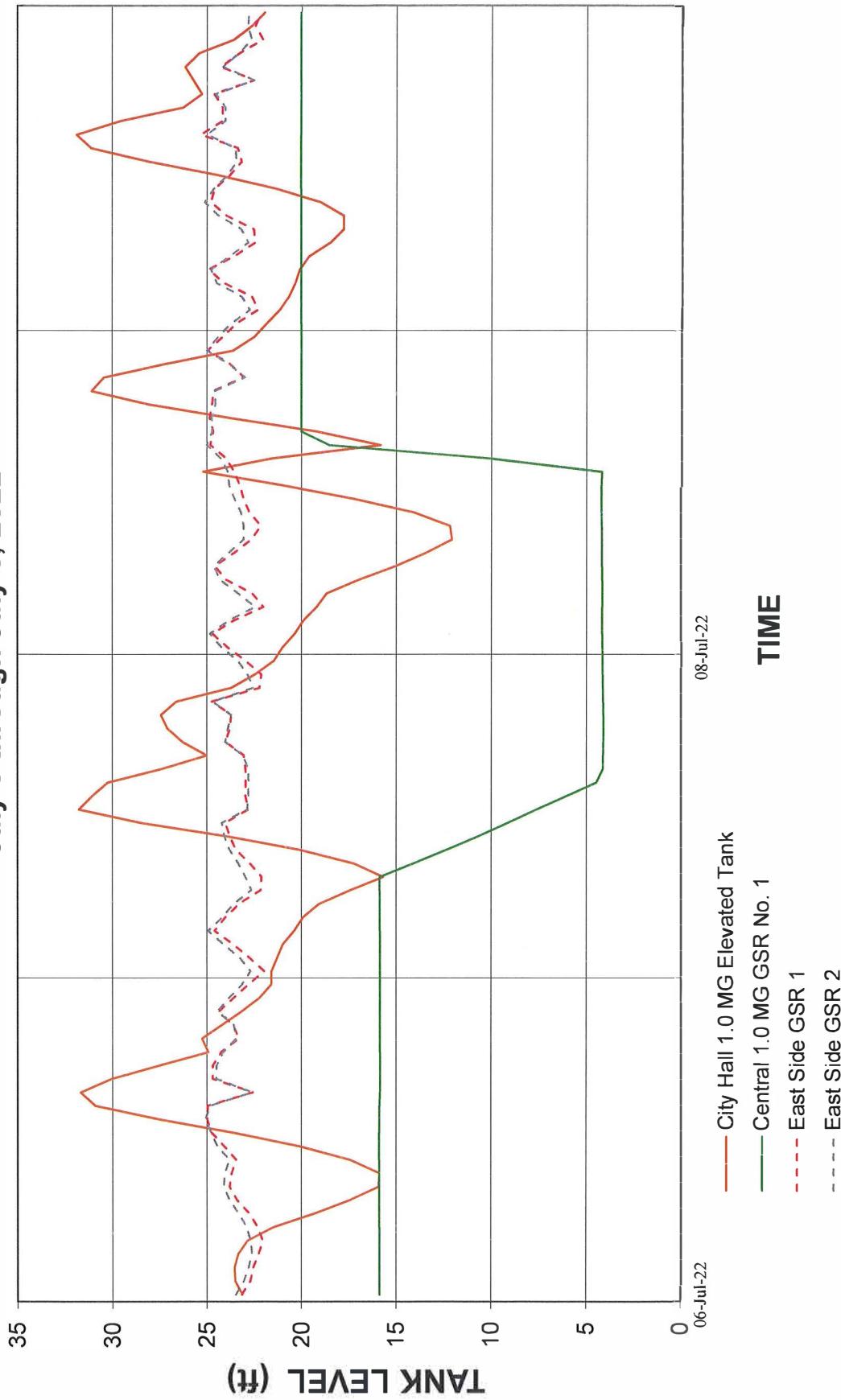
TABLE 1: CITY OF PARKER - DEMAND STUDY RESULTS
July 6 - July 9, 2022

DATE	Time (hr)	Total Hourly Pumpage (GAL)	Volume into Elev. Storage (GAL)	Volume out of Elev. Storage (GAL)	Difference Between Vol. into Elev. Stor. & Out of Elev Storage (GAL) () Represents Refill Deficiency	Net System Demand (GAL)	Net System Hour Demand (gal/day)	HOURLY PEAKING FACTOR
July 9, 2022	0:00	211,292.4	0.0	22,000.3		233,292.7	5,599,024.8	1.44
	1:00	209,254.8	0.0	22,000.3		231,255.1	5,550,122.4	1.43
	2:00	208,339.2	0.0	15,714.5		224,053.7	5,377,288.8	1.38
	3:00	207,080.4	0.0	9,428.7		216,509.1	5,196,218.4	1.34
	4:00	210,090.6	0.0	6,285.8		216,376.4	5,193,033.6	1.34
	5:00	213,237.6	0.0	15,714.5		228,952.1	5,494,850.4	1.41
	6:00	214,062.0	0.0	34,571.9		248,633.9	5,967,213.6	1.53
	7:00	212,391.0	0.0	25,143.2		237,534.2	5,700,820.8	1.47
	8:00	211,155.0	0.0	0.0		211,155.0	5,067,720.0	1.30
	9:00	206,016.0	(40,857.7)	0.0		165,158.3	3,963,799.2	1.02
	10:00	201,426.6	(72,286.7)	0.0		129,139.9	3,099,357.6	0.80
	11:00	196,265.4	(97,333.9)	0.0		98,931.5	2,374,356.0	0.61
	12:00	191,870.4	(102,861.4)	0.0		89,009.0	2,136,216.0	0.55
	13:00	101,217.0	(70,149.0)	0.0		31,068.0	745,632.0	0.19
	14:00	100,404.6	(15,732.0)	0.0		84,672.6	2,032,142.4	0.52
	15:00	0.0	0.0	49,321.5		49,321.5	1,183,716.0	0.30
	16:00	0.0	0.0	85,417.7		85,417.7	2,050,024.8	0.53
	17:00	99,180.0	0.0	29,353.2		128,533.2	3,084,796.8	0.79
	18:00	98,424.6	(14,841.5)	0.0		83,583.1	2,005,994.4	0.52
	19:00	99,305.4	(11,708.3)	0.0		87,597.1	2,102,330.4	0.54
	20:00	99,786.6	0.0	23,581.5		123,368.1	2,960,834.4	0.76
	21:00	177,587.4	0.0	55,808.4		233,395.8	5,601,499.2	1.44
	22:00	193,083.6	0.0	28,286.1		221,369.7	5,312,872.8	1.37
	23:00	207,126.0	0.0	22,000.3		229,126.3	5,499,031.2	1.41
TOTAL		3,868,596.6	(425,770.5)	444,627.9	(18,857.4)	DAILY DEMAND 3,887,454.0		

**CITY OF PARKER, TEXAS
DEMAND CURVE
July 6 through July 9, 2022**



CITY OF PARKER, TEXAS
HOURLY TANK LEVELS
July 6 through July 9, 2022



ORDINANCE NO. 815
(Temporary Moratorium on Acceptance of Development Applications)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, EXTENDING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, AUTHORIZATION, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, ZONING, AND CONSTRUCTION IN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION, PROVIDING FINDINGS OF FACT, DEFINITIONS, APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, AND DETERMINATION AND APPEALS; PROVIDING FOR SEVERABILITY, REPEALER, ENFORCEMENT, PROPER NOTICE AND MEETING, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Parker, Texas (the “City Council”), as a duly-elected legislative body, finds that it is facing significant historic and contemporary land use challenges that existing regulations and infrastructure were not designed to address; and

WHEREAS, the City Council finds that it is in the best interest of the City and its citizens to extend the enacted moratorium in order to temporarily suspend the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, zoning, and construction on real property in the City Limits and extraterritorial jurisdiction (“ETJ”); and

WHEREAS, the City has developed a Comprehensive Plan for development within the City and desires to protect its ability to regulate development within its jurisdiction; and

WHEREAS, the City has started the process of revisiting the Comprehensive Plan and studying land use and development in the City limits and ETJ, and issued a Request for Qualifications for a professional land planning firm to provide comprehensive plan and development code services; and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that are for the good government, peace, or order of the City and is necessary for carrying out a power granted by law to the City; and

WHEREAS, Texas Local Government Code Chapters 211, 213, 214, and 217 grant the City certain regulation authority concerning construction, land use, nuisances, structures, and development-related activities; and

WHEREAS, the City seeks to ensure that impending and future development is conducted in a fiscally sustainable and environmentally responsible manner; and

WHEREAS, the City limits and ETJ are comprised of a combination of topographical, ecological, and other features that create significant development challenges; and

WHEREAS, the City will change drastically if continued growth and development should occur under the City's existing Code of Ordinances and Comprehensive Plan, which no longer adequately address concerns about the effect of responsible development in the City and ETJ; and

WHEREAS, as codified in Texas Water Code Chapter 552, Subchapter A, the Legislature of the State of Texas granted municipalities the authority to own and operate "utility systems," which include water systems designed to provide domestic consumption of water; and

WHEREAS, Texas Water Code Section 552.015 grants Type A general-law municipalities the authority to provide for municipal water supply systems; and

WHEREAS, the City has determined that it is necessary to the health, safety, and welfare of the people in the City limits and ETJ to encourage and promote the development and use of the City's water utility and supply systems to serve the water provision needs of the citizens in the City limits and ETJ to prevent failure of water supply within the system; and

WHEREAS, the City conducted an updated analysis to determine the adequacy of the City's current water supply, facilities, and the need beyond the estimated capacity that is expected to result from properties currently in development; and

WHEREAS, upon review of the analysis by the City's Engineer and City Administrator, the City Council has made findings contained herein as Attachment B related to the inadequacy of existing essential public facilities in accordance with Section 212.135 of the Texas Local Government Code; and

WHEREAS, the City Council finds that certain essential public water infrastructure, supply, and improvements throughout the City limits and ETJ are inadequate and insufficient to adequately serve new development; and

WHEREAS, relying on the analysis provided by City staff, the outstanding permits issued by the City prior to this moratorium, and the City's impact fee analysis, the City Council makes the following findings:

1. Taking in account all water that has been committed by contract, the City's water facilities are at capacity; and
2. The current water system has bottlenecks that threaten the proper operation of the City's water system; and
3. Based on these bottlenecks and the contractual commitments that will utilize all additional supply of the City's water system, there is currently no additional supply available to commit to development of lots; and
4. This moratorium is reasonably limited to property located in the City limits and ETJ.
5. The City is actively updating its Development Code and is working towards an update of its Comprehensive Plan and Development Code.

WHEREAS, the City continues to take actions to increase the water supply of the City of Parker, but until actions can be finalized to increase the water capacity, allowing for additional water service connections to the Parker water service area will only exacerbate the situation; and

WHEREAS, the City Council finds that a temporary moratorium on the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, and construction in the City limits and ETJ will prevent the situation from becoming worse, and will allow the City time to address the measures needed to remedy the shortage of supply and to secure funds to pay for such remedial measures; and

WHEREAS, additional evaluation of the existing supply, infrastructure, and development is needed to allow for growth and development within the City limits and ETJ while protecting the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, the City desires to study and evaluate the impact of further development, the need for additional water supply and facilities, appropriate zoning districts and district regulations, appropriate land use and water regulations, and issues that will affect future growth and development of the area within its jurisdiction; and

WHEREAS, the City finds this evaluation process will require community input and will take a reasonable amount of time to complete; and

WHEREAS, the City has determined that it is necessary to study and update its development ordinances and procedures in order to clarify and improve its planning policies based on the forthcoming regulations, strengthen the connection between the City's Code of Ordinances and the goals and needs of the City's residents, and to protect the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, in order for the City to have adequate and reasonable time to review, evaluate, and revise the City's development ordinances, and to consider the impact of the ordinances upon future growth, public health and safety, development, the natural environment, and place of architectural and ecological importance and significance within the City limits and ETJ, the City wishes to maintain the *status quo* by extending the enacted temporary moratorium, during which certain applications for development permits and/or approvals will be suspended; and

WHEREAS, the City Council is adopting a working plan and time schedule for achieving an updated comprehensive plan and development code as contained herein as **Attachment C**; and

WHEREAS, the purpose of prohibiting certain applications for development permits and/or approvals during this period includes, within limitation, preserving the *status quo* during the planning process, eliminating incentives for hurried applications, facilitating thoughtful and consistent planning, avoiding exploitation of the delays inherent in the municipal legislative process, and preventing applications from undermining the effectiveness of the revised rules by applying for permits and/or approvals in order to avoid the application of new, possibly more restrictive, development regulations; and

WHEREAS, in recognition of the importance of development permits and/or approvals to the community, the City desires to implement the moratorium for a stated and fixed time period, and to include a waiver provision in accordance with Texas Local Government Code Chapter 212, Subchapter E; and

WHEREAS, all notices and hearings, including a hearing by the Planning & Zoning Commission, were published and held in accordance with applicable statutes, law, and regulations and a temporary moratorium was originally adopted on March 11, 2022 for a period of 90 days; and

WHEREAS, the notice for the possible extension of the temporary moratorium has been published in the newspaper for a public hearing at City Council; and

WHEREAS, based on the updated findings contained herein, information provided by City staff, and the evidence submitted at public hearings, the City Council has determined that existing development ordinances and regulations and other applicable laws are inadequate to prevent existing essential public water facilities from exceeding capacity, thereby being detrimental to the public health, safety, and welfare of the residents of Parker; and

WHEREAS, the City Council finds that the enactment of this Ordinance is directly related to the immediate preservation of the public peace, health, or safety;

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

Section 1. INCORPORATION OF RECITALS/FINDINGS OF FACT

The recitals contained in the preamble of this ordinance are incorporated into the body of this Ordinance as set out fully herein as legislative findings of fact.

Section 2. DEFINITIONS

As used in this Ordinance, these terms shall be defined as follows. Terms appearing in this Ordinance but not defined herein shall have the meanings provided in the City's Code of Ordinances, or if not defined therein then the common meanings in accordance with ordinary usage.

- A. **“Essential Public Facilities”** means water, sewer/wastewater, or storm drainage facilities or street improvements provided by a municipality or private utility.
- B. **“Permit”** means a license, certificate, approval, registration, consent, permit, contract, or other agreement for construction related to, or provision of, service from a water or wastewater utility owned, operated, or controlled by a regulatory agency, or other form of authorization required by law, rule,

regulation, order, or ordinance that a person must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought

- C. **“Project”** means an endeavor over which a regulatory agency exerts its jurisdiction and for which one (1) or more permits are required to initiate, continue, or complete the endeavor.
- D. **“Property Development”** means the construction, reconstruction, or other alteration or improvement of buildings or the subdivision or replatting of a subdivision of property.

Section 3. APPLICABILITY

The City of Parker hereby enacts this Ordinance in order to extend the temporary moratorium enacted on March 11, 2022 on the acceptance and processing of certain applications and issuance of particular permits and other forms of municipal authorizations related to specific construction and land development activities. This temporary moratorium applies to all city zoning district uses within the City limits and ETJ.

Unless a Project falls within an Exception (as provided below), this temporary moratorium applies to all applications for property development permits. Permits that are affected or not affected by the moratorium are attached as Attachment A. The applicability of the moratorium to any permit not listed shall be determined based on the purpose of the moratorium and may be added to the list by the City Administrator.

Section 4. PURPOSE

This temporary moratorium is being extended to maintain the *status quo*, and to:

- A. Assess the short-term and long-term Comprehensive Plan;
- B. Review the City’s policies on the acceptance of applications for municipal Permits for construction or development;
- C. Update the City’s permitting and planning requirements and processes for utility and transportation infrastructure;
- D. Obtain and review public input and expert guidance; and
- E. Update the City’s water utility infrastructure and supply.

Section 5. ENACTMENT

The City of Parker hereby enacts this Ordinance extending the temporary moratorium on the City’s acceptance, review, approval, and issuance of permits in the City limits and ETJ.

Section 6. DURATION

The duration of the extension of this temporary moratorium shall be for a period of ninety (90) days after enactment of this Ordinance, or repeal of this Ordinance by the City, whichever is sooner.

Section 7. EXTENSION

If the City determines that the initial period is insufficient for the City to fully complete its study and increase its water supply, this Ordinance may be renewed or extended for an additional period of time necessary to complete the implementation of the changes to the City codes, policies, and processes and the implementation of actions necessary to expand the City's water supply in accordance with the time limits as provided by law upon a majority vote of the City Council.

Section 8. EXCEPTIONS AND EXEMPTIONS

A. Exceptions. Any property owner who believes that he or she falls within the below exceptions shall provide notice of the exception at time of application for any permit with the City-approved form. Exceptions are administratively approved or denied. Any exception that is denied may be appealed to the City Council. Exceptions will be determined within the same time period as the administrative completeness check for each Project, or within ten business days, whichever is sooner. If a Grandfathered Development Status Determination Report is required, then the exception can be applied concurrently with the Request but the time frame of the Request shall be controlling.

- 1. No Impact Projects.** The temporary moratorium extended by this Ordinance does not apply to a Project that does not:
 - Impact Water Supply and/or Capacity; and
 - Require land use modifications inconsistent with the updated Comprehensive Plan.

To make a determination of whether a Project is no impact as listed, an applicant shall apply for an exception to the moratorium.

- 2. Ongoing Projects.** The temporary moratorium extended by this Ordinance does not apply to any Projects that are currently, actively in progress for which valid City permits have been issued and have not expired as of February 25, 2022, such being the fifth business day after the date on which the City published notice of the public hearings to consider the implementation of a temporary moratorium. The provisions of this Ordinance do not apply to any completed application or plan for development for a Permit, plat, verification, rezoning, site plan, approved wastewater plan, or new or revised certificate of occupancy for Property Development that were filed prior to February 25, 2022. New Permits applied for as part of a previously approved Project may proceed once an exception is applied for and approved as described herein.

3. **Grandfathered Projects.** The temporary moratorium extended by this Ordinance shall not apply to Projects that are grandfathered as provided by state law. Property owners asserting grandfathered rights under Texas Local Government Code Chapter 245 must submit an application claiming an exception to this temporary moratorium to the planning department for review in accordance with City policy. Grandfathered status can be approved through an approved Grandfathered Development Status Determination Request. If a Grandfathered Development Status Determination Request has been finalized by staff on or after February 25, 2022, then a new request is not required to meet this exception. New permits applied for as part of a previously vested Project may proceed once an exception is applied for and approved as described herein.
4. **Development Agreement.** Property owners with a negotiated approval granted by the City Council providing for construction standards, platting, water, wastewater, and development rules pursuant to Texas Local Government Code Chapter 212, Subchapter G may apply for an exception in accordance with City policy. New Permits applied for as part of a Development Agreement Project may proceed once an exception is applied for and approved as described herein.

B. Waivers. Any property owner who does not assert rights under Texas Local Government Code Chapter 245, but who seeks authorization to proceed with the development permitting process during the time of the temporary moratorium can request a waiver. Property owners agreeing to construct certain water infrastructure at property owners' sole expense and who do not require land use modifications in consistent with the updated comprehensive planning, in accordance with Texas Local Government Code Chapter 212, Subchapter E may apply for a waiver in accordance with City policy.

Section 9. DETERMINATIONS AND APPEALS

A. Exceptions. The Public Works Director or his designee shall make all initial determinations regarding the status of all Projects seeking to apply for Permits during this temporary moratorium and recognition of all Exceptions (as provided herein). Exceptions for Projects filed within thirty (30) days of the effective date of this Ordinance may be filed without a corresponding Permit application. Any exception application filed within this period will be decided within (10) business days of receipt. Any exception that is denied may be appealed to City Council or the applicant may apply for a Waiver. An exception may be applied for by lot, Project, plat, or all area covered by a particular Permit or agreement.

B. City Council. City Council shall make a final decision on waivers within 10 days of filing of application.

C. Waivers. The decision to approve an Exemption (as provided for above) shall rest solely with the City Council. Any denial will stand until the moratorium is lifted unless the Project requesting the waiver has a substantial change and reapplies for a waiver.

Section 10. REPEALER

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance shall control.

Section 11. SEVERABILITY

If any article, paragraph, sentence, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to invalid, illegal, or unconstitutional, and shall not affect the validity of Ordinance as a whole.

Section 12. ENFORCEMENT

The City shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law. Any person violating any provision of this temporary moratorium is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this Ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law and/or equity.

Section 13. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice and a public hearing were also provided as required by Texas Government Code Chapter 212, Subchapter E.

Section 14. EFFECTIVE DATE

This Ordinance shall be effective upon the final day of the initial term of the temporary moratorium which is June 9, 2022 and shall extend the moratorium for 90 days.

READ, PASSED, AND APPROVED BY THE CITY COUNCIL OF PARKER,
COLLIN COUNTY, TEXAS, THIS 7th DAY OF JUNE 2022.



ATTEST:

Patti Scott Grey
Patti Scott Grey, City Secretary

Lee Pettle
Lee Pettle, Mayor

APPROVED AS TO LEGAL FORM:

Lawrence M. Lansford, III
Lawrence M. Lansford, III, City Attorney

ATTACHMENT A

PERMITS SUBJECT TO MORATORIUM

- Building Permit Application
- Development Agreement
- Development Agreement Minor Modification/Amendment
- Plan Review Application
- Subdivision Application
- Site Development Application
- Conditional Use Permit
- Variance Application
- Wastewater Application
- Special District Agreement/Amendment
- Accessory Dwelling Unit Permit
- Mobile/Modular Home Permit

PERMITS NOT SUBJECT TO MORATORIUM

- Zoning Amendment/PDD Application
- Contractor Registration Form
- Grandfathered Status Request/Appeal
- City Limits/ETJ Determination Letter
- Street Cut/Driveway Permit
- Operational Permit/Inspection Application
- On Site Sewage Facility Permit Application
- Pre-Development Meeting Form
- Certificate of Appropriateness
- Annexation Application
- Sign Permit
- Master Sign Plan
- License to Encroach
- Exterior Lighting Compliance Review
- Zoning Determination Letter Request
- Building Addition Permit
- Accessory Structure Permit
- Demolition Permit
- Asbestos Compliance Statement
- Pyrotechnics/Fireworks Application
- Certificates of Occupancy Application
- Any Fire Permits
- Swimming Pool Permit

BIRKHOFF, HENDRICKS & CARTER, L.L.P. PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600

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MATT HICKEY, P.E.
ANDREW MATA, JR., P.E.

DEREK B. CHANEY, P.E., R.P.L.S.
CRAIG M. KERKHOFF, P.E.
JUSTIN R. IVY, P.E.
JULIAN T. LE, P.E.
COOPER E. REINBOLD, P.E.

June 2, 2022

Mr. Luke Olson
City Administrator
City of Parker
5700 E. Parker Road
Parker, Texas 75002

Re: Water Projections

Dear Mr. Olson:

We have reviewed the City of Parker's water demand projections from our February evaluation and we have no change to our recommendation that no additional lots be approved for development until a contract with NTMWD is executed. To recap our February evaluation determined that the demand from the City of Parker is at or beyond the supply of 3.5 MGD from NTMWD. The February evaluation has the same results as in previous years. Based on records provided by the City, the City pumped 3.33 MGD in August 2019 and 3.10 MGD in August of 2021. Water demand in the summer months is driven by higher temperatures and the duration between significant rain events. Historically, the hotter the weather and the longer period between rain events drives up water usage.

The February population is estimated to be 5,664 (meter count 2,030 times persons per meter 2.79). Based on the current population and the 2021 maximum daily usage, the 2021 maximum daily demand calculates to be approximately 472 gallons per capita per day (gpcd). The City also has an additional 834 lots currently being developed. Projecting the maximum daily demand including the upcoming residential lots, the maximum daily water demand will be 3,771,752 gallons. This is in excess of the currently contracted supply.

In the event a contract cannot be executed during the next 90 days of the moratorium, we will work with the city staff to monitor water usage during the months of June, July and August to better understand water usage during this period in 2022.

We are available at your convenience to discuss our findings and recommendations.

Sincerely,



John W. Birkhoff, P.E.

ATTACHMENT C**PLAN AND TIME SCHEDULE FOR UPDATED COMPREHENSIVE PLAN AND DEVELOPMENT CODE**

February 11, 2022: Issued RFQ for Comprehensive Plan

March 2022: No responses received to Comprehensive Plan RFQ.

May 2022: Required notices of public hearing and action by Planning and Zoning Commission (P&Z) on the Zoning Regulations sent to newspaper and posted on City Website

June 9, 2022: Public Hearing before P&Z on Zoning Regulation Amendments

June 2022: Initial meeting to review Comprehensive Plan document updates. Staff prepares revised Zoning Regulations based on P&Z Action; Required notices of public hearing and action by Planning and Zoning Commission (P&Z) on the Zoning Regulations sent to newspaper and posted on City Website

June – Dec. 2022: Public Engagement, data collection, and drafting of documents; additional updates to codes as needed.

July 2022: Public Hearing before City Council regarding Zoning Regulation Amendments

August 2022: Council consideration and potential approval of Zoning Regulation Amendments

January 2023: Presentation of draft Comprehensive Plan and Development Code to Planning and Zoning Commission and City Council; Comprehensive Plan and updated Development Code approved by City Council

ORDINANCE NO. 812
(*Temporary Moratorium on Acceptance of Development Applications*)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, ENACTING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, AUTHORIZATION, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, ZONING, AND CONSTRUCTION IN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION, PROVIDING FINDINGS OF FACT, DEFINITIONS, APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, DETERMINATION AND APPEALS; PROVIDING FOR SEVERABILITY, REPEALER, ENFORCEMENT, PROPER NOTICE AND MEETING, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Parker, Texas (the “City Council”), as a duly-elected legislative body, finds that it is facing significant historic and contemporary land use challenges that existing regulations and infrastructure were not designed to address; and

WHEREAS, the City Council finds that it is in the best interest of the City and its citizens to adopt and enact a moratorium in order to temporarily suspend the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, zoning, and construction on real property in the City Limits and extraterritorial jurisdiction (“ETJ”); and

WHEREAS, the City has developed a Comprehensive Plan for development within the City and desires to protect its ability to regulate development within its jurisdiction; and

WHEREAS, the City has started the process of revisiting the Comprehensive Plan and studying land use and development in the City limits and ETJ, and has issued a Request for Qualifications for a professional land planning firm to provide comprehensive plan and development code services; and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that are for the good government, peace, or order of the City and is necessary for carrying out a power granted by law to the City; and

WHEREAS, Texas Local Government Code Chapters 211, 213, 214, and 217 grant the City certain regulation authority concerning construction, land use, nuisances, structures, and development-related activities; and

WHEREAS, the City seeks to ensure that impending and future development is conducted in a fiscally sustainable and environmentally responsible manner; and

WHEREAS, the City limits and ETJ are comprised of a combination of topographical, ecological, and other features that create significant development challenges; and

WHEREAS, the City will change drastically if continued growth and development should occur under the City's existing Code of Ordinances and Comprehensive Plan, which no longer adequately address concerns about the effect of responsible development in the City and ETJ; and

WHEREAS, as codified in Texas Water Code Chapter 552, Subchapter A, the Legislature of the State of Texas granted municipalities the authority to own and operate "utility systems," which include water systems designed to provide domestic consumption of water; and

WHEREAS, Texas Water Code Section 552.015 grants Type A general-law municipalities the authority to provide for municipal water supply systems; and

WHEREAS, the City has determined that it is necessary to the health, safety, and welfare of the people in the City limits and ETJ to encourage and promote the development and use of the City's water utility and supply systems to serve the water provision needs of the citizens in the City limits and ETJ to prevent failure of water supply within the system; and

WHEREAS, the City conducted an analysis to determine the adequacy of the City's current water supply, facilities, and the need beyond the estimated capacity that is expected to result from properties currently in development; and

WHEREAS, upon review of the analysis by the City's Engineer and City Administrator, the City Council has made findings contained herein as **Attachment B** related to the inadequacy of existing essential public facilities in accordance with Section 212.135 of the Texas Local Government Code; and

WHEREAS, the City Council finds that certain essential public water infrastructure, supply, and improvements throughout the City limits and ETJ are inadequate and insufficient to adequately serve new development; and

WHEREAS, relying on the analysis provided by City staff, the outstanding permits issued by the City prior to this moratorium, and the City's impact fee analysis, the City Council makes the following findings:

1. Taking in account all water that has been committed by contract, the City's water facilities are at capacity; and
2. The current water system has bottlenecks that threaten the proper operation of the City's water system; and
3. Based on these bottlenecks and the contractual commitments that will utilize all additional supply of the City's water system, there is currently no additional supply available to commit to development of lots; and
4. This moratorium is reasonably limited to property located in the City limits and ETJ.

WHEREAS, until actions can be taken to increase the water supply of the City of Parker, allowing for additional water service connections to the Parker water service area will only exacerbate the situation; and

WHEREAS, the City Council finds that a temporary moratorium on the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, and construction in the City limits and ETJ will prevent the situation from becoming worse, and will allow the City time to address the measures needed to remedy the shortage of supply and to secure funds to pay for such remedial measures; and

WHEREAS, additional evaluation of the existing supply, infrastructure, and development are needed to allow for growth and development within the City limits and ETJ while protecting the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, the City desires to study and evaluate the impact of further development, the need for additional water supply and facilities, appropriate zoning districts and district regulations, appropriate land use and water regulations, and issues that will affect future growth and development of the area within its jurisdiction; and

WHEREAS, the City finds this evaluation process will require community input and will take a reasonable amount of time to complete; and

WHEREAS, the City has determined that it is necessary to study and update its development ordinances and procedures in order to clarify and improve its planning policies based on the forthcoming regulations, strengthen the connection between the City's Code of Ordinances and the goals and needs of the City's residents, and to protect the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, in order for the City to have adequate and reasonable time to review, evaluate, and revise the City's development ordinances, and to consider the impact of the ordinances upon future growth, public health and safety, development, the natural environment, and place of architectural and ecological importance and significance within the City limits and ETJ, the City wishes to maintain the *status quo* by implementing a temporary moratorium, during which certain applications for development permits and/or approvals will be suspended; and

WHEREAS, the purpose of prohibiting certain applications for development permits and/or approvals during this period includes, within limitation, preserving the *status quo* during the planning process, eliminating incentives for hurried applications, facilitating thoughtful and consistent planning, avoiding exploitation of the delays inherent in the municipal legislative process, and preventing applications from undermining the effectiveness of the revised rules by applying for permits and/or approvals in order to avoid the application of new, possibly more restrictive, development regulations; and

WHEREAS, in recognition of the importance of development permits and/or approvals to the community, the City desires to implement the moratorium for a stated and fixed time period, and to include a waiver provision in accordance with Texas Local Government Code Chapter 212, Subchapter E; and

WHEREAS, all notices and hearings, including a hearing by the Planning & Zoning Commission, have been published and held in accordance with applicable statutes, law, and regulations; and

WHEREAS, based on findings contained herein, information provided by City staff, and the evidence submitted at public hearings, the City Council has determined that existing development ordinances and regulations and other applicable laws are inadequate to prevent existing essential public water facilities from exceeding capacity, thereby being detrimental to the public health, safety, and welfare of the residents of Parker; and

WHEREAS, the City Council finds that the enactment of this Ordinance is directly related to the immediate preservation of the public peace, health, or safety;

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

Section 1. INCORPORATION OF RECITALS/FINDINGS OF FACT

The recitals contained in the preamble of this ordinance are incorporated into the body of this Ordinance as it set out fully herein as legislative findings of fact.

Section 2. DEFINITIONS

As used in this Ordinance, these terms shall be defined as follows. Terms appearing in this Ordinance but not defined herein shall have the meanings provided in the City's Code of Ordinances, or if not defined therein then the common meanings in accordance with ordinary usage.

- A. **“Essential Public Facilities”** means water, sewer/wastewater, or storm drainage facilities or street improvements provided by a municipality or private utility.
- B. **“Permit”** means a license, certificate, approval, registration, consent, permit, contract, or other agreement for construction related to, or provision of, service from a water or wastewater utility owned, operated, or controlled by a regulatory agency, or other form of authorization required by law, rule, regulation, order, or ordinance that a person must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought
- C. **“Project”** means an endeavor over which a regulatory agency exerts its jurisdiction and for which one (1) or more permits are required to initiate, continue, or complete the endeavor.
- D. **“Property Development”** means the construction, reconstruction, or other alteration or improvement of buildings or the subdivision or replatting of a subdivision of property.

Section 3. APPLICABILITY

The City of Parker hereby enacts this Ordinance in order to implement a temporary moratorium on the acceptance and processing of certain applications and issuance of particular permits and other forms of municipal authorizations related to specific construction and land development activities. This temporary moratorium applies to all city zoning district uses within the City limits and ETJ.

Unless a Project falls within an Exception (as provided below), this temporary moratorium applies to all applications for property development permits. Permits that are affected or not affected by the moratorium are attached as **Attachment A**. The applicability of the moratorium to any permit not listed shall be determined based on the purpose of the moratorium and may be added to the list by the City Administrator.

Section 4. PURPOSE

This temporary moratorium is being enacted to maintain the *status quo*, and to:

- A. Assess the short-term and long-term Comprehensive Plan;
- B. Review the City's policies on the acceptance of applications for municipal Permits for construction or development;
- C. Update the City's permitting and planning requirements and processes for utility and transportation infrastructure;
- D. Obtain and review public input and expert guidance; and
- E. Update the City's water utility infrastructure and supply.

Section 5. ENACTMENT

The City of Parker hereby enacts this Ordinance implementing a temporary moratorium on the City's acceptance, review, approval, and issuance of permits in the City limits and ETJ.

Section 6. DURATION

The initial duration of this temporary moratorium shall be for a period of ninety (90) days after enactment of this Ordinance, or repeal of this Ordinance by the City, whichever is sooner.

Section 7. EXTENSION

If the City determines that the initial period is insufficient for the City to fully complete its study and increase its water supply, this Ordinance may be renewed or extended for an additional period of time necessary to complete the implementation of the changes to the City codes, policies,

and processes and the implementation of actions necessary to expand the City's water supply in accordance with the time limits as provided by law upon a majority vote of the City Council.

Section 8. EXCEPTIONS AND EXEMPTIONS

A. Exceptions. Any property owner who believes that he or she falls within the below exceptions shall provide notice of the exception at time of application for any permit with the City-approved form. Exceptions are administratively approved or denied. Any exception that is denied may be appealed to the City Council. Exceptions will be determined within the same time period as the administrative completeness check for each Project, or within ten business days, whichever is sooner. If a Grandfathered Development Status Determination Report is required, then the exception can be applied concurrently with the Request but the time frame of the Request shall be controlling.

1. No Impact Projects. The temporary moratorium implemented by this Ordinance does not apply to a Project that does not:

- Impact Water Supply and/or Capacity; and
- Require land use modifications inconsistent with the updated Comprehensive Plan.

To make a determination of whether a Project is no impact as listed, an applicant shall apply for an exception to the moratorium.

2. Ongoing Projects. The temporary moratorium implemented by this Ordinance does not apply to any Projects that are currently, actively in progress for which valid City permits have been issued and have not expired as of February 25, 2022, such being the fifth business day after the date on which the City published notice of the public hearings to consider this Ordinance. The provisions of this Ordinance do not apply to any completed application or plan for development for a Permit, plat, verification, rezoning, site plan, approved wastewater plan, or new or revised certificate of occupancy for Property Development that were filed prior to February 25, 2022. New Permits applied for as part of a previously approved Project may proceed once an exception is applied for and approved as described herein.

3. Grandfathered Projects. The temporary moratorium implemented by this Ordinance shall not apply to Projects that are grandfathered as provided by state law. Property owners asserting grandfathered rights under Texas Local Government Code Chapter 245 must submit an application claiming an exception to this temporary moratorium to the planning department for review in accordance with City policy. Grandfathered status can be approved through an approved Grandfathered Development Status Determination Request. If a Grandfathered Development Status Determination Request has been finalized by staff on or after February 25, 2022, then a new request is not required to meet this exception. New

permits applied for as part of a previously vested Project may proceed once an exception is applied for and approved as described herein.

4. **Development Agreement.** Property owners with a negotiated approval granted by the City Council providing for construction standards, platting, wastewater, and development rules pursuant to Texas Local Government Code Chapter 212, Subchapter G may apply for an exception in accordance with City policy. New Permits applied for as part of a Development Agreement Project may proceed once an exception is applied for and approved as described herein.

B. Waivers. Any property owner who does not assert rights under Texas Local Government Code Chapter 245, but who seeks authorization to proceed with the development permitting process during the time of the temporary moratorium can request a waiver. Property owners agreeing to construct certain water infrastructure at property owners' sole expense and who do not require land use modifications in consistent with the updated comprehensive planning, in accordance with Texas Local Government Code Chapter 212, Subchapter E may apply for a waiver in accordance with City policy.

Section 9. DETERMINATIONS AND APPEALS

- A. Exceptions.** The Public Works Director or his designee shall make all initial determinations regarding the status of all Projects seeking to apply for Permits during this temporary moratorium and recognition of all Exceptions (as provided herein). Exceptions for Projects filed within thirty (30) days of the effective date of this Ordinance may be filed without a corresponding Permit application. Any exception application filed within this period will be decided within (10) business days of receipt. Any exception that is denied may be appealed to City Council or the applicant may apply for a Waiver. An exception may be applied for by lot, Project, plat, or all area covered by a particular Permit or agreement.
- B. City Council.** City Council shall make a final decision on waivers within 10 days of filing of application.
- C. Waivers.** The decision to approve an Exemption (as provided for above) shall rest solely with the City Council. Any denial will stand until the moratorium is lifted unless the Project requesting the waiver has a substantial change and reapplies for a waiver.

Section 10. REPEALER

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance shall control.

Section 11. SEVERABILITY

If any article, paragraph, sentence, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional, and shall not affect the validity of Ordinance as a whole.

Section 12. ENFORCEMENT

The City shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law. Any person violating any provision of this temporary moratorium is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this Ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law and/or equity.

Section 13. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice and public hearings were also provided as required by Texas Government Code Chapter 212, Subchapter E.

Section 14. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage.

READ & ACKNOWLEDGED on First Reading on the 7th day of March 2022.

READ, PASSED, AND APPROVED ON SECOND READING BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 11th DAY OF MARCH 2022.

ATTEST:



Patti Scott Grey, City Secretary

Lee Pettle
Lee Pettle, Mayor

APPROVED AS TO LEGAL FORM:

Larence M. Lansford, III, City Attorney

ATTACHMENT A

PERMITS SUBJECT TO MORATORIUM

- Building Permit Application
- Development Agreement
- Development Agreement Minor Modification/Amendment
- Swimming Pool Permit
- Plan Review Application
- Subdivision Application
- Site Development Application
- Conditional Use Permit
- Variance Application
- Wastewater Application
- Special District Agreement/Amendment
- Accessory Dwelling Unit Permit
- Mobile/Modular Home Permit

PERMITS NOT SUBJECT TO MORATORIUM

- Zoning Amendment/PDD Application
- Contractor Registration Form
- Grandfathered Status Request/Appeal
- City Limits/ETJ Determination Letter
- Street Cut/Driveway Permit
- Operational Permit/Inspection Application
- On Site Sewage Facility Permit Application
- Pre-Development Meeting Form
- Certificate of Appropriateness
- Annexation Application
- Sign Permit
- Master Sign Plan
- License to Encroach
- Exterior Lighting Compliance Review
- Zoning Determination Letter Request
- Building Addition Permit
- Accessory Structure Permit
- Demolition Permit
- Asbestos Compliance Statement
- Pyrotechnics/Fireworks Application
- Certificates of Occupancy Application
- Any Fire Permits

ATTACHMENT B

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Phone (214) 361-7900

www.bhllp.com

JOHN W BIRKHOFF, P.E.
 GARY C HENDRICKS, P.E., R.P.L.S.
 JOE R CARTER, P.E.
 MATT HICKEY, P.E.
 ANDREW MATA, JR., P.E.

DEREK B CHANEY, P.E., R.P.L.S.
 CRAIG M. KERKHOFF, P.E.
 JUSTIN R. IVY, P.E.
 JULIAN T. LE, P.E.
 COOPER E REINBOLD, P.E.

March 1, 2022

Mr. Luke Olson
 City Administrator
 City of Parker
 5700 E. Parker Road
 Parker, Texas 75002

Re: Water Projections

Dear Mr. Olson:

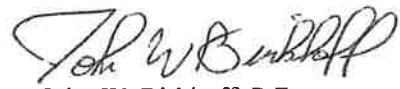
We have evaluated the City of Parker's water demand projections and have determined that the demand from the City of Parker is at or beyond the supply of 3.5 MGD from NTMWD. This current evaluation has the same results as in previous years. Based on records provided by the City, the City pumped 3.33 MGD in August 2019 and 3.10 MGD in August of 2021. Water demand in the summer months is driven by higher temperatures and the duration between significant rain events. Historically, the hotter the weather and the longer period between rain events drives up water usage.

The current population is estimated to be 5,664 (meter count 2,030 times persons per meter 2.79). Based on the current population and the 2021 maximum daily usage, the 2021 maximum daily demand calculates to be approximately 472 gallons per capita per day (gpcd). The City also has an additional 834 lots currently being developed. Projecting the maximum daily demand including the upcoming residential lots, the maximum daily water demand will be 3,771,752 gallons. This is in excess of the currently contracted supply.

We recommend that no additional lots be approved within the City of Parker's CCN until the NTMWD supply contract can be completed and the Central Pump Station brought online. To complete the pump station will require the connection to the NTMWD 84-inch supply line, which will require approximately 30-60 days to schedule and complete.

We are available at your convenience to discuss our findings and recommendations.

Sincerely,



 John W. Birkhoff, P.E.



Council Agenda Item

Budget Account Code:	Meeting Date:	See above.
Budgeted Amount:	Department/ Requestor:	City Council
Fund Balance-before expenditure:	Prepared by:	Finance/HR Director Savage
Estimated Cost:	Date Prepared:	August 1, 2023
Exhibits:	1. <u>Proposed Resolution</u> 2. <u>Collin County's Notice of Public Hearing</u>	

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-749 SETTING A PROPOSED TAX RATE; AND APPROVING DATES, TIMES; AND A LOCATION FOR ONE PUBLIC HEARING ON THE PROPOSED FY 2023-2024 BUDGET AND TAX RATE, AND A DATE FOR THE VOTE ON THE ADOPTION OF THE 2023-2024 BUDGET AND APPROVAL OF A TAX RATE.

SUMMARY

If the proposed tax rate exceeds the No-New Revenue or Voter-Approval Tax Rate (whichever is lower) a record vote is required, and a Public Hearing on the Tax Rate must be scheduled.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Grant Savage</i>	Date:	08/01/2023
City Attorney:	<i>Amy J. Stanphill</i>	Date:	08/xx/2023 via Municode
City Administrator:	<i>Luke B. Olson</i>	Date:	08/xx/2023

RESOLUTION 2023-749
(2023 Preliminary Tax Rate and Public Hearing Schedule)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, SETTING A PROPOSED TAX RATE; AND APPROVING A DATE, TIME, AND A LOCATION FOR ONE PUBLIC HEARING ON THE PROPOSED FY 2023-2024 BUDGET AND TAX RATE, AND A DATE FOR THE VOTE ON THE ADOPTION OF THE 2023-2024 BUDGET AND APPROVAL OF A TAX RATE.

WHEREAS, the City of Parker is required to set a proposed ad valorem tax rate for 2023 and schedule one public hearing on the proposed budget and tax rate;

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

SECTION 1. The City Council will hold a Public Hearing at 7:00 p.m. at Parker City Hall Council Chambers, 5700 E. Parker Road on September 5, 2023.

SECTION 2. The proposed ad valorem tax rate is \$0.322680 per hundred dollars valuation, to provide funding for the proposed budget for 2023-2024.

SECTION 3. The City Council will take action on the proposed budget and tax rate September 5, 2023, at 7:00 p.m. at 5700 E. Parker Road.

SECTION 4. This Resolution shall become effective upon its passage.

APPROVED BY THE CITY OF PARKER, COLLIN COUNTY, TEXAS, THIS 15TH DAY OF AUGUST, 2023.

APPROVED:

Lee Pettle, Mayor

ATTESTED:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Amy J. Stanphill, City Attorney

CITY OF PARKER

Meeting Date: 08/15/2023 Item 5.

INFORMATION NEEDED FOR THE PUBLICATION OF THE NOTICE OF PUBLIC HEARING

The **"Notice of Public Hearing"** must be published at least five days prior to the hearing or meeting to vote.

Proposed Tax Rate:	M&O:	0.302978
	I&S:	0.019702
	TOTAL TAX RATE:	0.322680

PUBLIC HEARING WITH VOTE ON TAX RATE:

QR

PUBLIC HEARING WITH SEPARATE MEETING TO VOTE:

Date: _____ Place: _____
Time: _____ Address: _____

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

Meeting to vote must be held no later than the seventh day after the date of the public hearing.

MEETING TO VOTE:

When scheduling the Public Hearing and meeting to vote, please keep in mind that the Tax Office must receive a copy of the Ordinance adopting the 2023 tax rate no later than **Noon on September 20, 2023**.

Please complete the information on the "Governing Body Vote" tab along with the "Notice of Public Hearing" tab.

The Notice of Public Hearing must be posted on the homepage of the entity's website 7 days prior to the Public Hearing until the tax rate is adopted.

Submission of this document confirms acknowledgement that the Tax Rate Calculation Worksheet is approved to be uploaded to the Transparency Website at www.collintaxes.org.

It is the responsibility of the Taxing Unit to log into the Transparency Website to review and respond to the Tax Authority Feedback.

Tax Code 26.05(d): The governing body of a taxing unit other than a school district may not adopt a tax rate that exceeds the lower of the voter-approval tax rate or the no-new-revenue tax rate calculated as provided by this chapter until the governing body has held a public hearing on the proposed tax rate.

Tax Code 26.05(d-1): The governing body of a taxing unit other than a school district may not hold a public hearing on a proposed tax rate or a public meeting to adopt a tax rate until the fifth day after the date the chief appraiser of each appraiser of each appraisal district in which the taxing unit participates has:

- (1) delivered the notice required by Section 26.04 (e-2); and
- (2) complied with Section 26.17 (f).

Tax Code 26.06(a): A Public Hearing required by section 26.05 may not be held before the fifth day after the date the notice of the public hearing is given. The hearing must be on a weekday that is not a public holiday.

Tax Code 26.06(c): If the taxing unit publishes the notice in a newspaper, the taxing unit must also post the notice prominently on the home page of the Internet website of the taxing unit from the date the notice is first published until the public hearing is concluded.

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

Tax Code 26.06(e): A meeting to vote on the tax increase may not be held later than the seventh day after the date of the public hearing.

Tax Code 26.065(b): The taxing unit shall post notice of the public hearing prominently on the home page of the Internet website of the taxing unit continuously for at least seven days immediately before the public hearing on the proposed tax rate increase and at least seven days immediately before the date of the vote proposing the increase in the tax rate.

Please refer to **Tax Code 26.17** for the Database of Property-Tax-Related Information posting requirements for the Collin County Transparency website. To access the Collin County Transparency website please visit

www.collintaxes.org

Please refer to **Tax Code 26.18** for new posting requirements of tax rate and budget information on the Taxing Unit's website.



Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	City Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey for City Administrator Olson
Estimated Cost:		Date Prepared:	August 9, 2023
Exhibits:	1. Proposed Resolution 2. Model Staff Report		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-750 OF THE CITY OF PARKER SUSPENDING THE SEPTEMBER 1, 2023 EFFECTIVE DATE OF COSERV GAS, LTD.'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH OTHER CITIES IN THE COSERV SERVICE AREA, TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF THE STEERING COMMITTEE OF CITIES SERVED BY COSERV GAS' RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

SUMMARY

On July 28, 2023, CoServ Gas, Ltd. ("CoServ" or "Company"), pursuant to Subchapter C of Chapter 104 of the Gas Utility Regulatory Act, filed its Statement of Intent to change gas rates at the Railroad Commission of Texas ("RRC") and in all municipalities exercising original jurisdiction within its service area, effective September 1, 2023.

CoServ is seeking to increase its annual revenues in incorporated areas by \$10,314,726, which is an increase of 7.5% including gas costs, or 27.3% excluding gas costs. CoServ is also requesting: (1) new depreciation rates for distribution and general plant; (2) a prudence determination for capital investment; (3) specification of the factors to be used in any Interim Rate Adjustment Filing the Company makes pursuant to Texas Utilities Code § 104.302; and (4) a surcharge on customer bills to recover the reasonable rate case expenses associated with the filing of this statement of intent.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
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Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	08/10/2023
City Attorney:	<i>Amy J. Stanphill</i>	Date:	08/ XX /2023 via Municode
City Administrator:	<i>Luke B. Olson</i>	Date:	08/ XX /2023

RESOLUTION NO. 2023-750

RESOLUTION OF THE CITY OF PARKER SUSPENDING THE SEPTEMBER 1, 2023 EFFECTIVE DATE OF COSERV GAS, LTD.'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH OTHER CITIES IN THE COSERV SERVICE AREA, TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF THE STEERING COMMITTEE OF CITIES SERVED BY COSERV GAS' RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL

WHEREAS, on or about July 28, 2023, CoServ Gas Ltd ("CoServ" or "Company"), pursuant to Gas Utility Regulatory Act § 104.102 filed with the City of Parker ("City") a Statement of Intent to change gas rates in all municipalities exercising original jurisdiction within its service area, effective September 1, 2023; and

WHEREAS, the City is a gas utility customer and a regulatory authority under the Gas Utility Regulatory Act ("GURA") and under Chapter 104, § 104.001 et seq. of GURA has exclusive original jurisdiction over CoServ's rates, operations, and services within the City; and

WHEREAS, in order to maximize the efficient use of resources and expertise, it is reasonable for the City to cooperate with other cities in conducting a review of the Company's application and to hire and direct legal counsel and consultants and to prepare a common response and to negotiate with the Company and direct any necessary litigation; and

WHEREAS, it is not possible for the City to complete its review of CoServ's filing by the September 1, 2023 effective date proposed in CoServ's Statement of Intent; and

WHEREAS, the City will need an adequate amount of time to review and evaluate CoServ's rate application to enable the City to adopt a final decision as a local regulatory authority with regard to CoServ's requested rate increase; and

WHEREAS, GURA § 104.107 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days; and

WHEREAS, GURA § 103.022 provides that costs incurred by cities in ratemaking activities are to be reimbursed by the regulated utility.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS:

1. That the findings and recitations set out in the preamble of this Resolution are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

2. That the September 1, 2023 effective date of the rate request submitted by CoServ on July 28, 2023, be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

3. That the City is authorized to cooperate with other cities in the CoServ service area, CoServ Gas Cities, and subject to the right to terminate employment at any time, hereby authorizes the hiring of Thomas L. Brocato of the law firm of Lloyd Gosselink Rochelle and Townsend, P.C. and consultants, to review CoServ's filing, negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of a rate ordinance and the rate case filed with the City or Railroad Commission.

4. That the City's reasonable rate case expenses shall be reimbursed by CoServ.

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

6. That a copy of this Resolution shall be sent to CoServ, care of Charles D. Harrell, CoServ Gas Ltd., 7701 South Stemmons, Corinth, Texas 76210-1842, and to Thomas Brocato, counsel for CoServ Gas Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725 (tbrocato@lglawfirm.com).

7. That this Resolution shall be and become effective from and after its adoption.

PASSED AND APPROVED this 15th day of August, 2023.

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED TO FORM:

RESOLUTION NO. 2023-750
(COSERV GAS, LTD.'S REQUESTED RATE CHANGE SUSPENSION)
2
2061/04/8647429

Amy J. Stanphill, City Attorney

I, _____, Secretary of the City Council of the City of _____, Texas, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of _____, Texas, at its regular meeting held of the _____ day of _____, 2023, as the same appears in the records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of _____ this _____ day of _____, 2023.

Secretary for the City Council
of the City of _____, Texas

MODEL STAFF REPORT REGARDING COSERV'S REQUESTED RATE CHANGE

ACTION MUST BE TAKEN TO SUSPEND THE EFFECTIVE DATE ON OR BEFORE SEPTEMBER 1, 2023

On July 28, 2023, CoServ Gas, Ltd. (“CoServ” or “Company”), pursuant to Subchapter C of Chapter 104 of the Gas Utility Regulatory Act, filed its Statement of Intent to change gas rates at the Railroad Commission of Texas (“RRC”) and in all municipalities exercising original jurisdiction within its service area, effective September 1, 2023.

CoServ is seeking to increase its annual revenues in incorporated areas by \$10,314,726, which is an increase of 7.5% including gas costs, or 27.3% excluding gas costs. CoServ is also requesting: (1) new depreciation rates for distribution and general plant; (2) a prudence determination for capital investment; (3) specification of the factors to be used in any Interim Rate Adjustment Filing the Company makes pursuant to Texas Utilities Code § 104.302; and (4) a surcharge on customer bills to recover the reasonable rate case expenses associated with the filing of this statement of intent.

Purpose of the Resolution:

The resolution suspends the September 1, 2023 effective date of the Company’s rate increase for the maximum period permitted by law to allow the City, working in conjunction with other similarly situated cities with original jurisdiction served by CoServ, to evaluate the filing, to determine whether the filing complies with the law, and if lawful, to determine what further strategy, including settlement, to pursue.

The law provides that a rate request cannot become effective until at least 35 days following the filing of the application to change rates. The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. **If the City fails to take some action regarding the filing before the effective date, CoServ’s rate request is deemed approved.**

Explanation of “Be It Resolved” Sections:

Section 1. This section incorporates the “whereas” provisions in the preamble into the Resolution.

Section 2. The City is authorized to suspend the rate change for 90 days after the date that the rate change would otherwise be effective for any legitimate purpose. Time to study and investigate the application is always a legitimate purpose. Please note that the resolution refers to the suspension period as “the maximum period allowed by law” rather than ending by a specific date. This is because the Company controls the effective date and can extend the deadline for final city action to increase the time that the City retains jurisdiction if necessary to reach settlement on the case. If the suspension period is not otherwise extended by the Company, the City must take final action on CoServ’s request to increase rates by September 1, 2023.

Section 3. This provision authorizes the City to participate in a coalition of cities served by CoServ in order to more efficiently represent the interests of the City and their citizens. It also authorizes the hiring of Thomas L. Brocato with the law firm of Lloyd Gosselink Rochelle and Townsend to represent the City in this matter.

Section 4. By law, the Company must reimburse the cities for their reasonable rate case expenses. Legal counsel and consultants approved by Cities will present their invoices to Cities which will then seek reimbursement from CoServ. The City will not incur liability for payment of rate case expenses by adopting a suspension resolution.

Section 5. This section merely recites that the resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.

Section 6. This section provides that both CoServ's counsel and counsel for the cities will be notified of the City's action by sending a copy of the approved and signed resolution to certain designated individuals.

Section 7. This section identifies the effective date of the Resolution as the time it is adopted.



Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	City Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey for City Administrator Olson
Estimated Cost:		Date Prepared:	August 10, 2023
Exhibits:	1. Proposed Resolution 2. Application(s) – 1 - (Emailed to Mayor/City Council only) <input type="radio"/> Richard Pratt		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-751 MAKING AN APPOINTMENT TO THE PARKS AND RECREATION (P&R) COMMISSION ALTERNATE ONE POSITION EXPIRING NOVEMBER 30, 2024.

SUMMARY

Current members:

Member	Position	Term Expiration
Cherie Ware	Place One (1)	Nov. 30, 2023
Pier Burgess	Place Two (2)	Nov. 30, 2024
LeAnn Turrentine	Place Three (3)	Nov. 30, 2023
Frank DaCosta	Place Four (4)	Nov. 30, 2024
Donna DaCosta	Place Five (5)	Nov. 30, 2023
Vacant	Alternate One (1)	Nov. 30, 2024
Melanie Harris	Alternate Two (2)	Nov. 30, 2024
Paula Johnston - Hutka	Alternate Three (3)	Nov. 30, 2023
Cyndy Lane	Alternate Four (4)	Nov. 30, 2023

On July 18, 2023, the City Council accepted Kimberly Hinshaw's resignation and moved Alternate One (1) non-voting member Cherie Ware to the vacant Place One (1), voting member position. We received one (1) application, which was provided to the Council via email and if the Council desires, could be appointed to the vacant Alternate one (1) position. Please review application(s).

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	08/10/2023
City Attorney:	<i>Amy J. Stanphill</i>	Date:	08/XX/2023 via Municode
City Administrator:	<i>Luke B. Olson</i>	Date:	08/XX/2023

RESOLUTION NO. 2023-751
(Parks and Rec Appointment)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING A MEMBER TO SERVE ON THE PARKS AND RECREATION COMMISSION ALTERNATE ONE POSITION

WHEREAS, Members and Alternate members of the Parks and Recreation Commission serve in staggered two-year terms, commencing December 1st and ending on November 30th as set forth in the each resolution appointing the respective Member and Alternate member; and

WHEREAS, a vacancy currently exists for the Alternate One (1) position on the Parks and Recreation Commission expiring November 30, 2024; and

WHEREAS, the alternate member appointed herein shall begin service immediately and serve in the Alternate One (1) position according to the Parks and Recreation Commission Ordinance through November 30, 2024.

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

SECTION 1. Appointment of an Alternate Member with term expiring November 30, 2024.

The following is hereby appointed to serve on the Parks and Recreation Commission as an Alternate Member for a two-year term, expiring November 30, 2024:

Alternate 1 _____

SECTION 2. Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 15th day of August 2023.

CITY OF PARKER:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Amy J. Stanphill, City Attorney

Proposed



Council Agenda Item

Budget Account Code:		Meeting Date:	See above.
Budgeted Amount:		Department/ Requestor:	City Council
Fund Balance-before expenditure:		Prepared by:	ACA/CS Scott Grey for City Administrator Olson
Estimated Cost:		Date Prepared:	August 10, 2023
Exhibits:	1. <u>Proposed Resolution</u> 2. <u>Application(s) – 1 - (Emailed to Mayor/City Council only)</u> <input type="radio"/> <u>Ted Lane</u>		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-[752](#), A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING THE CURRENT ALTERNATE 2 POSITION HOLDER TO THE VACANT PLACE TWO POSITION, AND APPOINTING AN ALTERNATE MEMBER TO SERVE IN THE THEN VACANT ALTERNATE 2 POSITION ON THE ZONING BOARD OF ADJUSTMENT.

SUMMARY

Current members:

Member	Position	Term Expiration	
Steve Schoenekase	Place One (1)	Nov. 30, 2023	
Vacant	Place Two (2)	Nov. 30, 2024	Resignation
Andrew Ellison	Place Three (3)	Nov. 30, 2023	
Don Dickson	Place Four (4)	Nov. 30, 2024	
Brian Deaver	Place Five (5)	Nov. 30, 2023	
Lindy M. "Buddy" Pilgrim	Alternate One (1)	Nov. 30, 2024	
Trudy Jackson	Alternate Two (2)	Nov. 30, 2024	

Place Two (2), voting member, is vacant due to Randy Kercho resigning and accepting the City Council position. Alternate Two (2) has been on ZBA the longest of the alternates and has agreed to move to the vacant Place two (2) position if Council so desires. We received one (1) application, which was provided to the Council via email, which if the Council desires, could be appointed to the then vacant Alternate two (2) position. Please review application(s).

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	08/10/2023
City Attorney:	<i>Amy J. Stanphill</i>	Date:	08/ xx /2023 via Municode
City Administrator:	<i>Luke B. Olson</i>	Date:	08/ xx /2023

RESOLUTION NO. 2023-752

(2023 Zoning Board of Adjustment Appointment to Vacant Alternate Position)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING THE CURRENT ALTERNATE 2 POSITION HOLDER TO THE VACANT PLACE TWO POSITION, AND APPOINTING AN ALTERNATE MEMBER TO SERVE IN THE THEN VACANT ALTERNATE 2 POSITION ON THE ZONING BOARD OF ADJUSTMENT

WHEREAS, Members and Alternate Members of the Zoning Board of Adjustment serve in staggered two-year terms, commencing December 1st and ending on November 30th as set forth in Section 156.67(B)(1) of the City of Parker Code of Ordinances;

WHEREAS, Randy Kercho resigned his Place Two voting member position effective August 1, 2023, when he was appointed to City Council;

WHEREAS, the Alternate 2 position has been held by Trudy Jackson who has seniority as an Alternate on the Zoning Board of Adjustment and Ms. Jackson desires to be moved to the Place Two voting member position;

WHEREAS, if Trudy Jackson is moved to Place Two, the Alternate 2 position is vacant; and

WHEREAS, the alternate member appointed herein shall begin service immediately and serve in the Alternate 2 position according to the Zoning Board of Adjustment Ordinance.

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

SECTION 1. Appointment of an Alternate Member with term expiring November 30, 2024

The following is hereby appointed to serve on the Zoning Board of Adjustment as an Alternate Member for a two-year term, expiring November 30, 2024:

Alternate 2 _____

SECTION 2 Effective Date

This resolution shall be effective upon its passage.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 15th day of August, 2023.

CITY OF PARKER:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Amy J. Stanphill, City Attorney

Proposed



Council Agenda Item

Budget Account Code:		Meeting Date: See above.
Budgeted Amount:		Department/ Requestor: City Council
Fund Balance-before expenditure:		Prepared by: ACA/CS Scott Grey for City Administrator Olson
Estimated Cost:		Date Prepared: August 10, 2023
Exhibits:	1. <u>Proposed Resolution</u> 2. <u>Collin Central Appraisal District letter, dated July 27, 2023</u> 3. <u>Texas Property Tax Code § 6.03</u>	

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-753, REGARDING NOMINATION OF A BOARD OF DIRECTOR POSITION FOR THE COLLIN COUNTY CENTRAL APPRAISAL DISTRICT.

SUMMARY

Please review information provided and be prepared to nominate one (1) to five (5) board candidates for the Collin County Central Appraisal District's Board of Directors to serve two-year terms, with the next term beginning January 1, 2024, in accordance with Texas Property Tax Code § 6.03. This is Step 1: Nominations.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	08/10/2023
City Attorney:	<i>Amy J. Stanphill</i>	Date:	08/XX/2023 via Municode
City Administrator:	<i>Luke B. Olson</i>	Date:	08/XX/2023

RESOLUTION NO. 2023-678*(Collin County Appraisal District Board Nomination(s))***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS;
NOMINATING _____ AS A CANDIDATE OR CANDIDATES FOR
THE COLLIN COUNTY CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS.**

WHEREAS, in accordance with the Texas Property Tax Code at Section 6.03, the Collin County Appraisal District's five (5) directors are to be appointed by the taxing units that participate in the District; and

WHEREAS, each taxing unit may nominate one (1) to five (5) board candidates; and,

WHEREAS, the nomination(s) must be made in an open meeting and a written resolution from the presiding officer of your governing body must be delivered to the Chief Appraiser by October 1, 2023; and,

WHEREAS,

1. _____ ;
2. _____ ;
3. _____ ;
4. _____ ;
5. _____ ;

meet(s) the qualifications and has/have expressed an interest in serving on the District's Board of Directors;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Parker, Texas that:

The City Council of the City of Parker, Texas authorizes the Mayor to execute and deliver this Resolution to the Chief Appraiser of the Collin County Appraisal District making the following nomination(s) as a candidate or candidates for the District Board of Directors:

1. Name: _____ Address: _____ Parker, Texas Zip _____	2. Name: _____ Address: _____ Parker, Texas Zip _____
3. Name: _____ Address: _____ Parker, Texas Zip _____	4. Name: _____ Address: _____ Parker, Texas Zip _____
5. Name: _____ Address: _____ Parker, Texas Zip _____	

DULY PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas, on this the 15th day of August, 2023.

CITY OF PARKER:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED TO FORM:

Amy J. Stanphill, City Attorney

Proposed

Collin Central Appraisal District

July 27, 2023

To: Collin Central Appraisal District taxing entities

From: Marty Wright, Chief Appraiser

RE: Election of Collin Central Appraisal District Board of Directors

Ladies and Gentlemen,

The purpose of this letter is to provide an overview of the election process, and provide a detailed timeline for each phase for taxing entity appointed Board of Director's members. The process for electing the District's Board of Directors is outlined in the Texas Property Tax Code (TPTC) § 6.03. The deadline dates for the election are statutory and controlled by TPTC § 6.03.

On July 24, 2023, Governor Greg Abbott signed Senate Bill 2 into law which has added TPTC § 6.0301. In accordance with the new section, the District's Board of Directors makeup has changed significantly. The Legislature has seen fit to increase the total number of directors from five (5) appointed and one non-voting tax assessor-collector director, to nine (9) total directors.

Starting January 1, 2024 the Board of Directors will include three (3) publicly elected directors in addition to the five (5) appointed directors which are still elected by the taxing units that participate in the Appraisal District. Each taxing unit may nominate one to five board candidates. Appointed directors will begin four-year terms on January 1st of even-numbered years, and elected directors will begin four-year terms on January 1st of odd-numbered years. Another significant change in this new section is that the tax assessor-collector is now an ex officio member. The bill is unfortunately not clear as to whether or not the tax assessor-collector is a voting director, but with nine (9) directors, we must assume until further notice, that they will be allowed to vote to avoid tie votes.

CALENDAR OF EVENTS FOR APPOINTED MEMBERS ON JANUARY 1, 2024

Title of Event: Allocation of Votes

Deadline: Before October 1st, (September 29, 2023)

Action: Calculate the number of votes for each entity and notify the county judge, commissioners of the county, and presiding officers for cities, towns, school districts and college district.

Responsible for Action: Chief Appraiser

Tax Code: 6.03 (e)

Summary of Action: There are 5,000 total votes to be distributed based on tax levy. Each taxing unit's vote allocation is based on their tax levy compared to the grand total levy for all taxing units. Each taxing unit's vote allocation will be delivered to the taxing unit in late-September.

Example: If a taxing unit's tax levy calculates to be 10% of the grand total levy for all taxing units, the taxing unit would be allocated 500 votes.

Title of Event: Nomination of Candidates

Deadline: Before October 15th, (since October 14th is a Saturday the deadline will shift to next business day). **Deadline for delivery of nominating Resolution, received by the Chief Appraiser, is end-of-day October 16, 2023.**

Action: Nominate up to one (1) candidate for each position to be filled on the Board of Directors. All five (5) of the board positions are included in this election, therefore each taxing unit can nominate a maximum of five (5) candidates.

Responsible for Action: Governing body of each entity and entity's presiding officer.

Tax Code: 6.03 (g)

Summary of Action: A taxing unit's nomination(s) by written Resolution can be submitted at any time, as long as it is received by the Chief Appraiser by end-of-day October 16, 2023. The Resolution must include the name and address of each candidate nominated. To be eligible to serve on the board, an individual must be a resident of the district and must have resided in the district for at least two years immediately preceding the date they take office.

Note: This is the nominations part of the process and the written Resolution associated with this phase of the election should only include nominations of candidates.

Title of Event: Delivery of Ballots

Deadline: Before October 30th, (Since October 29th is a Sunday, the deadline will shift to the next business day.) **Deadline for delivery of ballots is end-of-day October 30, 2023.**

Action: Prepare and deliver a ballot listing the candidates whose names were timely submitted by a taxing unit.

Responsible for Action: Chief Appraiser

Tax Code: 6.03 (j)

Summary of Action: The Chief Appraiser will deliver a ballot listing the candidates, with their names sorted alphabetically by surname, to the presiding officer for each taxing unit. Additionally, each ballot will list the taxing unit name and their vote allocation. The ballots will be mailed the third week of October.

Title of Event: Taxing Units Cast Their Votes

Deadline: Before December 15th, (December 14, 2023). **Deadline for delivery of voting Resolution, received by the chief appraiser, is end-of-day December 14, 2023.**

Action: Taxing unit determines its votes in public session by Resolution.

Special Action (Tax Code Amendment): **Taxing Units with 5% or more of the total votes MUST determine its votes by Resolution adopted at the FIRST or SECOND OPEN meeting of the governing body held after the Chief Appraiser delivers the ballot and the Resolution must be submitted to the chief appraiser not later than the THIRD day following the date the Resolution was adopted. Taxing units with 250 or more votes are affected by this Tax Code change.**

Responsible for Action: Governing of each entity and entity's presiding officer.

Tax Code: 6.03 (g), 6.03 (k and k-1 effective 1-1-2022)

Summary of Action: The governing body of each taxing unit entitled to vote shall determine its vote by Resolution. If an entity marks their votes next to the nominees name on the Ballot received from the Chief Appraiser, the marked Ballot must have an accompanying Resolution adopted in a public meeting determining the tax unit's votes. The Resolution adopted in an open meeting of the taxing unit, or a copy of marked Ballot accompanied by the taxing unit's voting Resolution must be received by the Chief Appraiser by end-of-day December 14, 2023. **Taxing units with 250 or more votes, please refer to the "Special Action (Tax Code Amendment)" section above concerning the deadlines for adopting your vote Resolution and submitting the Resolution to the Chief Appraiser.**

Title of Event: Election Results

Deadline: Before December 31st, (December 30, 2023)

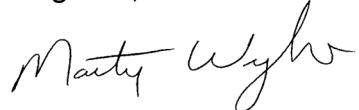
Action: Count the votes and declare the five (5) candidates who receive the largest cumulative vote totals elected to a four-year term, beginning January 1, 2024.

Responsible for Action: Chief Appraiser

Tax Code: 6.03 (k)

Summary of Action: The Chief Appraiser will submit the election results before December 31, 2023 to each taxing unit and to the candidates.

Regards,



Marty Wright, CCA, RPA
Chief Appraiser

Texas Tax Code - TAX § 6.03. Board of Directors

Current as of April 14, 2021, | Updated by [FindLaw Staff](#)

(a) The appraisal district is governed by a board of directors. Five directors are appointed by the taxing units that participate in the district as provided by this section. If the county assessor-collector is not appointed to the board, the county assessor-collector serves as a nonvoting director. The county assessor-collector is ineligible to serve if the board enters into a contract under [Section 6.05\(b\)](#) or if the commissioners court of the county enters into a contract under [Section 6.24\(b\)](#).

To be eligible to serve on the board of directors, an individual other than a county assessor-collector serving as a nonvoting director must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office. An individual who is otherwise eligible to serve on the board is not ineligible because of membership on the governing body of a taxing unit. An employee of a taxing unit that participates in the district is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district.

(b) Members of the board of directors other than a county assessor-collector serving as a nonvoting director serve two-year terms beginning on January 1 of even-numbered years.

(c) Members of the board of directors other than a county assessor-collector serving as a nonvoting director are appointed by vote of the governing bodies of the incorporated cities and towns, the school districts, the junior college districts, and, if entitled to vote, the conservation and reclamation districts that participate in the district and of the county. A governing body may cast all its votes for one candidate or distribute them among candidates for any number of directorships. Conservation and reclamation districts are not entitled to vote unless at least one conservation and reclamation district in the district delivers to the chief appraiser a written request to nominate and vote on the board of directors by June 1 of each odd-numbered year. On receipt of a request, the chief appraiser shall certify a list by June 15 of all eligible conservation and reclamation districts that are imposing taxes and that participate in the district.

(d) The voting entitlement of a taxing unit that is entitled to vote for directors is determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taxing unit that is entitled to vote, by multiplying the quotient by 1,000, and by rounding the product to the nearest whole number. That number is multiplied by the number of directorships to be filled. A taxing unit participating in two or more districts is entitled to vote in each district in which it participates, but only the taxes imposed in a district are used to calculate voting entitlement in that district.

(e) The chief appraiser shall calculate the number of votes to which each taxing unit other than a conservation and reclamation district is entitled and shall deliver written notice to each of those units of its voting entitlement before October 1 of each odd-numbered year. The chief appraiser shall deliver the notice:

(1) to the county judge and each commissioner of the county served by the appraisal district;

- (2) to the presiding officer of the governing body of each city or town participating in the appraisal district, to the city manager of each city or town having a city manager, and to the city secretary or clerk, if there is one, of each city or town that does not have a city manager;
- (3) to the presiding officer of the governing body of each school district participating in the district and to the superintendent of those school districts; and
- (4) to the presiding officer of the governing body of each junior college district participating in the district and to the president, chancellor, or other chief executive officer of those junior college districts.

(f) The chief appraiser shall calculate the number of votes to which each conservation and reclamation district entitled to vote for district directors is entitled and shall deliver written notice to the presiding officer of each conservation and reclamation district of its voting entitlement and right to nominate a person to serve as a director of the district before July 1 of each odd-numbered year.

(g) Each taxing unit other than a conservation and reclamation district that is entitled to vote may nominate by resolution adopted by its governing body one candidate for each position to be filled on the board of directors. The presiding officer of the governing body of the unit shall submit the names of the unit's nominees to the chief appraiser before October 15.

(h) Each conservation and reclamation district entitled to vote may nominate by resolution adopted by its governing body one candidate for the district's board of directors. The presiding officer of the conservation and reclamation district's governing body shall submit the name of the district's nominee to the chief appraiser before July 15 of each odd-numbered year. Before August 1, the chief appraiser shall prepare a nominating ballot, listing all the nominees of conservation and reclamation districts alphabetically by surname, and shall deliver a copy of the nominating ballot to the presiding officer of the board of directors of each district. The board of directors of each district shall determine its vote by resolution and submit it to the chief appraiser before August 15. The nominee on the ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district if the nominee received more than 10 percent of the votes entitled to be cast by all of the conservation and reclamation districts in the appraisal district, and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

(i) If no nominee of the conservation and reclamation districts receives more than 10 percent of the votes entitled to be cast under Subsection (h), the chief appraiser, before September 1, shall notify the presiding officer of the board of directors of each conservation and reclamation district of the failure to select a nominee. Each conservation and reclamation district may submit a nominee by September 15 to the chief appraiser as provided by Subsection (h). The chief appraiser shall submit a second nominating ballot by October 1 to the conservation and reclamation districts as provided by Subsection (h). The conservation and reclamation districts shall submit their votes for nomination before October 15 as provided by Subsection (h). The nominee on the second nominating ballot with the most votes is the nominee of the conservation and reclamation

districts in the appraisal district and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

(j) Before October 30, the chief appraiser shall prepare a ballot, listing the candidates whose names were timely submitted under Subsections (g) and, if applicable, (h) or (i) alphabetically according to the first letter in each candidate's surname, and shall deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote.

(k) The governing body of each taxing unit entitled to vote shall determine its vote by resolution and submit it to the chief appraiser before December 15. The chief appraiser shall count the votes, declare the five candidates who receive the largest cumulative vote totals elected, and submit the results before December 31 to the governing body of each taxing unit in the district and to the candidates. For purposes of determining the number of votes received by the candidates, the candidate receiving the most votes of the conservation and reclamation districts is considered to have received all of the votes cast by conservation and reclamation districts and the other candidates are considered not to have received any votes of the conservation and reclamation districts. The chief appraiser shall resolve a tie vote by any method of chance.

(l) If a vacancy occurs on the board of directors other than a vacancy in the position held by a county assessor-collector serving as a nonvoting director, each taxing unit that is entitled to vote by this section may nominate by resolution adopted by its governing body a candidate to fill the vacancy. The unit shall submit the name of its nominee to the chief appraiser within 45 days after notification from the board of directors of the existence of the vacancy, and the chief appraiser shall prepare and deliver to the board of directors within the next five days a list of the nominees. The board of directors shall elect by majority vote of its members one of the nominees to fill the vacancy.

(m) Repealed by [Acts 2007, 80th Leg., ch. 648, § 5\(4\)](#).

Council Agenda Item



Budget Account Code:	N/A	Meeting Date:	See above
Budgeted Amount:	N/A	Department/ Requestor:	Fire Department/ Fire Chief
Fund Balance-before expenditure:		Prepared by:	M. Sheff
Estimated Cost:	180,000.00	Date Prepared:	August 9, 2023
Exhibits:	Indicative purchase contract Component Specs		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-754 APPROVING THE PURCHASE OF A NEW 4x4 FORD TYPE 6 F550 WILDLAND/GRASSLAND FIRE TRUCK FROM SIDDONS-MARTIN EMERGENCY GROUP, LLC UNDER ITS HGAC 2023 PRICING AS REPLACEMENT FOR FIRE DEPARTMENT VEHICLE BRUSH 811, AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS.

SUMMARY

The fire department fleet of firefighting apparatus includes a special purpose unit, designated Brush 811, built for off-road fire attack, a capability that Parker's other fire suppression apparatus do not possess. Having off-road capability is a necessity to protect the lives and property of Parker's citizens and residents from grassland fires.

Brush 811 was purchased fifteen years ago at a cost of approximately \$150,000 under a cost share arrangement with the Texas Forest Service ("TFS"). Brush 811 was purchased at a time when Parker was approximately 40% built out and it's capabilities matched the nature of the undeveloped land that characterized Parker at that time. Our agreement with TFS required the City to retain the vehicle for ten years which we have done.

Since the purchase of Brush 811, the City has undergone significant development reducing, but not eliminating, the amount of land characterized by open vegetation. Due to its age, Brush 811 has become an economic burden to the city, costing \$28,415 in repairs over the past three years.

During strategic planning workshops covering the past two years, the fire department advised then-serving councilmembers of its desire to replace Brush 811 during FY 2024.

As a fallout of the Pandemic and due to escalating costs, vehicle manufacturers have advised fire department personnel of up to a two-year delay in filling new orders, and to anticipate price escalation of approximately 7% annually.

In view of the forementioned, the fire department recommends that Council consent to the purchase of a new grassland firefighting vehicle from Siddons-Martin Emergency Group, LLC under its 2023 HGAC pricing as replacement for Brush 811 as follows:

- A gasoline engine, 4x4 Ford Type 6 F550 two-door chassis outfitted with the necessary fire pump to enable off-road “pump and roll” capabilities and holding 400 gallons of water for fire suppression activities, sufficient to provide the requisite firefighting needs.
- This unit is smaller and thus more economical than Brush 811 (F750 chassis, 500 gallons of water) but appropriate for Parker given its present level of build out and reduced grassland areas.
- The cost, pursuant to the indicative purchase contract attached hereto, is approximately \$180,000. The price is firm once the contract is executed. Delivery is not expected until FY 2024. Payment would be due upon delivery of the vehicle.
- As a cost saving measure, ancillary equipment such as radios, hose, and other firefighting appliances will be transferred from Brush 811 to its replacement.
- Upon receipt, acceptance and operational readiness of the replacement vehicle, Brush 811 will be sold. While it is difficult to assess the used fire vehicle market up to two years hence, we estimate today’s asking price to be \$50,000.

Citizens of Parker benefit from the above recommendation by enhanced protection against loss from grassland fires, avoidance of the economic burden of maintaining a 15-year-old vehicle, and avoidance of paying a higher price by locking in 2023 pricing for a 2024 or later payment.

POSSIBLE ACTION

Approve, Modify, Table or Deny

Inter – Office Use			
Approved by:			
Department Head:		Date:	
City Attorney:		Date:	

City Administrator:		Date:	
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RESOLUTION NO. 2023-754
(*Brush Truck – Fire Dept.*)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPROVING THE PURCHASE OF A NEW 4X4 FORD F550 TYPE 6 WILDLAND/GRASSLAND FIRE TRUCK FROM SIDDONS-MARTIN EMERGENCY GROUP, LLC UNDER ITS HGAC 2023 CONTRACT PRICING AS REPLACEMENT FOR FIRE DEPARTMENT VEHICLE BRUSH 811 AND AUTHORIZING EXECUTION OF THE RELATED CONTRACT DOCUMENTS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

WHEREAS, the City Council of the City of Parker seeks to protect the health and safety, and property of the citizens of Parker; and,

WHEREAS, the City Council of the City of Parker has determined it to be necessary to replace an existing firetruck; and,

WHEREAS, the City Council has determined it to be prudent to enter an agreement to purchase a new grassland firefighting vehicle Siddons-Martin Emergency Group, LLC for a purchase price of \$180,000, under the company's HGAC 2023 pricing for this truck to be completed in the future.

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

SECTION 1. That the Mayor is authorized to execute an Agreement with Siddons-Martin Emergency Group, LLC for the purchase of a Ford F550 4X4 Type 6 Wildland/Grassland Fire Truck in accordance with 2023 HGAC pricing as fully described in the proposal and specifications attached hereto as Exhibit "A" and incorporated fully herein by reference.

SECTION 2. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public and that the public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this 15 day of August, 2023.

APPROVED:
CITY OF PARKER

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Amy J. Stanphill, City Attorney

proposed

Resolution No. 2023-754

(Brush Truck – Fire Dept.)

Siddons Martin Emergency Group, LLC
3500 Shelby Lane
Denton, TX 76207
GDN P115891
TXDOT MVD No. A115890

August 7, 2023

Justin Miller, Division Chief
PARKER FIRE DEPARTMENT
5700 E PARKER RD
PARKER, TX 75002



Proposal For: 2023 Parker Brush Truck

Siddons-Martin Emergency Group, LLC is pleased to provide the following proposal to PARKER FIRE DEPARTMENT. Unit will comply with all specifications attached and made a part of this proposal. Total price includes delivery FOB PARKER FIRE DEPARTMENT and training on operation and use of the apparatus.

Description	Amount
Qty. 1 - 7659 - Ford Ford F 550 Type 6 Rescue Side - Non-Lifted	
(Unit Price - \$178,870.00)	
Delivery within 23-24 months of order date	
QUOTE # - SMEG-0005548-0	
	Vehicle Price \$178,870.00
	7659 - UNIT TOTAL \$178,870.00
	SUB TOTAL \$178,870.00
	HGAC FS12-19A \$1,000.00
	(SKEETER)
	TOTAL \$179,870.00

Price guaranteed until 8/16/2023

Additional: 'NOTE: Due to global supply chain constraints, any delivery date contained herein is a good faith estimate as of the date of this order/contract, and merely an approximation based on current information. Delivery updates will be made available, and a final firm delivery date will be provided as soon as possible.'

Taxes: Tax is not included in this proposal. In the event that the purchasing organization is not exempt from sales tax or any other applicable taxes and/or the proposed apparatus does not qualify for exempt status, it is the duty of the purchasing organization to pay any and all taxes due. Balance of sale price is due upon acceptance of the apparatus at the factory.

Late Fee: A late fee of .033% of the sale price will be charged per day for overdue payments beginning 30 days after the payment is due for the first 30 days. The late fee increases to .044% per day until the payment is received. In the event a prepayment is received after the due date, the discount will be reduced by the same percentages above increasing the cost of the apparatus.

Cancellation: In the event this proposal is accepted and a purchase order is issued then cancelled or terminated by Customer before completion, Siddons-Martin Emergency Group may charge a cancellation fee. The following charge schedule based on costs incurred may be applied:

- (A) 10% of the Purchase Price after order is accepted and entered by Manufacturer;
- (B) 20% of the Purchase Price after completion of the approval drawings;
- (C) 30% of the Purchase Price upon any material requisition.

The cancellation fee will increase accordingly as costs are incurred as the order progresses through engineering and into manufacturing. Siddons-Martin Emergency Group endeavors to mitigate any such costs through the sale of such product to another purchaser; however, the customer shall remain liable for the difference between the purchase price and, if applicable, the sale price obtained by Siddons-Martin Emergency Group upon sale of the product to another purchaser, plus any costs incurred by Siddons-Martin to conduct such sale.

Acceptance: In an effort to ensure the above stated terms and conditions are understood and adhered to, Siddons-Martin Emergency Group, LLC requires an authorized individual from the purchasing organization sign and date this proposal and include it with any purchase order. Upon signing of this proposal, the terms and conditions stated herein will be considered binding and accepted by the Customer. The terms and acceptance of this proposal will be governed by the laws of the state of Texas. No additional terms or conditions will be binding upon Siddons-Martin Emergency Group, LLC unless agreed to in writing and signed by a duly authorized officer of Siddons-Martin Emergency Group, LLC.

Sincerely,

Brandon Cotten

I, _____, the authorized representative of PARKER FIRE DEPARTMENT, agree to purchase the proposed and agree to the terms of this proposal and the specifications attached hereto.

Signature & Date



Component List

Customer: Parker Fire Department
 Address: 1234 ff
 City, State Zip: Parker TX
 Contact:
 Sales Rep: Brandon Cotten
 Dealership: Siddons-Martin Emergency Group

Spec Number: 7659
 Job Number:
 Spec Date: April 5, 2023
 Body: Rescue Side, Alum, 114
 Chassis: Ford F550 - 4x4 - Gas - 2 Door
 Tank: 400 Gallons, Poly

Line	Option	Qty	Description
001	100044.1	1	Paint (Single Stock Color)
002	100033.1	1	Ford F550 - 4x4 - Gas - 2 Door (2022.3)
003	203807.1	1	Chassis 60" CA
004	100037.1	1	Power Package (Electric Windows, Locks, Mirrors)
005	203918.1	1	Chassis Fleet/Government Incentive Discount
006	100045.1	1	NO -- Lift or Larger Tires/Wheels
007	100047.1	1	Stock Tires/Wheels
008	100052.1	1	NO -- Super Single Spare
009	100057.1	1	NO -- Spare / Mount
010	100059.1	1	Ranchhand Bumper Black Powder Coat Steel
011	100058.1	1	Mud Flaps, Rear Wheels, SBT Logo
012	100063.1	1	1/4" Skid Protection Panel
013	100110.1	1	Cab Steps, Custom Painted, (2) Door Cab
014	100186.1	1	NO -- Cab Protection
015	100086.1	1	Cab Console, Poly, Custom
016	204346.1	1	Console Fuse Block Upgrade Detail
017	100372.1	1	NO -- Cab 2nd Row Poly Compartment
018	100081.1	1	Winch, Warn, #M15000, Electric, Front Mount, 15,000#
019	100178.1	1	Receiver, Rear, Winch/Rope/Trailer, 10,000#
020	100550.1	1	Pump, Darley 2 BE 18V
021	100272.1	1	Standard Stainless Steel Manifold
022	100285.1	1	Valves, S/S, Quarter Turn
023	100483.1	1	Hose Threads
024	100263.1	1	Exhaust System, Vertical, Rain Cap, Aux Pump
025	100195.1	1	No -- Pump House
026	100265.1	1	Pump Control Panel Enclosure
027	100267.1	1	Pump Fuel from Chassis
028	100256.1	1	Battery Supply, 12V, Chassis, Master Switch & Solenoid
029	100255.1	1	Aux Fire Pump Mntg, P/S Rear, Bolted
030	100254.1	1	Pump Engine Oil Drain
031	100253.1	1	Pump Drain, Master Drain--Low Point
032	100270.1	1	Intake, Gated, 2.5"FM, Rear, w/2.5" Plug, Aux Pump, Direct Vlv Cntrl
033	100284.1	1	Tank-To-Pump, Water Tank, 3", Install
034	100281.1	1	Tank Fill and Cooling Line, Water Tank, 1", Aux Pump
035	100278.1	1	Discharge, .75"GH, Rear, Garden Hose Outlet
036	100274.1	1	Discharge, 2.5", Rear, 2.5"FM x 1.5"M, 1.5" cap
037	100426.1	1	Discharge, 1", Front Bumper
038	100441.1	1	Discharge, 1.5", Front Body (Through Tank)
039	100288.1	1	Hose Reel, Hannay, D/S Mount, Elec Rewind, Alum

040	100291.1	1	200 Foot Reel Capacity
041	100295.1	1	Hose Reel Discharge, 1" Valve and Flex-Hose, Local Cntrl
042	100302.1	1	Nozzle Mounting
043	100297.1	1	Hose, Water, 300#, 1" x 150'
044	100303.1	1	Roller, Hose Reel, Top
045	203937.1	1	No -- Sweep Nozzles
046	203936.1	1	No -- Front Monitor
047	100306.1	1	No -- Whip Lines
048	100259.1	1	Foam system, Scotty #4171, Through-the-pump, Built-in, Aux Pump
049	100224.1	1	NO -- Electronic Water Gauge
050	100200.1	1	Water Tank Capacity, 400 Gallons, Poly
051	100203.1	1	Water Tank, Specs
052	100204.1	1	Water Tank Shape, Rectangular
053	100205.1	1	Water Tank, NFPA Compliance
054	100206.1	1	Tank Gauge, Translucent Tank Sight Level
055	100207.1	1	Fill Tower, Water Tank, 12" x 12" x 6", D/S Rear Corner
056	100209.1	1	Overflow, Water Tank, 3" PVC Pipe, <500G
057	100211.1	1	NO -- Water Tank Sump
058	100215.1	1	Pump to Tank, Fill Connection, 1.5", 300 GPM Flow
059	100216.1	1	Water Tank Drain Plug, 1.5"
060	100222.1	1	NO -- Tank Perimeter Wall
061	100227.1	1	Foam Tank Capacity, 10 Gallons, Class A, Poly
062	100232.1	1	Foam Tank, Fill and Vent, Class A
063	100233.1	1	Foam Tank to Foam System, 3/4"
064	100235.1	1	Foam Tank Drain and Valve, 3/4"
065	100237.1	1	NO -- Electric Foam Gauge
066	100549.1	1	Rescue Side, Alum, 114" x 96", 60CA
067	203801.1	1	DA Finish Body and Compartments/Trays
068	100141.1	1	Transverse Compartment (Rescue-Side) 18"W
069	100144.1	1	Compartment, Drivers Side, Lift-Up Door
070	100148.1	1	Compartment, Passengers Side, Lift-Up Door
071	100150.1	1	NO -- Underbody Compartments, Front Body
072	100154.1	1	NO -- Underbody Compartments, Rear
073	100159.1	1	Rear Center Under Body Compt, Drop Down Door
074	100166.1	1	Equipment Tray, Alum, UHMW slide
075	100164.1	1	Door Ajar Light, Flashing, Red LED
076	100169.1	1	Hose Tray, Driver's Side, 72 in. long
077	100173.1	1	NO -- Hose Tray, Passenger Side
078	100382.1	1	Tool Tray, Passenger Side, 72 in. long.
079	100175.1	1	NO -- Tool Tray, Drivers Side
080	100180.1	1	Rear Step, Pull out and drop down
081	100181.1	1	Step, Sig-4, Folding, Lighted, DS REAR(1)
082	100325.1	1	Fuse Box
083	100326.1	1	Chassis Harness
084	100327.1	1	Wiring Harness, Body Electrical
085	100091.1	1	Battery Switch, Master Disconnect, CH, Rotary
086	100092.1	1	NO -- Battery Charger
087	100094.1	1	Battery Charger and Shore Power Plug, Kussmaul 1000 and Auto-Eject
088	100328.1	1	Clearance Lights, LED, DOT
089	100329.1	1	License Plate, Mount, Lighting
090	100330.1	1	Stop/Tail/Turn Lights, Whelen M6BTT/M6FC
091	100331.1	1	Back up Lights, Whelen M6 Series, LED,
092	100095.1	1	NO -- Trailer Plug

093	100067.1	1	NO -- Off Road Lights
094	100070.1	1	No -- Bumper Ground Lights
095	203840.1	1	Ground Lights, Cab, 2 Door, LED STRIPS
096	100183.1	1	Ground Lights, Under Rear Step, LED (2), Grote #63871
097	100184.1	1	Body Work Lights, LED, (4), Grote #63871
098	100317.1	1	NO -- Front Scene Lights
099	100322.1	1	Scene Light, (6) Rigid Dually
100	100104.1	1	NO -- GPS
101	100503.1	1	Tilt Meter
102	100107.1	1	Back-Up Camera, Rear View Safety, (1) camera
103	100098.1	1	NO -- Radio Install
104	100101.1	1	NO -- Intercom System
105	100324.1	1	Back Up Alarm
106	203773.1	1	Whelen Cencom Carbide, Electronic Siren
107	100313.1	1	Speaker, Whelen, #SA315P, 100 Watt
108	100310.1	1	Lightbar Mounting, Headache Rack, Alum, Enclosure Protection
109	100309.1	1	Lightbar, Whelen, Legacy, 54"
110	100315.1	1	Warning Lights, Whelen, M-7 Series (12) Lights
111	100335.1	1	Door Graphic Emblems, (2) Custom
112	203904.1	1	No Cab Roof Lettering
113	100337.1	1	Stripe, Cab/Body, Single Reflective, 4"
114	100340.1	1	NO -- Keep Back Lettering
115	100343.1	1	Stripe, Reflective, SCOTCHLITE, Chevron, Front Bumper, Alum Bumper
116	100345.1	1	Stripe, Reflective, SCOTCHLITE, Chevron, Rear
117	100346.1	1	Capacities Placard, Reflective
118	100347.1	1	NO -- Nozzles
119	100461.1	1	Spanner Set, Hydrant
120	204330.1	1	NO -- NFPA Speed Restriction
121	100040.1	1	Chassis Prep, Commercial Chassis
122	100041.1	1	Label Seating (Based upon # of Seated Positions)
123	100043.1	1	Label, Noise Danger, Personnel
124	100135.1	1	Label, Data, "Do Not Ride On Rear Step"
125	100136.1	1	Emblems, Skeeter Brush Trucks (5)
126	100196.1	1	Final Assembly, Skeeter Brush Trucks, Hillsboro, TX
127	100361.1	1	Operational Pump Test, SBT
128	100362.1	1	12V Electrical Load Analysis
129	100363.1	1	NFPA Certificate
130	100365.1	1	Road Test, 10 miles
131	100366.1	1	Skeeter Warranty, 5-Year Parts & Labor, 10-Year Body Integrity
132	100369.1	1	Tank Warranty, Limited Lifetime
133	100351.1	1	Pre-Construction Conference, At Factory
134	100651.1	1	Apparatus Drawings
135	100353.1	1	Payment Terms, 100% on Delivery and Acceptance
136	204229.1	1	Final Inspection, Skeeter
137	100356.1	1	Training, Factory Supplied, Factory location
138	100358.1	1	Delivery, Purchaser Pickup

Council Agenda Item



Budget Account Code:	N/A	Meeting Date:	August __, 2023
Budgeted Amount:	N/A	Department/ Requestor:	Fire Department/ Fire Chief
Fund Balance-before expenditure:		Prepared by:	M. Sheff
Estimated Cost:	\$875,293.00	Date Prepared:	August 10, 2023
Exhibits:	Indicative purchase contract / Spec sheet		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-755 APPROVING THE PURCHASE OF A NEW STRUCTURAL FIREFIGHTING PUMPER FIRE TRUCK FROM DACO FIRE EQUIPMENT UNDER ITS HGAC (#FS12-19) AND BUYBOARD (#651-21) CONTRACT PRICING AS REPLACEMENT FOR FIRE DEPARTMENT VEHICLE ENGINE 811 AND AUTHORIZING EXECUTION OF THE RELATED CONTRACT DOCUMENTS.

SUMMARY

The fire department's fleet of structural firefighting apparatus includes i) a 2018 100' aerial ladder/pumper fire truck equipped with fire pump, ladders, hose and other firefighting equipment ("T811"), ii) a 2001 pumper fire truck with fire pump, hose and other firefighting equipment ("E811"), and iii) a 1995 pumper fire truck with pump, hose and other firefighting equipment that is presently out of service pending mechanical repairs ("E812").

E811 is placed in service as our primary firefighting vehicle i) when T811 is out of service for scheduled, preventive maintenance and unscheduled repair, during ice storms, and in certain other instances. During the twelve months ending July 2023, E811 responded to 64 emergency calls, representing 14% of the total number of calls during that same period. We expect usage will continue at a similar pace over the upcoming years.

E811 is 22 years old and has become an economic burden to the city. Maintaining the vehicle in fully operational condition has cost over \$30,000 in repairs over the past three years.

During strategic planning workshops covering the past two years, the fire department advised then-serving council members of its desire to replace E811 during FY 2025.

As a fallout of the Pandemic and due to escalating costs, vehicle manufacturers have advised fire department personnel of up to a two-year delay in filling new pumper orders, and to anticipate price escalation of approximately 7% annually.

In view of the forementioned, the fire department recommends that Council consent to the purchase of a new structural firefighting pumper as replacement for E811 as follows,

- A diesel powered, Rosenbauer FX 2,250 GPM pumper carrying 750 gallons of water, firefighting foam, hose, and other firefighting equipment. This is similar to or better than our present E811.
- The cost, pursuant to the indicative purchase contract from Daco Fire Equipment attached hereto, is approximately \$875,203 reflecting HGAC (#FS12-19) and Buyboard (#651-21) contract prices as of 6/1/2023. The price quoted would be honored by the manufacturer through August 15th following which it is subject to change. The final price agreed to among the parties is firm once the contract is executed. Delivery is not expected until FY 2025. Payment would be due upon delivery of the vehicle.
- As a cost saving measure, ancillary equipment such as radios, hose, and other firefighting appliances will be transferred from E811 to its replacement.
- Upon receipt, acceptance, and operational readiness of the replacement vehicle, E811 would be sold. While it is difficult to assess the used fire vehicle market up to two years hence, we estimate today's asking price to be \$40,000.

Citizens of Parker benefit from the above recommendation by enhanced protection against loss from structural fires, avoidance of the economic burden of maintaining a 22-year-old vehicle, and avoidance of paying a higher price by locking in 2023 pricing for a 2025 payment.

POSSIBLE ACTION

Approve, Modify, Table or Deny

Inter – Office Use			
Approved by:			
Department Head:		Date:	
City Attorney:		Date:	

City Administrator:		Date:	
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RESOLUTION NO. 2023-755
(Fire Truck)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPROVING THE PURCHASE OF A NEW STRUCTURAL FIREFIGHTING PUMPER FIRE TRUCK FROM DACO FIRE EQUIPMENT INC., UNDER ITS HGAC (#FS12-19) CONTRACT PRICING AS REPLACEMENT FOR FIRE DEPARTMENT VEHICLE ENGINE 811 AND AUTHORIZING EXECUTION OF THE RELATED CONTRACT DOCUMENTS.; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

WHEREAS, the City Council of the City of Parker seeks to protect the health and safety, and property of the citizens of Parker; and,

WHEREAS, the City Council of the City of Parker has determined it to be necessary to replace an existing firetruck; and,

WHEREAS, the City Council has determined it to be prudent to enter an agreement to purchase a new firetruck from Daco Fire Equipment, Inc. for a purchase price of \$875,293.00, under the HGAC 2023 pricing for this firetruck to be completed in the future.

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

SECTION 1. That the Mayor is authorized to execute an Agreement with Daco Fire Equipment, Inc. for the purchase of a Rosenbauer Apparatus Fire Truck in accordance with 2023 HGAC pricing as fully described in the proposal and specifications attached hereto as Exhibit "A" and incorporated fully herein by reference.

SECTION 2. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public and that the public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 15 day of August, 2023.

APPROVED:
CITY OF PARKER

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Amy J. Stanphill, City Attorney

Proposed

Resolution No. 2023-755

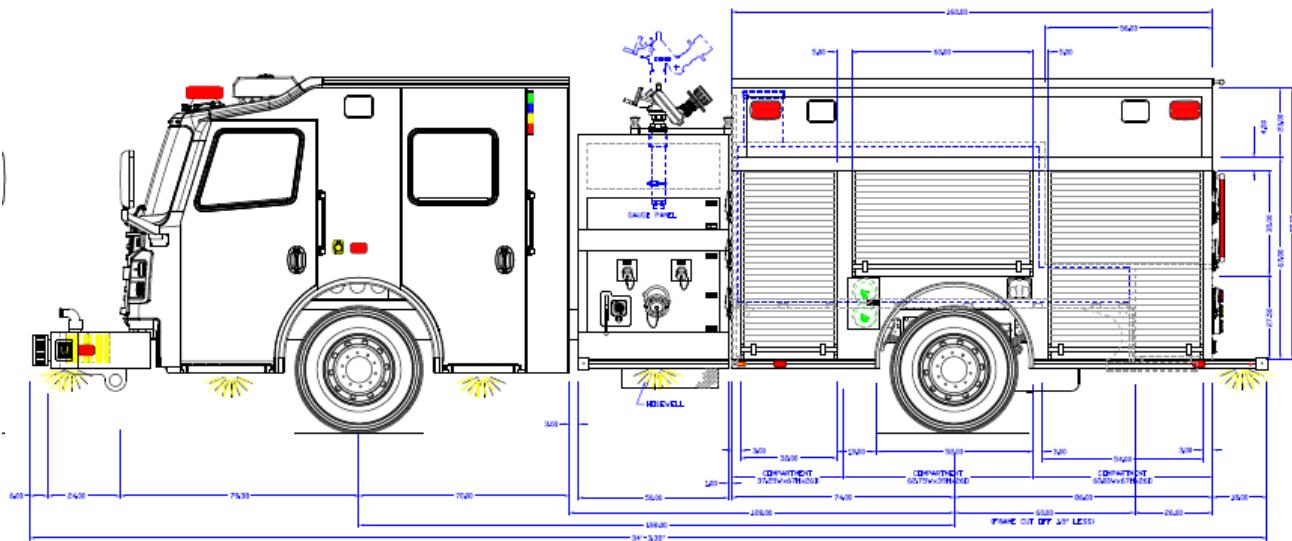
(Fire Truck.)



06/01/2023

PROPOSAL / SPECIFICATIONS

Parker Fire Department





CUSTOMER

DATE: 06/01/2023

Parker Fire Department
Rosenbauer FX Custom Pumper

QNTY	DESCRIPTION	EACH	TOTAL
1	Rosenbauer Custom Pumper	\$ 875,203.00	\$ 875,203.00
	Commander 70" Cab with 11" Raised Roof		\$ 0.00
	Rosenbauer 2250GPM Pump		\$ 0.00
	Foam Pro Foam System		\$ 0.00
	750 Gallon Water Tank with 30 Gallons Foam		\$ 0.00
	Ground Ladders Included: 24' 2 Section, 14' Straight, 10' Attic		\$ 0.00
	2 Trips with 4 Personnel Included		\$ 0.00
			\$ 0.00
			\$ 0.00
DELIVERY	545 Days from Production files being signed	TOTAL	875203

ABOVE PRICING REFLECTS CURRENT HGAC #FS12-19 AND BUYBOARD
CONTRACT #651-21 PRICING GOOD FOR 45 DAYS.

APPARATUS SPECIALIST

Ben Irish
birish@dacofire.com
903-714-8875

DACO FIRE EQUIPMENT
6000 HUDDLESTON ST.
HALTOM CITY TX. 76137
817-281-4172
dacofire.com

QUOTATION

Parker Fire Department
5700 E. Parker Road
Parker, TX 75002
972-442-4080

Exp. Date: 04/28/2023
Quote No: 10142-0003
CAB: RBM4000 Rosenbauer Commander

05/01/2023

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PART NO	S	DESCRIPTION	QTY	ID
		== Rosenbauer Commander - 131.023 01/31/23 ==		RAS
		ROSENBAUER APPARATUS SOLUTIONS - RAS - 31		RAS
		JANUARY 2023		
03-00-0101		-- Certification - NFPA	1	RAS
08-09-0100		-- Cab Paint Warranty Five Years	1	RAS
08-09-0104		-- Cab Structural Warranty Ten Years	1	RAS
08-09-0105		-- Transmission Warranty Allison Five Years	1	RAS
08-09-0106		-- Engine Warranty Cummins Five Years	1	RAS
08-09-0107		-- Frame Warranty Lifetime	1	RAS
08-09-0109		-- Front Axle Warranty Hendrickson	1	RAS
08-09-010A		-- Rear Axle Warranty Meritor - 5 Year	1	RAS
08-09-0110		-- Warranty - Cab and Chassis One Year	1	RAS
08-09-0301		-- Cab Test Information Static Load Seat Test	1	RAS
08-09-0302		-- Cab Test Information Crash Test ECE-29	1	RAS
08-09-0303		-- Cab Test Information SAE J2420; J2422	1	RAS
08-09-0304		-- Cab Test Information Roof Crush, Side & Frontal Impact	1	RAS
08-09-0501		-- Operation & Parts List Manuals (2) Sets, USB Drive	1	RAS
08-09-0503		-- Engine & Transmission Operation Manuals (1) Set	1	RAS
08-09-0530		-- As Built Wiring w/Plumbing Diagram (1) Set	1	RAS
08-09-0540		-- On Board USB Manual Storage	1	RAS
08-80-0200		-- DOT KIT	1	RAS
		VEHICLE TYPE		RAS
03-00-0124		Pumper	1	RAS
03-00-0143		-- Additional Crossmembers RSD bodies	1	RAS
07-03-0106		-- Midship Pump 1 O'clock PTO Driven Pump	1	RAS
		CAB		RAS

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PART NO	S	DESCRIPTION	QTY	ID
03-00-0761		70" Cab Length 11" Roof	1	RAS
03-05-0612		-- Driver EMS Compartment 43" Interior Height	1	RAS
03-05-0630		-- 2" EMS Compartment Lip	1	RAS
03-05-0714		-- Interior Driver EMS Compartment Access 18.75" W x 37.5" H	1	RAS
03-05-0744		-- Interior Access Driver EMS Compartment Cargo Webbing - 43"	1	RAS
03-05-9000		-- Compartment Shelf	1	RAS
05-01-1801		-- Driver EMS Compartment Interior Finish Match Interior Cab Coating	1	RAS
08-00-0712		-- Driver Mid EMS Compt Lighting LED Strip 36"	1	RAS
03-05-0812		-- Officer EMS Compartment 43" Interior Height	1	RAS
03-05-0830		-- 2" EMS Compartment Lip	1	RAS
03-05-0914		-- Interior Officer EMS Compartment Access 18.75" W x 37.5" H	1	RAS
03-05-0944		-- Interior Access Officer EMS Compartment Cargo Webbing - 43"	1	RAS
03-05-9000		-- Compartment Shelf	1	RAS
05-01-1815		-- Officer EMS Compartment Interior Finish Match Interior Cab Coating	1	RAS
08-00-0714		-- Officer Mid EMS Compt Lighting LED Strip 36"	1	RAS
COMMANDER EMS CABINETS - REAR CREW - FORWARD FACING OUTBOARD POSITION				RAS
CAB STEPS				RAS
03-06-0002		-- Stainless Steel SST	1	RAS
03-06-0014		-- SST Steps w/Round Hole and Star Extrusion Lower, Treadplate Middle	1	RAS
CAB DOORS				RAS
03-06-1015		-- Cab Entry Doors	1	RAS
03-06-1025		-- Full Length Cab Entry Doors	1	RAS
03-06-0021		-- Step Trim Kickplate, Treadplate	1	RAS
03-06-1500		-- No Lower Door Kick Panel (No Overlay)	1	RAS
03-06-1071		-- Cab Door Insulation - 4 Door Cab	1	RAS
03-06-1100		-- Cab Door Hardware Chrome (4)	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
03-06-1120		-- Cab Door Locks Manual	1	RAS
03-06-1135		-- Interior 1-Piece Door Panel Type Aluminum	1	RAS
03-06-1200		-- Door Panel Finish DA Sanded	1	RAS
04-05-0115		-- Interior Handle Front Door Grab Handles, 7" Chrome	1	RAS
04-05-0155		-- Interior Handle Rear Door Grab Handles, 7" Chrome	1	RAS
CAB GLASS				RAS
03-08-0101		-- Windshield One Piece - COMMANDER	1	RAS
03-08-0102		-- Windshield Wiper System Single Motor (2) Wipers - 3D Grille	1	RAS
08-02-0135		-- Windshield Wiper Activation Switch on Driver Panel	1	RAS
03-08-0151		-- Window Light Gray Tint Driver Power	1	RAS
08-01-0301		-- Power Window Activation, Respective Door	1	RAS
03-08-0153		-- Window Light Gray Tint Officer Power	1	RAS
03-08-022J		-- Window 5% Tint Driver Crew Door Power	1	RAS
03-08-025M		-- Window 5% Tint Officer Crew Door Power	1	RAS
CAB INTERIOR AND TRIM				RAS
04-01-0200		-- === 11 Raise Cab 70" Interior Trim ===	1	RAS
03-09-7050		-- Cab Insulation Interior Ceiling 70/11"	1	RAS
03-09-8015		-- Cab Insulation Engine Tunnel	1	RAS
03-09-8020		-- Cab Insulation Cab Damping	1	RAS
04-01-1100		-- Interior Trim Color Gray, 70" -11" Roof	1	RAS
04-01-1120		-- Interior Trim Color Gray Rear Wall 11" Roof	1	RAS
04-01-3099		-- ===== No Rear Wall Pac Trac - Mounted Full Width=====	1	RAS
04-02-1002		-- Suspended Throttle and Brake Pedals	1	RAS
04-02-1120		-- Interior Floor Covering Color Gray, 70"	1	RAS
04-02-1702		-- Interior Trim Sun Visor Tinted	1	RAS
04-02-1798		-- Cab Coating Interior Color	1	RAS
05-01-1055		-- Cab Coating Interior Gray Polyurethane	1	RAS
CAB DASH AND ENGINE TUNNEL - 70" LONG				RAS
04-03-1000		-- Cab Dash & Engine Tunnel, Composite Dash	1	RAS
04-03-1010		-- Cab Dash & Engine Tunnel Coating Gray Polyurethane	1	RAS
04-03-1204		-- Flat Mounting Plate - Engine Tunnel, Composite Dash, Long Tunnel	1	RAS
CUSTOM CONSOLE				RAS
04-04-1100		-- Havis Console	1	RAS
04-04-1101		-- Havis Console - Pre Configured	1	RAS
04-04-1U00		-- Havis Console - Upper Portion	1	RAS
04-04-U007		-- Havis Console - Upper Portion - Option 7	1	RAS
04-04-1126		-- Black Plate(s) for Communication Radio	1	RAS
04-04-1134		-- Black Plates with (2) Power Point & (1) Dual USB Power Point	2	RAS

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PART NO	S	DESCRIPTION	QTY	ID
04-04-1176		-- Black Plate for Siren	1	RAS
56-01-1700		-- Siren, Elect, Whelen 295HFS2	1	RAS
56-02-1109		-- Spkr, Body Supplied	1	RAS
04-04-1181		-- Black Plate for Traffic Advisor	1	RAS
58-91-1700		-- Traffic Arrow Lt, Whelen, 46.82" 500 Series 5MM	1	RAS
LED, TAL85				
04-04-2L00		-- Havis Console - Lower Portion	1	RAS
04-04-L005		-- Havis Console - Lower Portion - Option 5	1	RAS
04-04-1116		-- Black Blank Plate	1	RAS
04-04-1146		-- Locking Accessory Box 6"	1	RAS
04-04-1151		-- Open Accessory Box 6-inch	1	RAS
04-04-1161		-- Cup Holder, Dual	2	RAS
08-01-0140		-- Instrumentation Panel Inlay - Job Color	1	RAS
CAB EXTERIOR - 70"				
CAB HEADER - HEAT AND AC				
03-08-4000		Cab Header / Heating and AC	1	RAS
05-02-0010		-- Heating w/ Air Conditioning, Overhead, Multiplex	1	RAS
05-01-6010		-- Cab Paint A/C Condenser on Roof	1	RAS
05-02-0048		-- Heater Hose - Rubber	1	RAS
05-02-0200		-- A/C Condenser Location Roof Mounted Mid Center	1	RAS
08-02-0117		-- Heat & A/C Activation One LCS, Rear Crew Manual	1	RAS
08-02-0091		-- Rear Crew Manual HVAC Controls One LCS	1	RAS
08-02-0100		-- Rear Crew Controls Manual - Located Overhead Center	1	RAS
SEATS				
03-09-00Y4		Bostrom 500 Series Seat Package - Roll Tek & 4-Front Air Bag Package	1	RAS
03-09-0100		-- Seat Color Gray/Red Seat Belt	1	RAS
03-09-060H		-- Seat Driver Bostrom 500 Series 8-Way Electric ABTS w/ Belt Pre-tensioner	1	RAS
03-09-000D		-- Single Retractor Seat Belt - Bostrom	1	RAS
03-09-0121		-- Seat Back Non-SCBA	1	RAS
03-09-02Y3		-- Seat Mounting Driver Electric 500 Series - Bostrom	1	RAS
03-09-0904		-- Seat Material Vinyl	1	RAS
03-09-0920		-- Seat Logo Rosenbauer	1	RAS
03-09-3010		-- Driver Seat Box Storage Compartment	1	RAS
03-09-3236		-- Seat Box Driver & Officer Storage Access Doors (2) Driver/Officer	1	RAS
03-09-063H		-- Seat Officer Bostrom 500 Series Tanker 6-Way Electric ABTS w/ Belt Pre-tensioner	1	RAS
03-09-000D		-- Single Retractor Seat Belt - Bostrom	1	RAS
03-09-02Y8		-- Seat Mounting Officer Electric 500 Series Bostrom	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
03-09-0301		-- Seat Back Crew SCBA Bostrom SecureAll	1	RAS
03-09-0904		-- Seat Material Vinyl	1	RAS
03-09-0920		-- Seat Logo Rosenbauer	1	RAS
03-09-3020		-- Officer Seat Box Storage Compartment	1	RAS
03-09-111H		-- Two (2) Center Forward Facing Seats - 500 - Roll Tek	1	RAS
03-09-080E		-- Seat Crew Forward Facing Center Bostrom 500 Tanker Flip-up RollTek	2	RAS
		Belt Orientation- LH & RH to Door		
03-09-000D		-- Single Retractor Seat Belt - Bostrom	2	RAS
03-09-0301		-- Seat Back Crew SCBA Bostrom SecureAll	2	RAS
03-09-057B		-- Seat Mounting Forward Facing Center - 500	2	RAS
03-09-0904		-- Seat Material Vinyl	2	RAS
03-09-0920		-- Seat Logo Rosenbauer	2	RAS
03-09-3100		-- Seat Box (2 person) Forward Facing	1	RAS
03-09-3210		-- Seat Box (60/54) Forward Facing Storage Access Cutout (2) Driver/Officer Sides	1	RAS
03-09-3215		-- Seat Box (60) Forward Facing Storage Access Door (2) Driver/Officer Sides	1	RAS
03-09-4101		-- Seat Box Doors Finish Match Cab Interior Coating	1	RAS
03-09-4001		-- Seat Box Finish - Match Cab Interior Coating	1	RAS
04-05-1900		-- Exterior Grab Handles 18" Aluminum	1	RAS
04-05-1911		-- Exterior Grab Handles Bare Aluminum w/ Lighting	1	RAS
04-05-0212		-- Exterior Grab Handles with Red LED Lighting 18"	4	RAS
08-01-0800		-- Grab Handle LED Light Actvtn w/ Parking Brake	4	RAS
		CAB FRONT FASCIA		RAS
04-08-0010		===== Traditional Front with Rectangular Headlamp Bezels =====	1	RAS
04-08-0140		-- Front Grille, 3D Stainless Steel SST	1	RAS
04-08-0022		-- Wing Light Bezel - SST	1	RAS
04-08-0090		-- Logo, Rosenbauer, Grille Mount	1	RAS
04-08-0072	S	-- Front Grille Inlay - Commander - Painted PFD	1	RAS
		>>> The Letters "PFD" shall be painted over the front grille honeycomb inlay with a minimum of Two (2) coats of clear cote; ILO An American Flag: Specifics TBD at PreBuild		
06-03-2010		-- Fluid Checks & Fills at Grille L9	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
08-00-050C		-- Headlights, LED, Quad, with Rectangular Bezel - HiViz	1	RAS
08-00-0540		-- Headlight Location - Upper Bucket	1	RAS
		104 OS, 105 OS, and 104 DS, 105 DS		
08-00-0623		-- Front Turn Signals Whelen M6 LED (2) w/ Clear Lens	1	RAS
08-00-0632		-- Turn Signal Located Upper Wings	1	RAS
		103 OS & DS		
08-00-0608		-- Front Marker Lamps Face Mounted LED (Center 3 Lightings, 2 Corner)	1	RAS
08-00-061C		-- Side Marker Light LED - Chrome (2)	1	RAS
08-01-0307		-- Headlight & Marker Light Activated One LCS	1	RAS
04-08-0151		Cab Fender SST	1	RAS
04-09-0300		Logo, Commander, Cab Sides	1	RAS
04-10-0351		Mud Flaps Front	1	RAS
		CAB TILT		RAS
05-00-0221		Cab Tilt System - Heavy Duty w/ Manual Back Up	1	RAS
05-00-0021		-- Cab Tilt Limit Switch	1	RAS
05-00-0045		-- Cab Tilt Lock Down Indicator	1	RAS
05-00-0100		-- Cab Tilt Control Receptacle Temp	1	RAS
		REARVIEW MIRRORS		RAS
05-00-5005		Bus Style Mirrors	1	RAS
05-00-7163		-- Ramco Bus, Driver Cowl Mnt, Officer Cowl Mnt, Lower Convex, Chrome	1	RAS
08-01-0821		-- Rearview Mirror Remote & Heat Switch Driver Panel	1	RAS
		EXTERIOR CAB PAINT		RAS
05-01-5015		Cab Paint Exterior Two Tone	1	RAS
05-01-5020		-- Cab Paint Upper / Secondary	1	RAS
		Paint Code: TBD at PreBuild		
		Paint Color: WHITE		
05-01-5021		-- Cab Paint Lower / Primary	1	RAS
		Paint Code: TBD at PreBuild		
		Paint Color: RED		
05-01-503D		-- Cab Paint Exterior Breakline - Paint Break D	1	RAS
		>>> Paint Break TBD at PreBuild		

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PART NO	S	DESCRIPTION	QTY	ID
05-01-6051		-- Cab Undercoating	1	RAS
05-01-7000		-- Paint Spray Out	2	RAS
FRONT AXLE				
07-05-010B		Front Axle Hendrickson SteerTek 20000#	1	RAS
07-05-0120		-- Front Wheel Bearing Lube Oil	1	RAS
07-05-0272		-- Front Suspension Hendrickson Parabolic Spring 20K	1	RAS
07-05-0341		-- Power Steering Gear TRW TAS 85 w/Assist- 20K and up - L9	1	RAS
Steertek Axle				
07-06-0420		-- Chassis Alignment	1	RAS
07-06-0522		-- Front Cramp Angle 45 Degrees	1	RAS
07-07-014B		-- (2) Steer Tires 385/65R 22.5 Michelin X Multiway HL XZE "L"	1	RAS
07-06-0436		-- Counter Acting Balancing Beads	2	RAS
07-07-0713		-- (2) Front Alcoa Dura Black Aluminum Wheels 22.5 x 12.25 w/hub and Nut Covers	1	RAS
07-08-0203		-- Front Brakes Meritor EX225 Disc 17"	1	RAS
07-05-0303		4 Spoke Steering Wheel w/4 Front Airbag & ESC Tilt/Telescopic 18"	1	RAS
REAR AXLE				
07-06-0100		Rear Axle, Single, 24000# Meritor RS-24-160	1	RAS
07-06-0249		-- Rear Suspension Reyco 79KB Spring 24000# Conventional	1	RAS
07-08-0251		-- Rear Brakes S-Cam Drum 16.5" x 7"	1	RAS
07-06-0300		-- Rear Shock Absorbers	1	RAS
07-07-0301		-- (4) Rear Tires 11R 22.5 Michelin XZE2 "H"	1	RAS
07-06-0436		-- Counter Acting Balancing Beads	4	RAS
07-07-0787		-- (4) Rear Wheels Alcoa Dura-Bright 22.5 x 8.25 Aluminum	1	RAS
07-07-0610		-- Valve Stem Extension - Single Axle	1	RAS
07-07-0996		-- Vehicle Top Speed 68	1	RAS
07-08-0103		-- Electronic Stability Control Single Axle <i>w/ air manifold</i>	1	RAS
NOT AVAILABLE on Tillers				
07-08-0189		-- Air Tank Brackets - Hot Dipped Galvanized	1	RAS
07-08-0301		-- Park Brake Rear Wheels Only	1	RAS
08-02-0130		-- Park Brake Control Driver Dash	1	RAS
07-08-0410		-- Wabco System Saver 1200	1	RAS
07-08-0551		-- Moisture Ejectors Manual	1	RAS
07-08-0570		-- Air Supply Lines Nylon	1	RAS
07-09-001A		Frame Single Channel 35" Frame Width <i>Units with Wheelbase 200" or larger or over 1,000 gallons of water and foam need a double frame</i>	1	RAS
07-09-0035		-- Wheelbase Range 190" - 199"	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
07-09-0071		-- Rear Overhang	1	RAS
07-09-0136		-- Frame/Front Extension Hot Dip Galvanized	1	RAS
08-09-0200		-- Galvanized Frame Warranty BR	1	RAS
ENGINE				RAS
06-00-0050		-- Engine Placement	1	RAS
06-00-1610		-- Engine, Cummins L9, Base Spec, 2021- Commander	1	RAS
06-00-0051		-- Cummins L9 Surcharge	1	RAS
06-00-1622	S	-- 450HP Cummins L9 - 2021	1	RAS
No spec change				
06-02-1110		-- Fan Clutch - L9	1	RAS
06-04-3000		-- Fan Clutch Programming - Standard	1	RAS
06-02-1526		-- Auxiliary Engine Brake Compression Brake (JAKE)	1	RAS
08-01-0197		-- Auxiliary Engine Brake Control On/Off & Low/Med/High	1	RAS
One LCS				
06-02-2003		-- AC Compressor - L9	1	RAS
06-03-1010		-- Engine High Idle Speed 1250 RPM	1	RAS
06-03-1024		-- Engine High Idle Control Manual & Automatic One LCS	1	RAS
06-05-3010		-- Engine Air Intake Filtration and Restriction L9	1	RAS
06-06-3745		-- Engine Exhaust System One Piece Officer Side, L9, 2021	1	RAS
06-06-4006		-- DEF Tank - Commander	1	RAS
06-06-4100		-- DEF Tank Access Fill Door	1	RAS
06-08-0100		-- Engine Exhaust Acc Temp Mitigation	1	RAS
06-08-0200		-- Engine Exhaust Wrap	1	RAS
08-02-0140		-- DPF Control Regeneration Switch & Inhibit Switch Covered	1	RAS
06-04-2002		-- Engine Cooling System- L9	1	RAS
06-04-4010		-- Coolant Valve Shut Off Valve w/Connection - For Additional	1	RAS
Heater				
06-05-1002		-- Engine Pump Heat Exchanger L9	1	RAS
TRANSMISSION				RAS
07-01-0104		-- Transmission Allison 4000 EVS L9 450HP	1	RAS
07-01-0500		-- Transmission Fluid - Standard	1	RAS
07-02-0008		-- Transmission GEN V-E Push Button Key Pad	1	RAS
07-02-0013		-- Transmission 1 o'clock PTO	1	RAS
07-02-0052		-- Transmission Mode Programming 5th Startup/5th Mode	1	RAS
07-02-0066		-- Transmission Feature Programming I/O Package 198/Pumper	1	RAS
07-02-0253		-- Driveline Spicer 1810 HD	1	RAS
07-04-0120		-- Fuel Filter/Water Separator Cummins FS1098	1	RAS
07-04-0316		-- Fuel Tank, Stainless Steel SST, 68 Gal/257 Liter, Dual Fill	1	RAS
07-04-0216		-- Fuel Lines Aramid Braid	1	RAS
07-04-0225		-- Fuel Shutoff Valve (2) at Filter	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
07-04-0230		-- Fuel Cooler Rearward of Battery Box	1	RAS
07-04-0360		-- Fuel Tank Serviceability Provision 12' Fuel Line Extension	1	RAS
08-00-0402		-- Alternator Leece-Neville 320 Amp	1	RAS
ELECTRICAL SYSTEM				
08-00-0103		Electrical System 12V DC One LCS	1	RAS
08-01-0084		-- One LCS Driver Side Display, Composite Dash Panel	1	RAS
08-01-0087		-- One LCS Driver Panel 5 Button Keypad Under Display	1	RAS
08-01-008E		-- One LCS Officer Side Composite Dash Panel w/Display	1	RAS
08-09-0260		-- ONE LCS WARRANTY - 4 YEAR	1	RAS
08-02-0176		-- Accessory Power Distribution Panel - 12 Position 40A Battery Direct W/ Ground Please indicate location for Power Distribution panel(s): (1) Behind Officer's Seat, On Wall of Officer's EMS Compartment (1) Behind Driver's Seat, On Wall of Driver's EMS Compartment	2	RAS
08-03-0110		-- Communication Antenna Base Cab Roof - RBM Supplied Shop Note Roof location. Location will be affected by Aerial Devices or Roof Mounted Accessories.	1	RAS
		>>> Location TBD at PreBuild		
08-03-0120		-- Communication Antenna Cable Routing Under Officer Front Seat	1	RAS
08-02-0611		-- Weldon VDR/Seat Belt Warn - One LCS	1	RAS
08-01-0018		-- Commander LCS Digital Gauge Composite Dash	1	RAS
08-01-001J		-- Instrumentation Standard Digital Display With DEF	1	RAS
08-00-0340		6 Battery System	1	RAS
08-00-0322		-- Batteries (6) Group 31	1	RAS
08-00-023A		-- Battery Box Driver/Officer Side Hot dipped Galvanized Steel w/Covers - 6 Battery	1	RAS
08-00-0248		-- Battery Cables (6)	1	RAS
08-00-0251		-- Battery Jumper Studs Front Driver Lower Step	1	RAS
08-01-0038		-- One LCS Battery Master	1	RAS
08-01-0040		-- Power & Ground Stud 40A Battery Direct / 15A Ignition	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
08-00-072D		-- Ground Lights LED Whelen 3SC0CDCR	4	RAS
08-01-0751		-- Ground Lights Activation with Park Brake	4	RAS
08-00-0735		-- Cab Step Lights LED (1 Per Door)	4	RAS
08-01-0753		-- Step Lights Activated Respective Side	4	RAS
08-00-074A		-- Interior Door Warning Lts Weldon 15" Amber Direct Flash Mtd Abv Window	4	RAS
		DOOR JAMB WARNING LIGHTS		RAS
08-00-0783		-- Engine Compartment Work Light LED (2)	1	RAS
08-00-0791		-- Interior Overhead LED Lighting - Red/Clear	1	RAS
08-00-4090		Dr Open/Hazard Wrn Lt, Flash, Whelen 3SR00FRR LED Rnd (Do Not Move Appar	1	RAS
08-01-2010		Back-Up Alarm Ecco 575	1	RAS
		HAAS Alert System		RAS
08-02-0770		-- HAAS Alert System, HA-5	1	RAS
08-02-0775		-- HAAS - 5 Year Subscription	1	RAS
08-06-0023		Camera System with One LCS	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
08-06-0017		-- Camera System - Chrome Side Cameras	1	RAS
08-06-0151		-- Officer Side Camera; Rear Camera; Driver & Officer One LCS	1	RAS
		360° Camera System		RAS
08-08-KM35		Battery Charger, KUSSMAUL 35/10 - 120V Pump	1	RAS
08-08-0003		-- Battery Charger Location - Inside Driver's EMS Compartment	1	RAS
08-08-0023		-- Air Compressor Location - Inside Driver's EMS Compartment	1	RAS
08-08-0198		-- Automatic Shoreline - 20 Amp Cover with Bar Graph Display	1	RAS
08-08-2005		-- Super Auto Eject, 20A, Yellow Cover, Integrated Bar Graph Display	1	RAS
08-08-06SF		-- Shoreline Location Driver's Front Stepwell Please Specify Location	1	RAS
08-08-41SW		-- Indicator Location Drivers Step Well Please Specify Location: TBD at PreBuild	1	RAS

QUOTATION

Parker Fire Department
5700 E. Parker Road
Parker, TX 75002
972-442-4080

Exp. Date: 04/29/2023
Quote No: 10143-0007
PUMPER: C0-00-0100 ROSENBAUER FX/FL SNGL AXL PMPR/TNKR
BID PREP: C0-01-0010 Pumper/Tanker Bid Prep Forms
WARRANTY: C0-01-1010 Pumper/Tanker Warranties
CHASSIS: RBM CHASSI Use Drop Down to Add RBM Chassis
ELEC-DC: C0-50-0001 Pumper/Tanker-DC Electrical Sys ROSENBAUER ONLY
CHS MODS: C0-02-0006 RBM Chassis Modifications - ROSENBAUER ONLY
PLUMBING: C0-20-0000 Midship Pumper/Tanker Pump & Plumbing
PUMP COMPT: C0-26-0000 Pumper/Tanker-Side Mount Pump Compt
BODY-PMPR: C0-30-1600 HLFD/HRHD Single Axle Pumper/Tanker
BODY-CMMN: C0-44-0000 Pumper/Tanker-Common Body Parts
ELEC-AC: C0-60-0000 Pumper/Tanker-AC Electrical System
EQUIP-SYST: C0-70-0000 Pumper/Tanker-Equipment Systems
PAINT: C0-80-0000 Pumper/Tanker - Single Axle - Pnt/Ltr/St
EQUIP-LSE: C0-90-0000 Pumper/Tanker - Loose Equipment

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PART NO	S	DESCRIPTION	QTY	ID
		== Pumper/Tanker Bid Prep Forms - 131.023 01/31/23 ==		RAS
		ROSENBAUER APPARATUS SOLUTIONS - RAS - 31		RAS
		JANUARY 2023		
00-00-1100	S	Information Request Form (Factory Required)	1	RAS
00-00-1300	S	Parker Fire Department	1	RAS
00-00-1499		Overall Height Restriction, NONE	1	RAS
00-00-1509		Overall Length Restriction, NONE	1	RAS
00-00-1519		Overall Width Restriction, NONE	1	RAS
00-00-1529		Wheelbase Restriction, NONE	1	RAS
00-00-1539		Angle of Approach, NFPA Minimum, 8 Degrees	1	RAS
00-00-1549		Angle of Departure, NFPA Minimum, 8 Degrees	1	RAS
		NFPA Equipment Allowances		RAS
00-00-1610		NFPA Pumper Equipment Allowance 2500#	1	RAS
00-00-1799			1	RAS
00-00-3220		Contract Change Notice	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
00-12-1100		Financial Stability Response	1	RAS
01-06-0560		Electronic Stability Control	1	RAS
01-07-0062		-- Technical Drawings, Representative Drawings (4-View)(Left/Right/Rear/Front)	1	RAS
01-07-1100		Change Orders	1	RAS
02-02-0300		Inspection Trip	1	RAS
		>>> Travel for TWO (2) Inspection Trips, of Four (4) Personnel:		
		(1) PreBuild Meeting at Factory		
		(1) Final Inspection at Factory		
		>>> Spec'd Cost TBD:		
02-10-3000		Delivery (751 to 1000 miles)	1	RAS
02-13-5020		Demonstration (Dealer Supplied)	1	RAS
02-13-5030		Delivery	1	RAS
		== Pumper/Tanker Warranties - 131.023 01/31/23 ==		RAS
01-16-0150		-- Warranty, Apparatus, Body Warranty, 1 Year	1	RAS
01-19-0250		-- Warranty, Body, Alum, 5 Years	1	RAS
01-19-2800		-- Warranty, Subframe, Lifetime Galv	1	RAS
01-20-1005		-- Warranty, Paint, AkzoNobel, 5 Years	1	RAS
01-21-0150		-- Warranty, Lettering and Striping, 1 Year	1	RAS
01-17-0860		-- Pump Warranty, Rosenbauer, 5 Year	1	RAS
01-17-1050		-- Plmbg Warranty, Stainless Steel, 10 Years	1	RAS
01-18-0450		-- Warranty, Water Tank, UPF	1	RAS
01-33-3100		-- Manuals, Body Complete, 1 Set Printed	1	RAS
01-33-3710		-- In Process Photos	1	RAS
		== Use Drop Down to Add RBM Chassis - 131.023 01/31/23 ==		RAS
		== Pumper/Tanker-DC Electrical Sys ROSENBAUER ONLY -		RAS
		131.023 01/31/23 ==		
56-01-1100		-- Siren, Elect, Supl'd w/Chassis	1	RAS
56-02-1600		-- Spkr, F-S Dynamax, ES100C 100 Watt	2	RAS
56-02-1650		-- Spkr Grille, SST, "R"	2	RAS
56-03-1800		-- Spkr Lctn, To Be Determined by Body Mfg	2	RAS
		>>> Mount Speakers in the Front Bumper Angled Corners:		
		(1) Driver's Side		
		(1) Officer's Side		
56-06-0500		-- Siren, F-S, Q2B-NN Mech, Bumper, Partially Rcsd, Left Side Q2B-012NNSD Chrome	1	RAS
56-07-1300		-- Siren Cntrl, F-S, Q2B, Driver's Side Foot Swtch	1	RAS
56-07-1800		-- Siren Cntrl, F-S, Q2B, Rocker, Dual Action, Red, Console	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
56-07-1100		-- Siren Brake, F-S, Q2B, Driver's Side	1	RAS
57-02-2500		-- Lt Bar, Whelen, Ultra Freedom IV, #F4N7QLED, LED, 72" (fully populated)	1	RAS
57-08-1100		-- Trffc Emttr, GTT Opticom, Lt Bar Mntd, 795H Low-Pro LED High-Priority, Prk Brake	1	RAS
57-10-0105		-- Lightbar Cntrl, with One LCS Master & Virtual Switch	1	RAS
57-01-0500		-- Warning Light Zone Control	1	RAS
58-71-1770		-- Wrn Lts, Whelen, Upper Rr (2) M9 LED	1	RAS
57-20-1410		-- Wrn Lt, Drvr, Whelen, M9, Red LED, Clear Lens, Ea	1	RAS
57-20-1411		-- Wrn Lt, Offcr, Whelen, M9, Red LED, Clear Lens, Ea	1	RAS
58-01-2180		-- Flange, Chrome, Wrn Lt, Whln, M9 Ea	2	RAS
58-46-2100		-- Wrn Lts, Whelen, Upper Side Front (2) M9 LED	1	RAS
57-20-1410		-- Wrn Lt, Drvr, Whelen, M9, Red LED, Clear Lens, Ea	1	RAS
57-20-1411		-- Wrn Lt, Offcr, Whelen, M9, Red LED, Clear Lens, Ea	1	RAS
58-01-2180		-- Flange, Chrome, Wrn Lt, Whln, M9 Ea	2	RAS
58-61-2100		-- Wrn Lts, Whelen, Upper Side Rr (2) M9 LED	1	RAS
57-20-1410		-- Wrn Lt, Drvr, Whelen, M9, Red LED, Clear Lens, Ea	1	RAS
57-20-1411		-- Wrn Lt, Offcr, Whelen, M9, Red LED, Clear Lens, Ea	1	RAS
58-01-2180		-- Flange, Chrome, Wrn Lt, Whln, M9 Ea	2	RAS
58-01-9100		-- Wrn Lts, Std Flash Pattern	1	RAS
58-03-6199		-- Turn Signals, Upper Wing Position, Chassis Supplied	1	RAS
58-03-7300		-- Wrn Lts, Whelen, Inbrd Warn Lt, (2) M6 LED	1	RAS
57-20-1210		-- Wrn Lt, Drvr, Whelen, M6, Red LED, Clear Lens, Ea	1	RAS
57-20-1211		-- Wrn Lt, Offcr, Whelen, M6, Red LED, Clear Lens, Ea	1	RAS
58-01-2140		-- Flange, Chrome, Wrn Lt, Whln, M6, Ea	2	RAS
58-03-7400		-- Wrn Lts, Whelen, Outboard Warn Lt Frnt, (2) M6 LED	1	RAS
57-20-1210		-- Wrn Lt, Drvr, Whelen, M6, Red LED, Clear Lens, Ea	1	RAS
57-20-1211		-- Wrn Lt, Offcr, Whelen, M6, Red LED, Clear Lens, Ea	1	RAS
58-01-2140		-- Flange, Chrome, Wrn Lt, Whln, M6, Ea	2	RAS
58-09-2000		-- Wrn Lts, Whelen, Intrsct (2) M6 LED	1	RAS
57-20-1210		-- Wrn Lt, Drvr, Whelen, M6, Red LED, Clear Lens, Ea	1	RAS
57-20-1211		-- Wrn Lt, Offcr, Whelen, M6, Red LED, Clear Lens, Ea	1	RAS
58-01-2140		-- Flange, Chrome, Wrn Lt, Whln, M6, Ea	2	RAS
58-16-2100		-- Wrn Lts, Whelen, Lwr Mid Chassis (2) M6 LED	1	RAS
57-20-1210		-- Wrn Lt, Drvr, Whelen, M6, Red LED, Clear Lens, Ea	1	RAS
57-20-1211		-- Wrn Lt, Offcr, Whelen, M6, Red LED, Clear Lens, Ea	1	RAS
58-01-2140		-- Flange, Chrome, Wrn Lt, Whln, M6, Ea	2	RAS
58-26-2400		-- Wrn Lts, Whelen, Low Mid Bdy (2) M2 LED, in Rub Rail	1	RAS
		Will only fit in EXT rub rail WITHOUT bezel		
57-20-1010		-- Wrn Lt, Drvr, Whelen, M2, Red LED, Clear Lens, Ea	1	RAS
57-20-1011		-- Wrn Lt, Offcr, Whelen, M2, Red LED, Clear Lens, Ea	1	RAS
58-36-2400		-- Wrn Lts, Whelen, Low Rr Side (2) M2 LED, in Rub Rail	1	RAS
		Will only fit in EXT rub rail WITHOUT bezel		

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PART NO	S	DESCRIPTION	QTY	ID
57-20-1010		-- Wrn Lt, Drvr, Whelen, M2, Red LED, Clear Lens, Ea	1	RAS
57-20-1011		-- Wrn Lt, Offcr, Whelen, M2, Red LED, Clear Lens, Ea	1	RAS
58-81-2000		-- Wrn Lts, Whelen, Low Rr (2) M6 LED	1	RAS
57-20-1210		-- Wrn Lt, Drvr, Whelen, M6, Red LED, Clear Lens, Ea	1	RAS
57-20-1211		-- Wrn Lt, Offcr, Whelen, M6, Red LED, Clear Lens, Ea	1	RAS
50-04-1200		Elecal, Base, One LCS	1	RAS
55-11-1100		-- Dr Open/Hazard Wrn Lt, w/Chassis	1	RAS
50-12-1092		Swtch Panel, Multiplex, Chassis Supplied	1	RAS
50-41-3000		Air Horns, (2) Rcsd, One Ea Side Bumper, 24.5" Chrome	1	RAS
50-43-2100		-- Air Horn Cntrl, Driver, Sgle Ft Swtch	1	RAS
50-43-2300		-- Air Horn Cntrl, Officer, Sgle Dash Swtch	1	RAS
51-05-6400		Lt, Pump Cmpt, 12 Volt LED With Swtch	1	RAS
51-05-9000		-- Switch on Light Head	1	RAS
51-20-3100		-- Fldlt, Mntg Lctn, Front Edge Of Cab Roof	1	RAS
51-16-5032		-- Fldlt, Fire Tech, FT-B-72-ML-3PKIT-W, 30,096 Lmns, 72"	1	RAS
		Light Bar Mnt, White		
54-15-6100		-- Scene Lt Swtch , Cab Switch Panel	1	RAS
54-15-6094		-- 3-Way Cntrl Swtch, Front Scene Lts, Driver & Officer	1	RAS
		VISTA/Pmp Pnl		
52-01-1100		Back Up Alarm, w/Chassis	1	RAS
52-02-1100		Back Up Camera, Install Chassis Supl'd	1	RAS
52-10-4100		Intercom System, Sigtronics, US45S (up to 4 + pump panel)	1	RAS
52-10-4110		-- Headset, Intercom Only, SE-8 Sigtronics	4	RAS

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PART NO	S	DESCRIPTION	QTY	ID
52-10-4150		-- Cable, Extension, Headset, Sigtronics	1	RAS
53-01-1200		Marker Lts, LED, DOT Requirements	1	RAS
53-02-1200		License Plate Brkt, SST w/ LED Lt, Rr,	1	RAS
53-02-1400		License Plate Brkt, SST. No Lt Front	1	RAS
53-03-0060		Whelen Rr DOT LED Ltng Pkg (4x6) 600's	1	RAS
53-03-2602		-- Tail/Brake Lts, Whelen, 600's LED, 4"x6", Clear Lens (Pair) 604BTTC	1	RAS
53-04-2602		-- Turn Signals, Whelen600's LED w/ Arrow, 4"x6", Clear Lens (Pair) 604TC	1	RAS
53-06-3500		-- Backup Lts, Whelen, 600's LED, 4"x6" (Pair) 604BU	1	RAS
53-07-1212		-- Tail Lt Bezel, 4 Lts, Whln 600, ABS Chrome, 5mm & S-LED Lts Only, (Pair)	1	RAS
53-05-1802		Turn Signals, Mid Bdy, LED Marker Lt TechNiq S17-AA2G0-1 (Pair)	1	RAS
54-01-1230		-- Ground Lts, Frt Bumper, LED AMDOR H20, (approx 12") Pair AY-9500-012	1	RAS
54-03-1270		-- Ground Lts, Pump Panel, LED AMDOR H20, (approx 12"), Pair, AY-9500-012	1	RAS
54-03-1600		-- Ground Lts, Rr Step, LED, Pair	1	RAS
54-03-1840		-- Ground Lts, Bhnd Rr Wheels, LED AMDOR H20, (approx 12"), Pair , AY-9500-12	1	RAS
54-04-1999		-- Lt Swtch , Ground Lts w/ Park Brake	1	RAS
54-10-1450		Step Lt, Rr Tailboard, LED, Ea	2	RAS
54-11-2100		Lt Swtch , Step/Wlkwy Lts Wired Park Brake Swtch	1	RAS
54-15-1380		-- Scene Lt, Whelen, 900 S-LED	8	RAS
54-15-5100		-- Scene Lt Lctn, Left Side Of Cab	1	RAS
54-15-5200		-- Scene Lt Lctn, Right Side Of Cab	1	RAS
54-15-5500		-- Scene Lt Lctn, Left Side Of Bdy	2	RAS
54-15-1470		-- Scene\Warn Lt, Mntg Plate, Painted	2	RAS
54-15-5600		-- Scene Lt Lctn, Right Side Of Bdy	2	RAS
54-15-1470		-- Scene\Warn Lt, Mntg Plate, Painted	2	RAS
54-15-5700		-- Scene Lt Lctn, Rr Of Bdy	2	RAS
54-15-6494		-- 3-Way Cntrl Swtch, Left Scene Lts, Driver & Officer VISTA/Pmp Pnl	1	RAS
54-15-6594		-- 3-Way Cntrl Swtch, Right Scene Lts, Driver & Officer VISTA/Pmp Pnl	1	RAS
54-15-6694		-- 3-Way Cntrl Swtch, Rr Scene Lts, Driver & Officer VISTA/Pmp Pnl	1	RAS
54-15-6700		-- Scene Lt Swtch , Rr Scene Lts, Auto w/ Reverse	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
55-11-1100		Dr Open/Hazard Wrn Lt, w/Chassis	1	RAS
58-91-0100		Traffic Arrow, Install Chassis Supl'd	1	RAS
58-95-1200		Traffic Arrow Lt Mtg, Recess Mt, Rr Bdy >>> Mount Below Hose Bed	1	RAS
		== RBM Chassis Modifications - ROSENBAUER ONLY - 131.023		RAS
		01/31/23 ==		
10-02-1100		-- Label, Data, Fluid Levels	1	RAS
10-02-1200		-- Label, Data, Height x Length, Weight	1	RAS
10-02-1300		-- Label, Data, "No Ride" Rr Step	1	RAS
10-02-2100		-- Label, Indicating Number of Seats	1	RAS
10-02-2500		-- Label, "Caution: Do Not Wear Helmet While Seated"	1	RAS
10-03-6000		-- Tow Plates (2), Rr Frame Rail, Under Step	1	RAS
80-43-2400		-- Painting, Tow Plates, Blk	1	RAS
10-04-0430		-- Front Bumpers, 4000, Max Force 12"H, Max Force Wings	1	RAS
10-05-4324		-- Frnt Bmpr, 4000, Max Force 12"H, T/P Apron, M/F Wings, 24" Extnsn	1	RAS
10-04-3582		-- Bumper, Top Edge Line-X Coated	1	RAS
10-04-2550		-- Full Width Hosewell >>> Hosewell Capacity for Two (2) 200-ft. Crosslays of 1.75-in. double jacketed fire hose and nozzles	1	RAS
10-04-2948		-- Grating, Bumper Cmpt, Turtle Tile, Full Width Cmpt	1	RAS
10-05-9110		-- Tow Hooks Painted Rearward Mount (Pair)	1	RAS
10-06-1602		-- Tire Pressure Indicator, Sngl Axle, Commander RWTG1235, EXT	1	RAS
10-07-0100		-- Exhaust, Horizontal Supplied With Chassis	1	RAS
10-07-1500		-- Exhaust Heat Shield, Under Bdy Compts	1	RAS
10-08-2100		-- Mud Flaps, Rr Whls, Blk, w/ Bdy	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
		== Midship Pumper/Tanker Pump & Plumbing - 131.023 01/31/23		RAS
		==		
20-27-2100	S	-- S.O.R./ Pump, Rosenbauer, N80 2250 GPM, HP, Midship Splitshaft Aluminum Fire Pump must be completely drained and keep dry between uses. Warranty implications apply	1	RAS
20-27-0150		-- Rosenbauer Pump Body, Light Alloy Fire Pump must be completely drained and keep dry between uses. Warranty implications apply	1	RAS
20-29-1200		-- Primer, Trident Air Primer, Automatic	1	RAS
20-29-1250		-- Primer Control - Main Pump Rocker Switch	1	RAS
27-10-3500		-- Pressure Gvrnr, FRC, In-Cntrl, w/Bdy, TGA400	1	RAS
20-28-3200		-- Pump Shift, Rosenbauer , Elect/Pneumatic Operated	1	RAS
20-31-4700		-- Pump Cooler, Rosenbauer, Thermal	1	RAS
		STAINLESS STEEL PUMP PLUMBING *		RAS
21-00-2000		-- Screens/Anodes, Pump	1	RAS
21-00-3300		-- Piping, SST - 1250 GPM & Up	1	RAS
21-01-0200		-- Pump Drain, Master, Manifold, Push Pull Type	1	RAS
21-01-5500		-- Intk Manifold, SST	1	RAS
21-01-6500		-- Dschg Manifold, SST	1	RAS
21-01-7300		-- Painting, Pump & Piping, Unpainted	1	RAS
21-01-8100		-- Threads, National Hose (NST)	1	RAS
22-24-1660		-- Intk, Gtd, Mnl, BIV, 6"NSTFx5"Storz F, LH TFT AX3ST-NX, Extrnl	1	RAS
22-41-7200		-- Cap, 5" Storz, LW Alum, Lckng, w/Chain or Cable	1	RAS
22-24-3660		-- Intk, Gtd, Mnl, BIV, 6"NSTFx5"Storz F, RH TFT AX3ST-NX, Extrnl	1	RAS
22-41-7200		-- Cap, 5" Storz, LW Alum, Lckng, w/Chain or Cable	1	RAS
22-51-5210		-- Tank-To-Pump, Water Tank, 3" Vlv/4" Piping, Midship, Pmpr/Tnkr	1	RAS
22-50-0100		-- Single Tank to Pump Control - Pump Operator's Panel	1	RAS
24-62-1300		-- Vlv Mfger, AKR, 8000, (3")	1	RAS
22-55-4012		-- Intk Vlv Cntrl, Pull Rod, 1/4 Turn, AKR - IC	1	RAS
23-02-1300		-- Tank Fill/Cooling Line, Water Tank, 2"	1	RAS
24-62-1200		-- Vlv Mfger, AKR, 8000, (2")	1	RAS
22-55-4012		-- Intk Vlv Cntrl, Pull Rod, 1/4 Turn, AKR - IC	1	RAS
20-30-3100		-- Pump Instln, Midship Split-Shaft, By Bdy Bldr	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
20-31-3600		Dump-Relief Vlv, Suction Side, TFT A18	1	RAS
20-31-4100		Pump Cooler, Bypass-To-Tank, 3/8"	1	RAS
20-31-5200		Heat Exchanger, Engine, Complete	1	RAS
20-31-1000		-- Fire Pump Testing - Pumpers/Tankers	1	RAS
20-31-1100		-- Pump Test, Pumper, UL	1	RAS
20-31-1500		-- Pump Test, Label	1	RAS
22-12-1100		Intk, Aux, Gtd, 2-1/2", NST, Left Side	1	RAS
21-01-2502		-- Drain/Bleeder, IC Lift-Up, Mnl 1/4 Turn - Spec Only	1	RAS
22-41-1100		-- Plug, 2-1/2", Chrome Rocker Lug, w/Chain	1	RAS
24-62-1250		-- Vlv Mfger, AKR, 8000, (2-1/2")	1	RAS
22-55-4050		-- Intk Vlv Cntrl, AKR, Mnl Swing Type-Adjacent	1	RAS
22-12-3100		Intk, Aux, Gtd, 2-1/2", NST, Right Side	1	RAS
21-01-2502		-- Drain/Bleeder, IC Lift-Up, Mnl 1/4 Turn - Spec Only	1	RAS
22-41-1100		-- Plug, 2-1/2", Chrome Rocker Lug, w/Chain	1	RAS
24-62-1250		-- Vlv Mfger, AKR, 8000, (2-1/2")	1	RAS
22-55-4050		-- Intk Vlv Cntrl, AKR, Mnl Swing Type-Adjacent	1	RAS
23-05-4200	S	-- S.O.R./ Dschgs, (2) 1-1/2" NST Frnt Bmpr Crosslays, (200' X 1 3/4" Hose Capacity >>> The discharges shall terminate with a swivel with 2" NPT female x 1-1/2" male NST hose threads. The SWIVEL shall be mounted ABOVE the Bumper Level; ILO Recessed Below the Bumper Level.	1	RAS
		>>> Plumb Front Bumper Crosslays for FOAM		
21-01-2200		-- Drain/Bleeder, Class 1, Automatic	2	RAS
24-61-1200		-- Vlv Mfger, AKR, 8000, (2")	2	RAS
24-53-0020		-- Dschg Vlv Cntrl, Pull Rod, 1/4 Turn, SM, AKR - IC w/Gauge	2	RAS
27-02-1500		-- Gauge, Dschg, IC, 2-1/2" (0-400 PSI), WF	2	RAS
23-08-3120		-- Crosslay Cvr, Alum T/P (NFPA Compliant Walking Surface)	1	RAS
23-09-4100		Dschg, 2-1/2", Left Side, Pump Panel, NST	2	RAS
21-01-2502		-- Drain/Bleeder, IC Lift-Up, Mnl 1/4 Turn - Spec Only	2	RAS
24-02-1200		-- Elbow, 2-1/2" F x 2-1/2" NST M, Chrome	2	RAS
24-03-1400		-- Cap, 2-1/2", NST Chrome, Rocker Lug, w/Chain	2	RAS
24-61-1250		-- Vlv Mfger, AKR, 8000, (2-1/2")	2	RAS
24-53-0020		-- Dschg Vlv Cntrl, Pull Rod, 1/4 Turn, SM, AKR - IC w/Gauge	2	RAS
27-02-1500		-- Gauge, Dschg, IC, 2-1/2" (0-400 PSI), WF	2	RAS

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PART NO	S	DESCRIPTION	QTY	ID
23-10-4100		Dschg, 2-1/2", Right Side, Pump Panel, NST	1	RAS
21-01-2502		-- Drain/Bleeder, IC Lift-Up, Mnl 1/4 Turn - Spec Only	1	RAS
24-02-1200		-- Elbow, 2-1/2" F x 2-1/2" NST M, Chrome	1	RAS
24-03-1400		-- Cap, 2-1/2", NST Chrome, Rocker Lug, w/Chain	1	RAS
24-61-1250		-- Vlv Mfger, AKR, 8000, (2-1/2")	1	RAS
24-53-0020		-- Dschg Vlv Cntrl, Pull Rod, 1/4 Turn, SM, AKR - IC w/Gauge	1	RAS
27-02-1500		-- Gauge, Dschg, IC, 2-1/2" (0-400 PSI), WF	1	RAS
23-10-5200		Dschg, 3" x 4"NST, Right Side, Pump Panel, NST	1	RAS
21-01-2502		-- Drain/Bleeder, IC Lift-Up, Mnl 1/4 Turn - Spec Only	1	RAS
24-02-2600		-- Elbow, LW Alum, 5" Storz x 4" F	1	RAS
24-03-2200		-- Cap, LW Alum, 5" Storz, w/Cable	1	RAS
24-61-1300		-- Vlv Mfger, AKR, 8000, (3")	1	RAS
24-53-0300		-- Dschg Vlv Cntrl, Pull Rod, 1/4 Turn, SM, AKR Slow Close - IC w/Gauge	1	RAS
27-02-1500		-- Gauge, Dschg, IC, 2-1/2" (0-400 PSI), WF	1	RAS
23-13-3100		Dschg, 2-1/2", Left Rr, NST >>> Plumb for FOAM	2	RAS
21-01-2502		-- Drain/Bleeder, IC Lift-Up, Mnl 1/4 Turn - Spec Only	2	RAS
24-02-1200		-- Elbow, 2-1/2" F x 2-1/2" NST M, Chrome	2	RAS
24-03-1400		-- Cap, 2-1/2", NST Chrome, Rocker Lug, w/Chain	2	RAS
24-61-1250		-- Vlv Mfger, AKR, 8000, (2-1/2")	2	RAS
24-53-0020		-- Dschg Vlv Cntrl, Pull Rod, 1/4 Turn, SM, AKR - IC w/Gauge	2	RAS
27-02-1500		-- Gauge, Dschg, IC, 2-1/2" (0-400 PSI), WF	2	RAS
23-13-3200		Dschg, 2-1/2", Right Rr, NST >>> Plumb for FOAM	2	RAS
21-01-2502		-- Drain/Bleeder, IC Lift-Up, Mnl 1/4 Turn - Spec Only	2	RAS
24-02-1200		-- Elbow, 2-1/2" F x 2-1/2" NST M, Chrome	2	RAS
24-03-1400		-- Cap, 2-1/2", NST Chrome, Rocker Lug, w/Chain	2	RAS
24-61-1250		-- Vlv Mfger, AKR, 8000, (2-1/2")	2	RAS
24-53-0020		-- Dschg Vlv Cntrl, Pull Rod, 1/4 Turn, SM, AKR - IC w/Gauge	2	RAS
27-02-1500		-- Gauge, Dschg, IC, 2-1/2" (0-400 PSI), WF	2	RAS
24-11-3200		Monitor Dschg, 3", Over Midship Pump Enclsr, NPT	1	RAS
21-01-2500		-- Drain/Bleeder, IC Lift-Up, Mnl 1/4 Turn	1	RAS
24-61-1300		-- Vlv Mfger, AKR, 8000, (3")	1	RAS
24-53-0300		-- Dschg Vlv Cntrl, Pull Rod, 1/4 Turn, SM, AKR Slow Close - IC w/Gauge	1	RAS
27-02-1500		-- Gauge, Dschg, IC, 2-1/2" (0-400 PSI), WF	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
24-14-1400		-- Mntr, TFT, CrossFire, XFC-62, Pkg (Top, Base, Nozzle, Tips, Xtnd-Gun) >>>> Offset towards Driver's Side	1	RAS
24-14-1700		-- Nozzle, TFT M-R1250S-NJ	1	RAS
24-14-1800		-- Base Inlets, TFT XFH-2NJ Dual 2-1/2" NH	1	RAS
24-14-1900		-- Stream Shaper, TFT XF-SS5	1	RAS
24-14-2000		-- Quad Stack Tips, TFT MST-4NJ	1	RAS
24-14-2020		-- Storage Bracket TFT #XF-B	1	RAS
24-14-3000		-- Extenda Gun, TFT XG18VL-XL	1	RAS
24-30-5000		-- Hose Reel, HAN, Elec, Mt Abv Pump, Alum >>> Offset towards Officer's Side	1	RAS
24-31-2100		-- Hose Reel, Rwd Cntrl, Weatherproof Push Button >>> Rewind Push Button Locations: (1) LH Pump Panel (1) RH Pump Panel	2	RAS
24-32-1200		-- Dschg, Hose Reel, 1"	1	RAS
21-01-2500		-- Drain/Bleeder, IC Lift-Up, Mnl 1/4 Turn	1	RAS
24-32-1700		-- Dschg, Hose Reel, Plmbd to Normal Pressure	1	RAS
24-61-1100		-- Vlv Mfger, AKR, 8000, (1")	1	RAS
24-53-0020		-- Dschg Vlv Cntrl, Pull Rod, 1/4 Turn, SM, AKR - IC w/Gauge	1	RAS
27-02-1500		-- Gauge, Dschg, IC, 2-1/2" (0-400 PSI), WF	1	RAS
24-33-1700		-- Hose, Water, 800#, 1-in x 150-ft, Three (3) 50-ft Lengths	1	RAS
24-33-9100		-- Roller, Hose Reel, LH Side	1	RAS
24-33-9200		-- Roller, Hose Reel, RH Side	1	RAS
25-06-1100		-- Foam Sys, F/PRO 1600, Cls A, 1.7G, 12V, 2"NPT >>> PLUMB for FOAM:	1	RAS
 TWO (2) Front Bumper Discharges				
 FOUR (4) Rear Body Discharges				
25-20-1200		-- Foam Plmbg, Sngl Class A Tank, 1" Mnl Vlv	1	RAS
25-21-1500		-- Foam Tank, Intgrl Poly, 30 Gal, Class A	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
25-22-9100		-- Foam Tank, No Manufacturer Preference	1	RAS
25-23-1000		-- Foam Tank Drain, 1" Gate Vlv, Under Tank	1	RAS
27-36-1100		-- Foam Tank Gauge, FRC TankVision Pro 300, Class A, Pump Panel #WLA360-A00	1	RAS
		If provisions are spec'd, install the transducer and run wires to gauge panel. DO NOT cut hole in the pump panel.		
25-19-9000		-- Foam System, NFPA #1901, Install Standards == Pumper/Tanker-Side Mount Pump Compt - 131.023 01/31/23 ==	1	RAS RAS
26-02-1300		Pump Enc, Side Mt, Extrd Alum, 50-59"W	1	RAS
26-10-2100		Pump Enc Cmpt, SM, Dnnge Over Pump, Open	1	RAS
26-30-1100		Rng Brd, LH Pump Panel, Alum T/P, SM	1	RAS
26-30-5000		-- Hosewell, Rning Brd, Pump Panel, LH	1	RAS
26-30-6200		-- Hosewell, Rning Brd, Velcro Straps,	1	RAS
26-30-1150		Rng Brd, RH Pump Panel, Alum T/P, SM	1	RAS
26-30-5200		-- Hosewell, Rning Brd, Pump Panel, RH	1	RAS
26-30-6200		-- Hosewell, Rning Brd, Velcro Straps,	1	RAS
26-31-3340		Pump Side Access Door, Upper RH, Line X	1	RAS
26-35-5100		Pump Panel, Line X, LH/RH, SM	1	RAS
26-35-1300		-- Pump Panel, Hngd, LH	1	RAS
26-35-1400		-- Pump Panel, Hngd, RH	1	RAS
26-55-1100		Labels, Test Data and Safety Placards	1	RAS
26-55-2400		Labels, Innovative Controls Color Coded	1	RAS
26-56-1125		Pump Panel LED Lts, (3) Tecniq E10-W0001-1, Midship LH w/ Sw on Pmp Oprtr's Pnl	1	RAS
26-56-1225		Pump Panel LED Lts (2), Midship RH, Tecniq E10-W0001-1	1	RAS
26-56-2000		Pump Panel Lt (1), Actuated w/Pump Engagement	1	RAS
27-01-2200	S	-- S.O.R./ Mstr Gauges, Class 1, 6" PSI, WF, Pr >>> FURNISH Two (2) 6" Diameter Class 1 Discharge Pressure and Intake Gauges (30"-0-400 PSI), with WHITE Dial and Black Letters; ILO Two (2) 6" Diameter Class 1 Discharge Pressure and Intake Gauges (30"-0-600 PSI),	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
with WHITE Dial and Black Letters				
27-01-4100		Gauge, Test Taps	1	RAS
27-35-2060		Water Tank Gauge, Class 1, Intelli-Tank LED ITL-40-R, Pump Panel	1	RAS
27-35-6102		-- Water Tank Gauge, Whelen PS TANK2 LED, Level Lts, Pair, Cls	1	RAS
	1			
27-35-6504		-- Mntng Location, Upper Cab Corners	1	RAS
27-38-2000		Headset Jack, On Pump Panel	1	RAS
== HLFD/HRHD Single Axle Pumper/Tanker - 131.023 01/31/23 ==				
25-26-1400		-- Water Tank, 750 Gal, Pmpr/Tnkr , Poly	1	RAS
25-25-0064		-- Water Tank, "L" Tank	1	RAS
25-44-1300		-- Water Tank, Fill Tower, 10" x 10", <1500 Gals	1	RAS
25-42-1100		-- Water Tank, Base Specs, Poly	1	RAS
25-42-1200		-- Water Tank, Manufacturer, UPF, Poly	1	RAS
29-10-1000	S	S.O.R./ Hosebed, Grating, Extrd Alum, <180" Long	1	RAS
29-10-5100		-- Hosebed, Strge Cpty, 55 Cubic Feet, Minimum	1	RAS
29-10-5400		-- Hosebed, Strge Cpty 1.75" DJ Hose (50-ft Lngth)	8	RAS
29-10-5700		-- Hosebed, Strge Cpty 3" DJ Hose (50-ft Lngth)	12	RAS
29-10-6000		-- Hosebed, Strge Cpty 5" LDH SJ Rubber (100-ft)	7	RAS
29-10-8100		Hosebed, Divider, 1/4" Alum	1	RAS
29-20-3500		Hosebed Cvr, Alum T/P, <180" L, 49-74" W, Ctr Open (Non-NFPA Walking Surface)	1	RAS
29-10-8160		-- (1) Main Hosebed Divider (Stationary)	1	RAS
29-20-6650		-- Mnl Operation, Hosebed Cvr, Alum T/P	1	RAS
29-20-7305		-- Hsbd Cvr Lts, Recess In Door, Auto Swtch, LED, Ea	4	RAS
29-20-7800		-- Rr Vinyl Flaps for Alum Cvr	1	RAS
29-20-5600		-- Vinyl Cover, Color, RED	1	RAS
30-00-0299		Raw Material Surcharge - Single Axle	1	RAS
30-01-1800		Bdy Const - Rosenbauer FX - 1/8" Alum - Sngl Axl Pmpr/Tnkr	1	RAS
30-02-2100		-- Alum Treadplate Compt Floors	1	RAS
30-10-1100		-- Sub Frame, Hot-Dip Galv	1	RAS
31-01-1200		-- Bdy, Frmd Alum, Pmpr/Tnkr , Up to 160"	1	RAS
44-06-2200		-- Whl Well Panel, Alum Pntd, Sngl Axle - Alum	1	RAS
44-06-4100		-- Fenderette, Polished Aluminum	1	RAS
31-01-2155		102" OAW, 26" Full Dpth/13-26" Half Dpth, SA HL/HR	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
29-00-1300		-- Hosebed, Pmpr, <180" L, 74" Wide	1	RAS
32-03-0067		-- Cmpt Height, 67"	1	RAS
32-03-1067		-- Cmpt Height, 67"	1	RAS
32-04-1330		Pntd Roll Up, HL/HR	1	RAS
30-02-1150		-- Roll-Up Drs - ROM Mfg	7	RAS
30-02-1250		-- Dr Strap, Pull Down	6	RAS
>>> Pull Down Straps Installed on LH & RH Side Doors				
30-02-1270		-- Dr Roll Up, Drip Pans, Alum	7	RAS
32-05-1125		-- Ahd Rr Whls - Full Ht Comp't - Roll Up Door - Painted	1	RAS
44-40-1100		-- Vents, Compts, Louvers, Includes Filters (Ea)	1	RAS
45-01-1100		-- Shelving Tracks, (4) Unistrut, Alum	1	RAS
45-02-1200		-- Shelf, Adjust, Alum 1/8"	2	RAS
45-30-1300		-- Turtle Tile, Shelves/Trays, (each)	2	RAS
45-19-1100		-- Equipment Mounting Pnl, Rr Wall, 3/16 Aluminum	1	RAS
55-01-5114		-- Cmpt LED Lt, Luma Bar, (2) Ea Cmpt	1	RAS
55-06-1100		-- Cmpt Lt, Dr Swtch, Auto, Ea	1	RAS
32-05-1360		-- Upr Hgh Sde - Sgle Comp't - Roll Up Door - Painted	1	RAS
44-40-1100		-- Vents, Compts, Louvers, Includes Filters (Ea)	1	RAS
45-01-1100		-- Shelving Tracks, (4) Unistrut, Alum	1	RAS
45-02-1200		-- Shelf, Adjust, Alum 1/8"	1	RAS
45-30-1300		-- Turtle Tile, Shelves/Trays, (each)	1	RAS
45-19-1100		-- Equipment Mounting Pnl, Rr Wall, 3/16 Aluminum	1	RAS
55-01-5114		-- Cmpt LED Lt, Luma Bar, (2) Ea Cmpt	1	RAS
55-06-1100		-- Cmpt Lt, Dr Swtch, Auto, Ea	1	RAS
32-05-1725		-- Bhnd Rr Whls - Full Ht Comp't - Roll Up Door - Painted	1	RAS
44-40-1100		-- Vents, Compts, Louvers, Includes Filters (Ea)	1	RAS
45-01-1100		-- Shelving Tracks, (4) Unistrut, Alum	1	RAS
45-02-1200		-- Shelf, Adjust, Alum 1/8"	2	RAS
45-30-1300		-- Turtle Tile, Shelves/Trays, (each)	2	RAS
45-19-1100		-- Equipment Mounting Pnl, Rr Wall, 3/16 Aluminum	1	RAS
55-01-5114		-- Cmpt LED Lt, Luma Bar, (2) Ea Cmpt	1	RAS
55-06-1100		-- Cmpt Lt, Dr Swtch, Auto, Ea	1	RAS
32-06-1125		-- Ahd Rr Whls - Full Ht Comp't - Roll Up Door - Painted	1	RAS
44-40-1100		-- Vents, Compts, Louvers, Includes Filters (Ea)	1	RAS
45-01-1100		-- Shelving Tracks, (4) Unistrut, Alum	1	RAS
45-19-1100		-- Equipment Mounting Pnl, Rr Wall, 3/16 Aluminum	1	RAS
55-01-5114		-- Cmpt LED Lt, Luma Bar, (2) Ea Cmpt	1	RAS
55-06-1100		-- Cmpt Lt, Dr Swtch, Auto, Ea	1	RAS
32-06-1460		-- Upr Hgh Sde - Sgle Comp't - Roll Up Door - Painted	1	RAS
44-40-1100		-- Vents, Compts, Louvers, Includes Filters (Ea)	1	RAS
45-01-1050		-- Shelving Tracks, (2) Unistrut, Alum	1	RAS
45-18-1100		-- Tool Board, Swing Out, 250#, 3/16" Alum	1	RAS
45-19-1100		-- Equipment Mounting Pnl, Rr Wall, 3/16 Aluminum	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
55-01-5114		-- Cmpt LED Lt, Luma Bar, (2) Ea Cmpt	1	RAS
55-06-1100		-- Cmpt Lt, Dr Swtch, Auto, Ea	1	RAS
32-06-1725		-- Bhnd Rr Whls - Full Ht Comp't - Roll Up Door - Painted	1	RAS
44-40-1100		-- Vents, Compts, Louvers, Includes Filters (Ea)	1	RAS
45-01-1100		-- Shelving Tracks, (4) Unistrut, Alum	1	RAS
45-06-3200	S	-- S.O.R./ SlideMaster Tray, 600#, Alum 3/16" (1/4 Dpth), Up to 44"W (AM3)	1	RAS
45-05-4290		-- Gravity Lock, Slide Master	1	RAS
45-19-1100		-- Equipment Mounting Pnl, Rr Wall, 3/16 Aluminum	1	RAS
55-01-5114		-- Cmpt LED Lt, Luma Bar, (2) Ea Cmpt	1	RAS
55-06-1100		-- Cmpt Lt, Dr Swtch, Auto, Ea	1	RAS
33-60-1100		Rr Bdy, Flat Back	1	RAS
32-08-0100		-- Rr Cntr Comp't - Low Roll Up/ Non Trans - Natural Finish	1	RAS
44-40-1100		-- Vents, Compts, Louvers, Includes Filters (Ea)	1	RAS
45-01-1100		-- Shelving Tracks, (4) Unistrut, Alum	1	RAS
45-06-3200		-- SlideMaster Tray, 600#, Alum 3/16" (1/4 Dpth), Up to 44"W (AM3)	1	RAS
45-05-4290		-- Gravity Lock, Slide Master	1	RAS
55-01-5114		-- Cmpt LED Lt, Luma Bar, (2) Ea Cmpt	1	RAS
55-06-1100		-- Cmpt Lt, Dr Swtch, Auto, Ea	1	RAS
33-61-1600		-- Rr Step, Pmpr-Tnkr Bdy, Bolt-On, 18"	1	RAS
90-02-3500		Ladder Strge, Vrtcl Slide In, Passenger Rear Bdy	1	RAS
90-02-2920		-- Compt Door, Smooth, With Chevron	1	RAS
90-02-5310		Ladder Mtg, Fldg Attic, Internal	1	RAS
90-03-0225		Ladders, Ground, Prov'd By Bdy Bldr, SD	1	RAS
90-16-5400		Pike Pole Mtg, In Ladder Tunnel, Ea	2	RAS
90-16-6115		Pike Pole Prov'd By, Bdy Bldr SD	1	RAS
== Pumper/Tanker-Common Body Parts - 131.023 01/31/23 ==				RAS
33-66-1140		-- Steps, Fldg, Frnt, Left Hand (3), Integral LED Lts	1	RAS
33-66-2140		-- Steps, Fldg, Frnt, Right Hand (3), Integral LED Lts	1	RAS
44-01-1450		-- Bdy Trim, Frnt Cmpt, Ht of Side Cmpts, Alum T/P	1	RAS
44-01-6000		-- Catwalks Top of Side Cmpts, Alum Treadplate	1	RAS
Rr BODY DESIGN - PUMPER/TANKER				RAS
44-01-4000		-- Bdy Trim, Entire Rr Bdy, Smooth for Chevron Stripe	1	RAS
33-62-4140		-- Steps, Fldg, Rear, Left Hand (3), Integral LED Lts	1	RAS
33-62-4220		-- Steps, Fldg, Rear, Right Hand (2), Integral LED Lts	1	RAS

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PART NO	S	DESCRIPTION	QTY	ID
33-70-1202		-- Handrail, Alum, Lighted, Red LED, Rr Step, Vert, 30", Pair	1	RAS
33-70-3102		-- Handrail, Alum, Lighted, Red LED, Top of Bdy Sides, Rr, 12", Pair	1	RAS
33-70-3602		-- Handrail, Alum, Lighted, Red LED, Top of Bdy Sides, Frnt, 12", Pair	1	RAS
33-70-3702		-- Handrail, Alum, Lighted, Red LED, Top of Hosebed Sides, Rr, 12", Pair	1	RAS
44-02-1100		-- Rub Rails, Lwr Bdy, Extrd Alum	1	RAS
44-02-2000		-- Rub Rails, Spacers, Nylon	1	RAS
44-11-5100		Whl Well Prvsns, Ahd of Whls Left Side	1	RAS
44-10-2300		-- Whl Well Cmpt, Dual SCBA Tube, Pntd Alum Dr >>> Bottle Size TBD at PreBuild	1	RAS
44-10-6000		-- Whl Well Compt, SCBA Compt Straps	2	RAS
44-11-5300		Whl Well Prvsns, Bhnd Whls Left Side	1	RAS
44-07-1500		-- Fuel Fill Door, Alum Pntd, LH Whl Well Panel	1	RAS
44-11-5500		Whl Well Prvsns, Ahd of Whls Right Side	1	RAS
44-10-2300		-- Whl Well Cmpt, Dual SCBA Tube, Pntd Alum Dr >>> Bottle Size TBD at PreBuild	1	RAS
44-10-6000		-- Whl Well Compt, SCBA Compt Straps	2	RAS
== Pumper/Tanker-AC Electrical System - 131.023 01/31/23 ==				RAS
60-17-0001			1	RAS
60-17-1100		-- Inverter, 2600W, 12V, Vanner Patriot IQC12-2600, w/ Trnsfr Sw	1	RAS
60-20-8100		-- Gnrtr Wiring, Type SO Cable, Rubber Cvred	1	RAS
60-25-1500		-- Rcptcl, 120V, 20 Amp, 6-Plug Strip Rcptcl	10	RAS
60-30-2300		-- Rcptcl Lctn, Left Side, Ahd Rr Whls Cmpt, Ea >>> Mounting Spec'd at PreBuild	2	RAS

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PART NO	S	DESCRIPTION	QTY	ID
60-30-2370		--- Rcptcl Lctn, Left Side, Bhnd Rr Whls Cmpt, Ea >>>> Mounting Spec'd at PreBuild	2	RAS
60-30-2400		--- Rcptcl Lctn, Right Side, Ahd Rr Whls Cmpt, Ea >>>> Mounting Spec'd at PreBuild	2	RAS
60-30-2470		--- Rcptcl Lctn, Right Side, Bhnd Rr Whls Cmpt, Ea >>>> Mounting Spec'd at PreBuild	2	RAS
60-30-5500		--- Rcptcl Lctn, Inside Cab, Crew Area, Ea >>> Mounting Spec'd at PreBuild; Install Locations: (1) Driver's EMS Compartment (1) Officer's EMS Compartment	2	RAS
== Pumper/Tanker-Equipment Systems - 131.023 01/31/23 ==				RAS
== Pumper/Tanker - Single Axle - Pnt/Ltr/St - 131.023 01/31/23 ==				RAS
80-22-1504		Bdy Paint, Sngl Axle, Pmpr/Tnkr - Sngl Color	1	RAS
80-06-1100		--- Apparatus Color The apparatus shall be RED in color.	1	RAS
>>> Paint CODE Spec'd at PreBuild				

05/01/2023

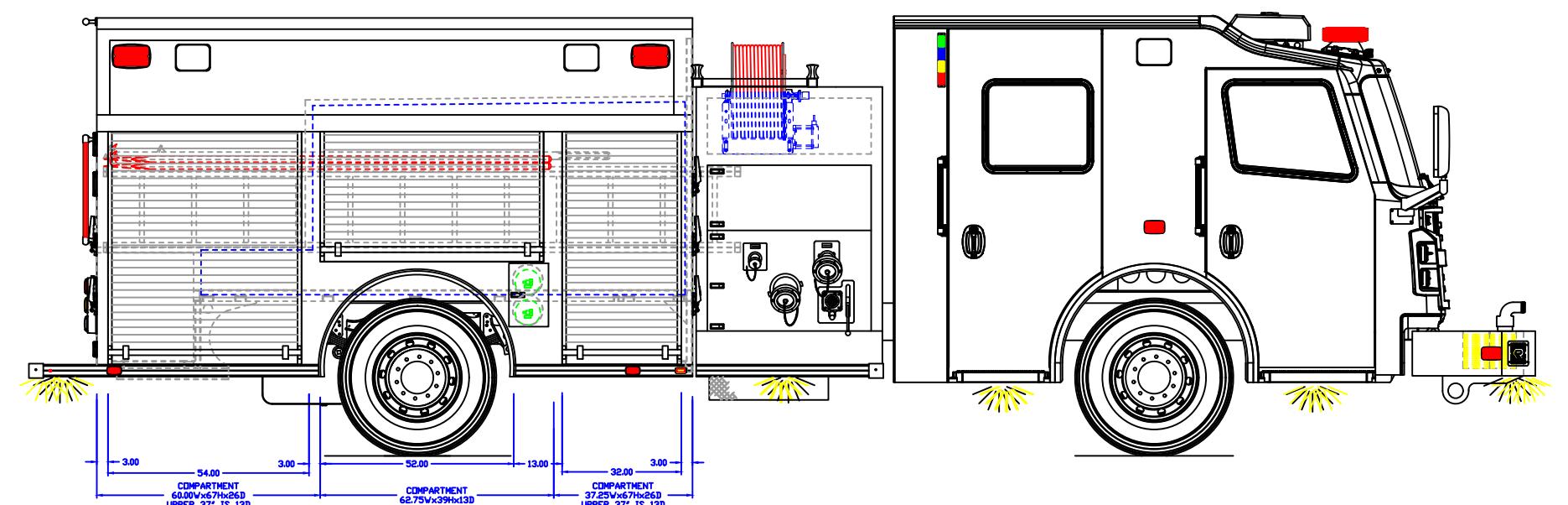
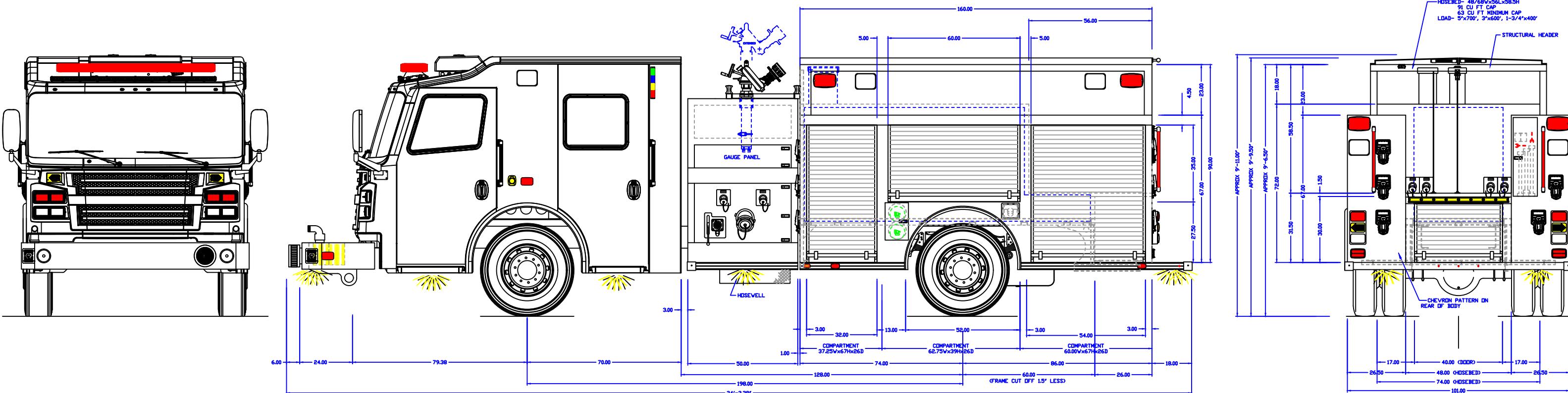
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PART NO	S	DESCRIPTION	QTY	ID
80-32-1200		Compt Finish, DA Sanded, Up to 8 Cmpts	1	RAS
80-40-1100		Whls, Alum, By the Chassis Manufacturer	1	RAS
80-42-1500		Bdy Paint, Touch Up, 2 oz. Bttl, One Color	1	RAS
80-43-2996		- Blacked Out Items- Line-X/Paint	1	RAS
80-50-1700		Lettering, 4" Mylar Gold Leaf, 50 Letters >>> Spec'd at PreBuild	1	RAS
80-50-3500		Lettering, 8-12" Mylar Gold Leaf, 50 Letters >>> Spec'd at PreBuild	1	RAS
80-55-2200		Striping, Mylar Gold Leaf, Cab Painted Break Line	1	RAS
80-65-1200		Door Seals, Custom Detailed, Price On Request >>> Spec'd at PreBuild	1	RAS
80-70-2000		Stripe, Single Reflective, 6", "Z" Design >>> Spec'd at PreBuild	1	RAS
80-73-1100		- Reflective Pin Stripe Black >>> Spec'd at PreBuild	1	RAS
		>>> Color WHITE		
80-75-1600		- Reflective Stripe Material, White	1	RAS
80-72-1010		Stripe, Reflective, Diamond Grade, Chevron Pattern Front Bumper Red/Yellow	1	RAS
80-72-1108		Stripe, Reflective, Oralite V98, Chevron Pattern Entire Rear Red/Yellow >>> Spec'd at PreBuild	1	RAS
80-79-1000		NFPA Standing / Walking Surfaces Yellow Safety Tape (NFPA 15.7.1.6) == Pumper/Tanker - Loose Equipment - 131.023 01/31/23 ==	1	RAS
90-03-3300	S	- S.O.R./ Ladder, Roof, Duo-Safety, 14' Alum 775-DR >>> FURNISH One (1) Duo-Safety SERIES 775-DR DOUBLE END 14-FT. ROOF LADDER; ILO Part #90-03-3300	1	RAS

NOTES:

Meeting Date: 08/15/2023 Item 11.

- 2. DO NOT SCALE DRAWING.**
- 3. ALL DIMENSIONS ARE APPROXIMATE AND SUBJECT TO ENGINEERING CHANGES.**
- 4. DRAWING MAY OR MAY NOT SHOW ALL ITEMS AS DESCRIBED IN THE WRITTEN DETAIL SPECIFICATIONS.**
- 5. INCLUSION OF AN ITEM ON THE DRAWING DOES NOT CONSTITUTE INCLUSION OF THAT ITEM WITH THE FINAL DELIVERED UNIT.**
- 6. THE EFFECTIVE DOOR OPENINGS WILL APPROX. 2" LESS THAN THE NOTED COMPARTMENT OPENING FOR ROLL UP DOORS AND UP TO APPROX. 4" LESS FOR HINGED DOORS**



APPROVED BY: _____

CHASSIS: COMMANDER 7011

PUMP: ROSENBAUER 2250 GPM

TANK: POLY/750/30(FOAM)

PANEL MATL: LINE X

COMP INTERIOR: DA SANDED

MAXIMUM HEIGHT	NONE
MAXIMUM LENGTH	NONE
BODY WIDTH	101"

PARKER FIRE DEPT.

TX



AGREEMENT

This agreement is made between Daco Fire Equipment, Inc., 6000 Huddleston Street, Fort Worth, Texas 76137 ("Company") and City of Parker, 5700 East Parker Road, Parker Tx 75002 ("Buyer").

1. The Company agrees to sell and the Buyer agrees to purchase the fire apparatus and equipment (Apparatus) described in the Company's Proposal and the Specifications attached hereto and hereby incorporated herein, all in accordance with the terms and conditions of this Agreement. In the event of any conflict between the Company's Proposal and the Buyer's Specifications, the Company's proposal shall prevail.
2. The Apparatus shall be delivered F.O.B. _____ approximately 605 calendar days after execution of this Agreement by Buyer and the receipt and execution of same by the Company at its offices in Ft. Worth, Texas. It is agreed that such delivery is subject to delays caused by strikes, inability to obtain materials, and other causes beyond control of the Company.
3. Buyer agrees to pay a Purchase Price of Eight Hundred Seventy Five Thousand, Two Hundred Three dollars (\$ 875,203.00). Unless otherwise specified, this Purchase Price is exclusive of all Federal, State or local taxes of any nature. Any such taxes are the sole responsibility of the Buyer unless specifically added to the Purchase Price, at which time they will be paid by the company; provided, however, if the Buyer claims exemptions from any tax, Buyer agrees to furnish the applicable exemption certificate to the Company and to hold the Company harmless from any damage which may result from the Company ultimately having any such tax assessed against it.

Buyer agrees that the terms of payment shall be cash due upon pick-up at Fort Worth, Texas. If other than cash due upon pick-up, check the appropriate box.

Lease-Purchase Agreement - Financing or Other*

*

* Details of financing are covered under a separate section and are included as a part of this agreement.

Any payments not made when due shall bear interest at the rate of 18% per year, or the highest rate permitted by law, whichever is less. If more than one apparatus is included and they are delivered on different dates, the terms of payment shall apply to each shipment and an invoice covering each shipment shall be issued.

6000 HUDDLESTON ST – FORT WORTH, TEXAS 76137

The Company and Buyer agree that title shall remain with the Company until the Purchase Price is paid in full. In the event of default by the Buyer, the Company has the right to take possession of the Apparatus and all payments made by the Buyer shall be applied as rent for use of the Apparatus until the date of retaking by the Company. The Buyer further agrees that the Apparatus will not be placed in active service until the full purchase price has been paid to the Company.

4. The Company warrants each new item of apparatus manufactured by it against defects in material and workmanship, for a period of one year from the date of delivery to the original user/purchaser, all in accordance with the Company's preprinted Statement of Warranty which is either attached to the Agreement or has otherwise been delivered to Buyer. Buyer hereby acknowledges receipt of the Company's preprinted Statement of Warranty.

With respect to any item of Apparatus which is not manufactured by the Company, such items shall not be warranted by the Company but shall be subject to the warranty provided by the manufacturer.

Any used item of Apparatus is sold "As-Is" without any warranty by the Company.

These warranties are in lieu of all other warranties express or implied, including without limitation any implied warranties of MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

5. The parties to this Agreement designate Phone: _____ as representative of the Buyer and Wesley Dobmeier, (817) 281-4172, as a representative of the Company for communications regarding this Agreement.

6. This Agreement, including its attachments and exhibits, constitutes the entire understanding between the parties relating to the subject matter contained herein and merges all prior discussions and agreements. No agent or representative of the Company has authority to make any representations, statements, warranties or agreements not herein expressed and all modifications or amendments of this agreement, including its attachments and exhibits, must be in writing signed by an authorized representative of each of the parties hereto.

7. The Agreement shall not constitute a valid and binding obligation of the Company until accepted in writing by an officer of the Company at its offices in Fort Worth, Texas. When requested by the Company, the Buyer shall furnish a satisfactory written opinion of the Buyer's attorney that the Buyer has the power to make the Agreement, that the individual signing is authorized to sign on behalf of the Buyer, and that this Agreement is a valid, legal and enforceable obligation of the Buyer.

IN WITNESS WHEREOF, The Company and the Buyer have caused this Agreement to be executed by their duly authorized representatives as of the date set forth by each.

By: Wesley Dobmeier
Title: President
Date: 08/16/2023

By: _____
Title: _____
Date: _____

Rev 05-16-10

6000 HUDDLESTON ST – FORT WORTH, TEXAS 76137



Council Agenda Item

Budget Account Code:	Meeting Date:	See above.
Budgeted Amount:	Department/ Requestor:	Council
Fund Balance-before expenditure:	Prepared by:	City Secretary Scott Grey for City Administrator Olson
Estimated Cost:	Date Prepared:	August 2, 2023
Exhibits:	<u>None</u>	

AGENDA SUBJECT

UPDATE(S):

FM2551

ANY ADDITIONAL UPDATES

MONTHLY/QUARTERLY REPORTS

[July 2023 - Building Permit/Code Report](#)

[July 2023 – Court Report](#)

[July 2023 – Finance \(monthly financials\) Report](#)

[Investment 2nd Qtr. Report 2023](#)

[July 2023 – Republic Services Inc., dba Allied Waste Services of Plano](#)

[July 2023 – Website \(PIWIK\) Report](#)

SUMMARY

Please review information provided.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	08/02/2023
City Attorney:	<i>Amy J. Stanphill</i>	Date:	08/XX/2023 via Municode
City Administrator:	<i>Luke B. Olson</i>	Date:	08/XX/2023



Council Agenda Item

Budget Account Code:	Meeting Date:	See above.
Budgeted Amount:	Department/ Requestor:	Council
Fund Balance-before expenditure:	Prepared by:	City Secretary Scott Grey for City Administrator Olson
Estimated Cost:	Date Prepared:	August 2, 2023
Exhibits:	<u>None</u>	

AGENDA SUBJECT

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

David Santee donated homemade cookies valued at \$10.00 to the Police Department.

SUMMARY

Please review information provided.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	08/02/2023
City Attorney:	<i>Amy J. Stanphill</i>	Date:	08/XX/2023 via Municode
City Administrator:	<i>Luke B. Olson</i>	Date:	08/XX/2023



Council Agenda Item

Budget Account Code:	Meeting Date: See above.
Budgeted Amount:	Department/ Requestor: Council
Fund Balance-before expenditure:	Prepared by: ACA/CS Scott Grey
Estimated Cost:	Date Prepared: August 2, 2023
Exhibits:	<u>Future Agenda Items</u>

AGENDA SUBJECT

FUTURE AGENDA ITEMS

SUMMARY

Please review information provided.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

Approved by:	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	08/02/2023
City Attorney:	<i>Amy J. Stanphill</i>	Date:	08/XX/2023 via Municode
City Administrator:	<i>Luke B. Olson</i>	Date:	08/XX/2023

	ITEM DESCRIPTION	CONTACT	Notes
2023			
Feb(Mar), May (July), Aug, Nov	Fire Department Quarterly Report	Sheff/Miller	1st Qtr 2022 0523 CC Agenda
Feb(Mar), May (July), Aug, Nov	Investment Quarterly Report	Savage	2nd Qtr 2023 0815CC Agenda
	Council Committee Updates	Council	
	Public Safety Committee (MLP, MPTMS, & CMDA)	Council	2022 1115 and 2022 1206
	Website Dev. Subcommittee (CMCM, CMTL, & MLP)	Council	2022 1115 and 2023 0620
Tentatively - August 22, 2023	CIP	Mayor	2023 0411 Canceled; 2023 0503 C; 2023 0808; 2023 0822
Tentatively Sept. 5, 2023	Adopt Tax Rate for 2023	Savage	Set 2023 0712
Tentatively Sept. 5, 2023	Adopt FY 2023-2024 Budget	Savage	Set 2023 0712
Tentatively - Sept. 5, 2023	Texas Coalition for Affordable Power [TCAP] – Electric Supply		Update - 2023 0726
Tentatively - Sept. 5, 2023	Enterprise Fleet Management		Update - 2023 0726
Tentatively - September 5, 2023	Cancel 2023 1003 due to NNO & TML	Mayor	TML 10/4-6/2023 - Dallas
Tentatively - September 5, 2023	2019-2023 Child Abuse, Investigation Services, Law Enforcement Services		Res. 2019-612 Exp. 2023 Child Abuse, Investigation Services, Law Enforcement Services - exp. 9/30/2023
Tentatively - September 19, 2023	Cancel & Reschedule 2023 1107 EV/ED - 2023 1107 Election	Mayor	Checked w/Mayor Pettle - okay
Tentatively - Sept. 19, 2023	ATMOS RRM	Mayor	added 2023 0809
Tentatively - Sept. 19, 2023	Budget Adjustments	Savage	added 2023 0801
Tentatively - Sept. 2023	PWC Donations??	Check w/Pettle	Waiting for direction
Tentatively -September, 2023	P&R Appointment	Mayorr/C'sec	2023 0718
Tentatively -September, 2023	Boards & Commissions - Attendance Policy Review	Mayor	2023 0725; Added at 2022 1115 CC Meeting
Tentatively -September, 2023	Planning Session	Mayor	Rescheduled
Tentatively -September, 2023	Public Safety Appt.	Mayor	2023 0613 - CA AS - Waiting on Ord. Amendment
Tentatively -September, 2023	Goal Setting Council Workshop	Mayor	2023 0503
Tentatively -September, 2023	Comp Plan Meeting	Mayor	Added 2023 0621; 2023 0801 Update
Tentatively - 2023	Southridge		
Tentatively - 2023	Any Plats		
Tentatively - 2023	Review Franchise Agreements	Mayor	Added 2023 0621
Tentatively - 2023	Plat Submiss Process	Mayor	Added 2023 0809
Tentatively - 2023	Agenda Submiss Process	Mayor	Added 2023 0809
Tentatively - 2023	Presentation Submiss Process	Mayor	Added 2023 0809
Tentatively - 2023	Required Elected Officials Traiing	Mayor	Added 2023 0809
Tentatively - 2023	Water Master Plan	Mayor	Added 2023 0809
Tentatively - 2023	Fee Scheudle Updte - Amenda 2021 Ord.799	Mayor	Added 2023 0809

	ITEM DESCRIPTION	CONTACT	Notes
Tentatively - 2023	Subdivision Regs	Mayor	Added 2023 0809
Tentatively - 2023	Oncor & Frontier Franchise (All?) - Review Ongoing	Savage	2021 0615 added - When due
Tentatively - November 2023	Rotate Deputy City Clerk Annually - Nov. 2023	Council	2022 1115 - Ord. No. 831 - Deputy City Clerk - rotate annually