



## AGENDA

### CITY COUNCIL MEETING July 17, 2012 @ 7:00 PM

Notice is hereby given the City Council for the City of Parker will meet in a Regular Meeting on Tuesday, July 17, 2012 at 7:00 P.M. at Parker City Hall, 5700 E. Parker Road, Parker, Texas 75002.

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

#### **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.

#### **PROCLAMATION**

Proclamation, proclaiming the week of August 28 to September 3, 2012 to be Japan Week.

#### **INDIVIDUAL CONSIDERATION ITEMS**

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR JUNE 26, 2012.
2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR JULY 10, 2012.
3. PUBLIC HEARING, REGARDING AN ANNEXATION PETITION FOR APPROXIMATELY 52.57 ACRES OF LAND IN THE ANN HURT SURVEY, ABSTRACT 428, COMMONLY KNOWN AS THE BEDELL TRACT.

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 679, ANNEXING APPROXIMATELY 6.353 ACRES OF LAND IN THE RICHARD SPARKS SURVEY, ABSTRACT # 850, COLLIN COUNTY, TEXAS.
5. PUBLIC HEARING, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 680 APPROVING SINGLE FAMILY TRANSITIONAL ZONING WITH CONDITIONS FOR APPROXIMATELY 6.353 ACRES OF LAND IN THE RICHARD SPARKS SURVEY, ABSTRACT # 850, COLLIN COUNTY, TEXAS.
6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A REPLAT OF BROOKS FARM ESTATES BLOCK "A" LOTS 3, 4, 6, 7 AND 8.
7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2012 – 381 APPOINTING THE CITY JUDGE, ALTERNATE JUDGE AND PROSECUTOR.
8. PRESENTATION, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A PLAN FOR CREATION AND MAINTENANCE OF A TREE MEMORIAL IN THE PRESERVE.

## **ROUTINE ITEMS**

9. FUTURE AGENDA ITEM REQUESTS.

10. ADJOURN

In addition to any specifically identified Executive Sessions, Council may convene into Executive Session at any point during the open meeting to discuss any item posted on this Agenda. The Open Meetings Act provides specific exceptions that require that a meeting be open. Should Council elect to convene into Executive Session, those exceptions will be specifically identified and announced. Any subsequent action, as a result of this Executive Session, will be taken and recorded in open session.

I certify that this Notice of Meeting was posted on July 12, 2012 by 5:00 p.m. at the Parker City Hall, and as a courtesy, this Agenda is also posted to the City of Parker Website at [www.parkertexas.us](http://www.parkertexas.us).

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Date Notice Removed

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Carrie L. Smith, TRMC, CMC  
City Secretary

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



# Proclamation

**WHEREAS**, the John Manjiro Whitfield Commemorative Center for International Exchange in Tokyo has selected North Texas as the location to host the 22<sup>nd</sup> Japan-America Grassroots Summit, and

**WHEREAS**, the Japan-America Society of Dallas/Fort Worth has agreed to be the lead organization to coordinate the 22nd Japan-America Grassroots Summit in North Texas, and

**WHEREAS**, the Summit aims to strengthen the peaceful relationships between Japan and the United States by fostering friendships at the grassroots level, and

**WHEREAS**, the Summit honors the unique friendship between John Manjiro Nakahama and Captain William H. Whitfield, a relationship which has been carried on by their families for over 170 years, and

**WHEREAS**, this Summit has received widespread support including sponsorship from five corporations, special assistance from four entities, and cooperation from numerous other organizations, and

**WHEREAS**, this Summit will bring 150 to 200 Japanese citizens to North Texas from August 28, 2012 until September 3, 2012, and

**WHEREAS**, the City of Parker will participate in this Summit by hosting Japanese guests for three nights of homestay and hospitality, arranging local activities, and sharing one another's culture, and

**WHEREAS**, it is the desire of the City of Parker to make the Japanese guests feel warmly welcomed,

**NOW, THEREFORE**, I, Z Marshall, mayor of the City of Parker and on behalf of the Parker City Council, do hereby proclaim the week of August 28 to September 3, 2012 to be Japan Week.

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Mayor Z Marshall



## Council Agenda Item

Budget Account Code:	Meeting Date: July 17, 2012
Budgeted Amount:	Department/ Requestor: City Secretary
Fund Balance-before expenditure:	Prepared by: C Smith
Estimated Cost:	Date Prepared: 7/11/2012
Exhibits:	1. Meeting Minutes

**AGENDA SUBJECT**

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES  
FOR JUNE 26, 2012.

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES  
FOR JULY 10, 2012.

**SUMMARY**

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

Carrie

**POSSIBLE ACTION**

Move to approve the Meeting Minutes as written (or amended).

Inter - Office Use			
Approved by:			
Department Head:	<i>C. Smith</i>	Date:	7-12-2012
City Attorney:		Date:	
City Administrator:	<i>Tiffy Hey</i>	Date:	7-12-12

**MINUTES**  
**CITY COUNCIL MEETING**

**June 26, 2012**

**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 Marshall called the meeting to order at 5:30 p.m. with Councilmembers Leamy, Sumrow, Levine and Pettle present. A quorum was present.

Staff Present: City Attorney James Shepherd, City Administrator Jeff Flanigan, City Secretary Carrie Smith, Finance/H.R. Manager Johnna Boyd, Municipal Court Clerk Lori Newton and Police Chief Tony Fragoso.

**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.

Mayor Marshall recessed the meeting to closed session at 5:30 p.m.

1. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:
  - a. 551.074 Personnel—process and selection of an appointee to the vacancy created by Mayor Pro Tem Marshall elected as Mayor.
  - b. 551.087—deliberation regarding economic development proposal in the ETJ of the City as proposed by developer of property near Curtis Road and Lewis Lane.
2. RECONVENE REGULAR MEETING.  
Mayor Marshall reconvened the regular meeting at 7:30 p.m.
3. ANY APPROPRIATE DELIBERATION AND/OR ACTION ON THE EXECUTIVE SESSION SUBJECT LISTED ABOVE.

MOTION: Councilmember Leamy moved to appoint Patrick Taylor to fill Z Marshall's unexpired Council seat, term expiring in May 2013. Councilmember Sumrow seconded with Councilmembers Leamy, Sumrow and Pettle voting for. Levine opposed. Motion carried 3-1.

#### 4. OATH OF OFFICE TO COUNCIL APPOINTEE, IF AN APPOINTMENT IS MADE.

Mayor Marshall administered the Oath of Office to Patrick Taylor.

#### **PLEDGE OF ALLEGIANCE**

AMERICAN PLEDGE: Councilmember Taylor led the pledge.

TEXAS PLEDGE: Councilmember Leamy led the pledge.

**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.

No Comments

#### **INDIVIDUAL CONSIDERATION ITEMS**

##### 5. PUBLIC HEARING AND ANY CONSIDERATION ON A REQUEST TO ANNEX APPROXIMATELY 6.353 ACRES OF LAND IN THE RICHARD SPARKS SURVEY, ABSTRACT # 850, COLLIN COUNTY, TEXAS.

The purpose of the hearing was to receive public comments on a request for Annexation submitted by Henry Cleburne Raney, Lura R. Raney, Curtis Pohl, Alexander Dinverno, Marie Dinverno, Scott E. Fletcher, Maria J. Fletcher, Steve Rhodes, and Sally Rhodes to the City of Parker, Collin County, Texas, requesting annexation of approximately 6.353 acres of land in the Richard Sparks survey, Abstract # 850, Collin County, Texas. The land proposed by the Petitioners is to be annexed, zoned and replatted to become additions to Lots 3, 4, 6, 7, and 8 of Block A of Brooks Farm Estates.

Mayor Marshall opened the public hearing at 7:38 p.m.

No comments.

Mayor Marshall closed the public hearing at 7:39 p.m.

##### 6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2012-360 APPROVING A CONTRACT WITH SENSUS METERING FOR THE PURCHASE OF WATER METER EQUIPMENT.

The City of Groesbeck purchased the radio system from Aquametrics and it has been in operation for 2 years. Finance Manager Boyd and Municipal Court Clerk Newton visited the City to see the system and ask questions about the implementation of the project. They met with the utility billing staff, public works supervisor and his superior that was involved in the installation project.

###### I. Implementation

Implementation of the project included replacing all 1700 meters in the City. It was a turnkey operation with City inspections. There was a high level of support

provided by AquaMetrics and continuous presence throughout the 3 week project. The integration with the utility billing software, Asyst, was completed by an Aquametrics technician, and the system was operational within 30 days. The City of Groesbeck highly recommended doing the entire city at the same time.

They did not receive any residential complaints during the implementation process and actual sales were reduced due to education about the new system and promoting conservation. They used multiple medias to educate the residents of the changes, which included website, mailers and newspaper. They included the description of the trucks and installers with logos included so they could be recognized.

They are not using the IPERL meters only the radio readers. In 2 years they have replaced approximately 20 radios mostly due to mowers damaging them.

## II. FlexNet/Asyst

They saw a dramatic improvement in the billing process and customer service. The billing process went from 8 days to 2 minutes and 30 seconds. Customers had an increased confidence and reduced arguing about the accurateness of the reading. A major advantage to the customers was the ability to provide information by the hour and day.

The learning curve was approximately 2 months. They ran both systems simultaneously to make sure there were no issues. AquaMetrics Service Representative Kenny Wetzel was always quick to assist with any issues or questions.

## III. Conclusion

They kept the old meters for 6 months and then broke each meter down to “clean brass” and scrapped them for \$30,000.

**MOTION** Mayor Pro Tem Levine moved to approve Resolution 2012-360 subject to: 1) amending section 3.1 to read “Each installation period shall be for a period not to exceed 180 days”; and 2) In section 4.3 defining and verifying “flow tube” and “fittings” are covered by the warranty. Councilmember Leamy seconded with Councilmember Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

## 7. DISCUSSION AND/OR ANY APPROPRIATE ACTION ON AMENDING RESOLUTION 2011-329 ENTITLED POWERS AND DUTIES OF THE MAYOR.

Mayor Pro Tem Levine requested the Council rescind Resolution 2011-329 because it was created as a result of issues that are no longer relevant and it interferes with Mayor Marshalls ability to conduct day to day business in the City.

MOTION: Mayor Pro Tem Levine moved to rescind Resolution 2011-329. Motion died due to a lack of a second.

Council discussion ensued. It was noted section (a), (b), (c), (d), and (e) was quoted from the Texas Local Government Code. Section 1 items A-D were put in place to have some control on the previous Mayor and City Administrator.

MOTION: Councilmember Leamy moved to review and possibly amend Section 1. Motion died due to a lack of a second.

MOTION: Mayor Pro Tem Levine moved to rescind Resolution 2011-329. Councilmember Pettle seconded.

Councilmember Sumrow opposed rescinding the Resolution and would prefer it be amended. She feels the resolution gives the Council some control over the position of the mayor.

Councilmembers Levine and Pettle voted for. Councilmember Leamy, Sumrow and Taylor opposed. Motion failed 2-3.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2012-380 ACCEPTING AN ANNEXATION PETITION, AND SETTING TWO PUBLIC HEARINGS, FOR APPROXIMATELY 52.57 ACRES OF LAND IN THE ANN HURT SURVEY, ABSTRACT 428.

A request was received from Parker BEDELL Farms, Ltd., to annex 52.57 acres into the City limits. The parcel is better known as the "Bedell Tract".

MOTION: Councilmember Leamy moved to approve Resolution 2012-380 accepting the annexation and request and setting two public hearing dates, July 10th and July 17th. Councilmember Sumrow seconded with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON PURCHASING THE RIGHT TO REPRINT THE ARTICLE FROM D MAGAZINE.

In previous years the City has purchased the re-print rights to the D'Magazine article and used the re-print for the City website and newsletter. The cost to purchase the re-print rights is \$2000.

Mr. Steve Sallman was in the audience and offered to pay \$1000.00 of the cost.

MOTION: Mayor Pro Tem Levine moved to proceed with the purchase of the re-print rights to D'Magazine at a cost of \$2000, subject to the reprint including the online article with D' Magazine's logo. Councilmember Leamy seconded with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

## **ROUTINE ITEMS**

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10. FUTURE AGENDA ITEM REQUESTS.

Levine – Resolution 2011-329  
Sallman Donation acceptance

11. ADJOURN

Mayor Marshall adjourned the meeting at 9:01 p.m.

APPROVED:

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Mayor Z Marshall

ATTESTED:

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City Secretary Carrie L. Smith, TRMC, CMC

APPROVED on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2012.

## MINUTES

### CITY COUNCIL MEETING

July 10, 2012

#### **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 Marshall called the meeting to order at 7:00 p.m. with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor present. A quorum was present.

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

#### **PLEDGE OF ALLEGIANCE**

AMERICAN PLEDGE: Councilmember Taylor led the pledge.

TEXAS PLEDGE: Councilmember Pettle led the pledge.

**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.

Stacy Patrick, 5202 Ravensthorpe Dr. – Ms. Patrick expressed concern with D' Magazine publishing information that may put the community at risk. The article stated, *“Residents accidentally leave their garage doors open (sometimes over a weeklong vacation) and come home to find things just as they left them.”* She asked that a letter be written to D' Magazine and ask that this line be removed from the online article.

#### **INDIVIDUAL CONSIDERATION ITEMS**

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR JUNE 5, 2012.

Revisions to the June 5, 2012 meeting began on page 5 by adding the year to the estimated costs.

MOTION: Councilmember Sumrow moved to approve as revised. Councilmember Leamy seconded with Councilmembers Leamy, Sumrow, Levine and Pettle voting for. Motion carried 4-0. Taylor abstained.

2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR JUNE 19, 2012.

The revision to the minutes was on page 3, the motion was changed to read, “*MOTION: Councilmember Leamy moved to make no changes to Ordinance 594 and reviewed again in 3 years, year 2015. Councilmember Sumrow seconded with Councilmembers Leamy, Sumrow, Levine and Pettle voting for. Motion carried 4-0.*”

MOTION: Councilmember Leamy moved to approve as revised. Councilmember Sumrow seconded with Councilmembers Leamy, Sumrow, Levine and Pettle voting for. Motion carried 4-0. Taylor abstained.

3. PUBLIC HEARING AND ANY CONSIDERATION ON A REQUEST TO ANNEX APPROXIMATELY 52.57 ACRES OF LAND IN THE ANN HURT SURVEY, ABSTRACT 428 SUBMITTED BY PARKER BEDELL FARMS, LTD.

Applicant/Owner Representative Steve Sallman was present to answer questions.

Mayor Marshall opened the public hearing at 7:08 p.m.

Hugh Lewis, Bois D'Arc Lane – Mr. Lewis received a drawing for a development and spoke in opposition to the number of houses and lack of amenities. Mr. Lewis was asked to contact City Administrator Flanigan to look over the drawing he received and further discuss this annexation.

A development agreement was approved for this property in August 2007, Resolution 2007-170. The property is currently in the Extra-Territorial Jurisdiction (ETJ) and the first step to development is to annex the property into the City limits. The property must be developed in accordance with the agreement.

Mayor Marshall closed the public hearing at 7:17 p.m. and announced the next public hearing will be held on July 17, 2012.

4. DISCUSSION AND/OR ANY APPROPRIATE ACTION ON AMENDING RESOLUTION 2011-329 ENTITLED POWERS AND DUTIES OF THE MAYOR.

Mayor Pro Tem Levine requested this item be brought back before Council for further discussion. He feels this ordinance hinders the Mayor's ability to efficiently run the City as he is charged with by State law. As the resolution is written it interferes with his ability to work with the finance manager and other staff as needed to conduct routine City business. He noted resolution was to resolve and have some control on issues with the previous Mayor.

Councilmember Leamy stated he has no objection if the Council wished to repeal this ordinance or keep it in place for a period of time.

Councilmember Pettle stated the rules should apply to all Councilmembers.

MOTION: Mayor Pro Tem Levine moved to rescind Resolution 2011-329. Councilmember Leamy seconded.

Councilmember Sumrow requested the resolution be amended only. She has served under multiple mayors' that have, at times, abused their power and the law is unclear on some duties of the mayor. The law also ties Council's hand to stop inappropriate behavior other than theft.

Council discussion ensued. Councilmember Sumrow serves as the Personnel Committee chair and was asked to prepare a new document and present to Council for consideration.

Councilmember's Leamy, Levine, Pettle and Taylor voting for. Sumrow opposed. Motion carried 4-1.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ALLOWING THE PARKER WOMEN'S CLUB TO USE THE CITY LOGO.

Parker Women's Club representative Jane Marshall requested permission to use the official, trademarked logo on a quilt to be donated to the Annual Volunteer Fundraiser.



MOTION: Mayor Pro Tem Levine moved to approve the use of the City logo on a quilt. Councilmember Leamy seconded, with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ACCEPTING A DONATION IN THE AMOUNT OF \$500 FROM COUNCILMEMBER LEAMY.

MOTION: Councilmember Sumrow moved to accept a donation of \$500 from resident David Leamy, which is to be allocated to the Police Department. Councilmember Pettle seconded with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ACCEPTING A DONATION IN THE AMOUNT OF \$1000 FROM STEVE SALLMAN.

MOTION: Councilmember Sumrow moved to accept a donation of \$1000 from Steve Sallman. Councilmember Taylor seconded with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE CITY GENERAL ELECTION DATES.

City Secretary Smith reported the staff conducted the May 2012 general election, which saved the City approximately \$5,900. The election was very successful with a record voter turnout of 35%.

There were comments and concerns from the voters and most were regarding:

- 1) Being required to vote at City Hall for City Election and in Allen for the Allen ISD election.

City Secretary Smith responded, Allen ISD and the City of Allen has chosen not to contract with the County any longer and in the past have participated in joint elections with other entities. We have no control over this issue.

- 2) Only one early voting location and being required to vote in multiple locations.

City Secretary Smith responded the Council chose to have Staff conduct the election and not sign a full service contract with the County. A full service contract with the County provides the voter's with additional conveniences such as additional Early Voting locations, dates and times; voting in multiple elections at one location during Early Voting; and viewing all election results on Collin County's webpage.

- 3) Not having Saturday Early Voting.

City Secretary Smith estimated for an additional \$200, the City could hold Saturday Early Voting if Council choose to have staff conduct future elections.

Council was provided the options prepared by TML for future elections and a brief list of pros and cons for each option in their packet.

- 1) Unstagger terms by resolution by December 31, 2012, and include in the resolution term adjustment provisions (e.g., for holdover or to cut terms short). (Election Code §41.0052(b); Local Gov't Code §21.004; Tex. Const. Art. XVI, §17.) This allows the continuation of May uniform election date, but only in odd numbered years. Note - all members, Mayor and Council would be elected in May of odd numbered years, with the possibility of election of all new members. The County would be required to conduct our election if we chose to contract with them.

Pros	Cons
<ul style="list-style-type: none"><li>◦ Reduced election costs by holding an election every two years instead of annually</li><li>◦ Contract with the County for full services at a lower cost</li></ul>	<ul style="list-style-type: none"><li>◦ Risk of having an entirely new governing body at one time</li><li>◦ Residents only participate in elections every two years</li></ul>

- 2) Move to November uniform election date by adopting a resolution by December 31, 2012, under Election Code §41.0052(a), as amended by S.B. 100, and include in the resolution term adjustment provisions (e.g., for holdover or to cut terms short).

(Election Code §41.0052(b); Tex. Const. Art. XVI, §17.) This allows for a joint election with the county on each November uniform election date.

<b>Pros</b> <ul style="list-style-type: none"><li>◦ Voter convenience</li><li>◦ Higher voter turnout</li><li>◦ Citizens vote in local elections every year</li><li>◦ Cost shared with County and other entities</li><li>◦ Contract with the County for full services at a lower cost</li></ul>	<b>Cons</b> <ul style="list-style-type: none"><li>◦ Possibility voters not voting city ballot due to straight party voters</li><li>◦ Hard to educate with publicity</li></ul>
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3) Buy or lease machines from a vendor. This allows a city to continue to conduct its own annual elections on the May uniform election date.

<b>Pros</b> <ul style="list-style-type: none"><li>◦ No changes for voters</li><li>◦ Council to keep current terms</li></ul>	<b>Cons</b> <ul style="list-style-type: none"><li>◦ Availability of voting equipment if renting</li><li>◦ Storage of voting equipment if purchased</li><li>◦ Possibility of purchased equipment becoming de-certified or obsolete</li></ul>
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4) County will still conduct joint election or provide machines to city. This allows a city to continue with annual elections on the May uniform election date by conducting its own election or holding a joint election with county.

This option depends on the terms of Collin County's Election Administrator.

A recommendation was made to appoint a committee to work with City Secretary Smith to evaluate the different options. The committee will focus on the top three issues financial, political and administrative. Councilmember Pettle would like to hear from the voter's on this topic as well.

MOTION: Councilmember Leamy moved to appoint Mayor Marshall, Mayor Pro Tem Levine, Councilmember Leamy and City Secretary Smith to a committee to further research the City's options for future elections. Councilmember Taylor seconded with Councilmember's Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

## **ROUTINE ITEMS**

### **9. FUTURE AGENDA ITEM REQUESTS.**

- a. The budget sessions will begin at 4:00 p.m. here at City Hall on July 16 and July 17.
- b. Mayor Marshall requested the review of the Mayor and Council Travel Expense policy be postponed to the August 7 agenda.
- c. Councilmember Sumrow requested a date be set for reviewing Ordinance 481. Mayor requested Ordinance 481 be scheduled for Executive Session on August 7 and, if needed, August 21.

#### 10. ADJOURN

Mayor Marshall adjourned the meeting at 8:22 p.m.

APPROVED:

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Mayor Z Marshall

ATTESTED:

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City Secretary Carrie L. Smith, TRMC, CMC

APPROVED on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2012.



## Council Agenda Item

Budget Account Code:	Meeting Date: July 17, 2012
Budgeted Amount:	Department/ Requestor: City Administrator
Fund Balance-before expenditure:	Prepared by: C Smith
Estimated Cost:	Date Prepared: 7/5/2012
Exhibits:	1) Annexation Request Application

### AGENDA SUBJECT

PUBLIC HEARING, REGARDING AN ANNEXATION PETITION FOR APPROXIMATELY 52.57 ACRES OF LAND IN THE ANN HURT SURVEY, ABSTRACT 428, COMMONLY KNOWN AS THE BEDELL TRACT.

### SUMMARY

This is the second, of two, required public hearing.

The purpose of the hearing is to receive public comments on a request for annexation submitted by Parker Bedell Farms, Ltd. to the City of Parker, Collin County, Texas, requesting annexation of approximately 52.57 acres of land in the Ann Hurt survey, Abstract # 428, Collin County.

#### ***Mayor Marshall is to***

- Open Public Hearing at \_\_\_\_\_ p.m.***
- Take Public Comments***
- Close Public Hearing at \_\_\_\_\_ p.m.***
  
- Announce second public hearing will be held at a special meeting on August 7, 2012.***

Council discussion.

### POSSIBLE ACTION

No Action

Inter - Office Use			
Approved by:			
Department Head:	<i>C. Smith</i>	Date:	7/12/2012
City Attorney:		Date:	
City Administrator:	<i>Terry Flory</i>	Date:	7-12-12



ZONING BOUNDARY CHANGE APPLICATION FORM  
ANNEXATION REQUEST FORM

1. Requesting:Permanent Zoning Re-Zoning 

(See Note\*)

Annexation 

\*Note: If requesting re-zoning, please attach a letter stating nature of re-zoning request; i.e. state present zoning and type of zoning change requested.

2. Description and Location of Property: *(See metes & bounds description)*

- a. Survey and abstract: Ann Hurt Survey, Abstract 428
- b. Lot and block: 1/1A
- c. Total number of acres: .5257
- d. Location further described: SWQ of Lucas Rd & Lewis Ln.

3. Attach 8 copies of the preliminary plat or survey that contains:

- a. North point, scale, and date
- b. Name and address of:
  - i. Applicant PARKER BEDELL FARMS, Ltd
  - ii. Engineer or surveyor responsible for survey of plat
- c. Survey and abstract with tract designation
- d. Location of major and/or secondary thoroughfares located with or adjacent to the property
- e. Location of existing or platted streets within and adjacent to the existing property
- f. Location of all existing rights of way, utility, and/or drainage easements

*4925 Greenville Ave #1020  
Dallas, TX 75206*

4. Fees (Non-Refundable): See Attached Fee Schedule

All fees are due and payable at the time of application. No hearing will be scheduled nor will any reviews be made until payment of required filing fees has been accomplished. Fees are non-refundable regardless of outcome of request.

All the requirements and fees of this application are submitted to the City of Parker requesting a hearing date for a Public Hearing before the Planning and Zoning Commission and/or the City Council as may be required. Hearing dates will be scheduled in accordance with provisions of the City of Parker's Comprehensive Zoning Ordinance. *PARKER BEDELL FARMS, Ltd*

Applicant: Stephen L. Solman, Mgt, Date: 6/21/12

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

REQUEST FOR ZONING BOUNDARY CHANGE:

You are requested to supply the names and addresses of all property owners within 200 feet of the subject property, IN ALL DIRECTIONS.

665 Country Club Rd.

1. City of Lucas, Tx. Lucas, Tx 75002
2. Bedell Family Limited Partnership
3. 2205 W. Lucas Rd.
4. Allen, TX 75002
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_
14. \_\_\_\_\_
15. \_\_\_\_\_

List others on reverse side, if necessary.

FAILURE TO COMPLETE AND SUBMIT THIS INFORMATION WILL RESULT IN THE REJECTION OF THE APPLICATION.

Thank you.  
City of Parker  
5700 E Parker Road  
Parker, Texas 75069

## FEE SCHEDULE:

1. Ordinance Book (Subdivision Regulations and Zoning)	\$150.00
2. Site Plan Filing (each)	\$300.00 plus \$25/acre
3. Grading Plan	\$250.00 plus \$30/acre
4. Land Study/Preliminary Plat/Final Plat (each)	
Single Family	\$300.00 plus \$30/acre
Special Activities District	\$500.00 plus \$30/acre
(All final plats to be filed with Collin County and fees paid by applicant)	
5. Public Works Inspection/Engineering Plans/Legal Review	5.0% of construction costs (Construction costs consist of water, streets, sewer, and drainage)
6. Minor Subdivision Plat Application (5acres or less)	\$500.00 plus \$100/lot
7. Re-Plat Application	\$500.00 plus \$15/lot
8. Zoning Change Request, Zoning Change	\$500.00 plus \$10/acre
9. Specific Use Permit	\$1,000.00
10. Variance Request	\$600.00
11. Traffic Control Devices:	
Per linear foot per lane line (painting)	\$ .75
Per street intersection (signage)	\$150.00
Per divided street intersection (signage)	\$300.00
Signs for street names (each)	\$200.00
12. Abandonment of Real Property	\$500.00
13. Annexation Petition	\$400.00 plus \$5/acre

All fees are due and payable at the time of application; except inspection, engineering, and legal review fees, which are due at the time of the pre-construction meeting with the City. No construction shall take place prior to the pre-construction meeting and submission of certified construction cost bid(s) by the contractor(s) and owner. NO HEARING WILL BE SCHEDULED NOR WILL ANY REVIEWS BE MADE UNTIL PAYMENT OF REQUIRED FILING FEES HAS BEEN ACCOMPLISHED. FEES ARE NON-REFUNDABLE REGARDLESS OF THE OUTCOME OF THE REQUEST.

All the requirements of fees of this application are submitted to the City of Parker requesting a hearing date before the Planning and Zoning Board and the City Council. Hearing dates will be scheduled in accordance with the City's Comprehensive Zoning Ordinance.

Fee                    \$ 400.00  

$$52.57 \text{ Ac} \times \$500/\text{ac} = \$262.85$$
  
 Total: Annexation Fee    \$ 662.85



## FIELD NOTES

### TRACT 2

4870-2sur

BEING a tract of land situated in the Ann Hurt Survey, Abstract No. 428, Collin County, Texas, the subject tract being a portion of that described 356 acres tract of land conveyed to the Bedell Family Limited Partnership, a Texas limited partnership, according to the Warranty Deed recorded in Collin County Clerk File Number 2000-0050958 of the Land Records Of Collin County Texas (LRCCT), the subject tract being more particularly described as follows;

COMMENCING at the southwest corner of said Bedell 356 acre tract, and the northwest corner of a 49.35 acre tract of land conveyed to Young Dean Homestead, Ltd. according to the Warranty Deed recorded in County Clerk File Number 2002-0068655 (LRCCT), said Beginning point further being located on the east line of Parker Lake Estates Phase 3-B, an addition to the City Of Parker according to the Final Plat recorded in Cabinet P, Page 936 (LRCCT), a 1/2" iron pin with a cap stamped "Petitt" found at corner, from which a 1/2" iron pin found at the southeast corner of Lot 31, Block A of said Parker Lake Estates Phase 3-B bears S 00° 24' 46" E – 37.45 feet;

THENCE, N 89° 33' 49" E, along the south line of said Bedell 356 acre tract and the north lines of a 13.75 acre tract and a 49.35 acre tract of land conveyed to Young Dean Homestead, Ltd. by the said Warranty Deed recorded in County Clerk File Number 2002-0068655 (LRCCT), a distance of 2640.04 feet to the southeast corner of said Bedell 356 acre tract;

THENCE, N 00° 38' 13" W, along the east line of said Bedell 356 acre tract and the east line of a called 1 acre tract by the same Warranty Deed recorded in Collin County Clerk File Number 2000-0050958 (LRCCT), part of the way also being along the west line of a tract of land conveyed to Chris J. Hendrix and Laura B Hendrix according to the General Warranty Deed With Vendor's Lien recorded in County Clerk File Number 2000-0071566 (LRCCT), and along Lewis Lane part of the way, a distance of 2980.81 feet to the PLACE OF BEGINNING of the herein described tract of land, said Place of Beginning being an ell corner of said Bedell owned tract and the northwest corner of the said Chris J. Hendrix and Laura B Hendrix tract, a 5/8" iron pin found at corner;

THENCE, N 53° 17' 06" W, a distance of 223.30 feet;

THENCE, 36° 47' 10" W, a distance of 1617.25 feet;

THENCE, N 00° 10' 38" E, a distance of 880.42 feet to a point on the north line of the said Bedell 356 acre tract and approximate centerline of W. Lucas Road (C. R. 263), a PK nail set in asphalt pavement at corner;

THENCE, S 89° 49' 22" E, along said Bedell 356 acre tract north line and approximate centerline of said W. Lucas Road and along the north line of the Ann Hurt Survey, Abstract No. 428, distance of 643.44 feet to a PK nail set in asphalt pavement at corner;

THENCE, S 00° 10' 52" W, leaving the said Bedell 356 acre tract north line and approximate centerline of W. Lucas Road, a distance of 420.08 feet to a 1/2" iron pin with a red cap stamped Tipton Eng Inc. set at corner;

THENCE, S 89° 49' 08" E, a distance of 830.73 feet to a point on the east line of said Bedell 356 acre tract and approximate centerline of Lewis Lane, said point further being approximately 39.5 feet west of the westerly line Lot 3, Block B of the Amended Final Plat of Estates At Austin Trail Phase II, an addition to the City Of Lucas according to the Final Plat recorded in Cabinet P, Page 437 (LRCCT), a PK nail in asphalt pavement set at corner;

THENCE, S 00° 09' 08" E, along the east line of said Bedell 356 acre tract and along Lewis Lane, a distance of 1883.54 feet to a most easterly southeast corner of said Bedell 356 acre tract, a 5/8" iron pin with a cap stamped "Petitt" found at corner;

THENCE, S 89° 50' 37" W, along a south line of said Bedell 356 acre tract and a north line of the previously mentioned Chris J. Hendrix and Laura B Hendrix tract north line, a distance of 333.10 feet to the Place Of Beginning with the subject tract containing 2,290,142 Square Feet or 52.5744 Acres of Land.

FIELD NOTES  
TRACT 2

4870-2sur  
BEING a tract of land situated in the Ann Hurt Survey, Abstract No. 428, Collin County, Texas, the subject tract being a portion of that described 356 acres tract of land conveyed to the Bedell Family Limited Partnership, a Texas limited partnership, according to the Warranty Deed recorded in Collin County Clerk File Number 2000-0050958 of the Land Records Of Collin County Texas (LRCT), the subject tract being more particularly described as follows;

COMMENCING at the southwest corner of said Bedell 356 acre tract, and the northwest corner of a 49.35 acre tract of land conveyed to Young Dean Homestead, Ltd. according to the Warranty Deed recorded in County Clerk File Number 2002-0068655 (LRCT), said Beginning point further being located on the east line of Parker Lake Estates Phase 3-B, an addition to the City Of Parker according to the Final Plat recorded in Cabinet P, Page 936 (LRCT), a 1/2" iron pin with a cap stamped "Pettit" found at corner, from which a 1/2" iron pin found at the southeast corner of Lot 31, Block B of said Parker Lake Estates Phase 3-B bears S 00° 24' 46" E - 37.45 feet;

THENCE, N 89° 33' 49" E, along the south line of said Bedell 356 acre tract and the north lines of a 13.75 acre tract and a 49.35 acre tract of land conveyed to Young Dean Homestead, Ltd. by the said Warranty Deed recorded in County Clerk File Number 2002-0068655 (LRCT), a distance of 2640.04 feet to the southeast corner of said Bedell 356 acre tract;

THENCE, N 00° 38' 13" W, along the east line of said Bedell 356 acre tract and the east line of a called 1 acre tract by the same Warranty Deed recorded in Collin County Clerk File Number 2000-0050958 (LRCT), part of the way also being along the west line of tract of land conveyed to Chris J. Hendrix and Laura B Hendrix according to the General Warranty Deed With Vendor's Lien recorded in County Clerk File Number 2000-0071566 (LRCT), and along Lewis Lane part of the way, a distance of 2980.81 feet to the PLACE OF BEGINNING of the herein described tract of land, said Place of Beginning being an all corner of said Bedell owned tract and the northwest corner of the said Chris J. Hendrix and Laura B Hendrix tract, a 5/8" iron pin found at corner;

THENCE, N 53° 17' 06" W, a distance of 233.30 feet;

THENCE, N 36° 47' 10" W, a distance of 1617.25 feet;

THENCE, N 00° 10' 38" E, a distance of 880.42 feet to a point on the north line of the said Bedell 356 acre tract and approximate centerline of W. Lucas Road (C. R. 263), a PK nail set in asphalt pavement at corner;

THENCE, S 89° 49' 22" E, along said Bedell 356 acre tract north line and approximate centerline of W. Lucas Road and along the north line of the Ann Hurt Survey, Abstract No. 428, distance of 643.44 feet to a PK nail set in asphalt pavement at corner;

THENCE, S 00° 10' 52" W, leaving the said Bedell 356 acre tract north line and approximate centerline of W. Lucas Road, a distance of 420.08 feet to a 1/2" iron pin with a red cap stamped Tipton Eng Inc. set at corner;

THENCE, S 89° 49' 08" E, a distance of 830.73 feet to a point on the east line of said Bedell 356 acre tract and approximate centerline of Lewis Lane, said point further being approximately 39.5 feet west of the westerly line Lot 3, Block B of the Amended Final Plat of Estates At Austin Trail Phase II, an addition to the City Of Lucas according to the Final Plat recorded in Cabinet P, Page 437 (LRCT), a PK nail in asphalt pavement set at corner;

THENCE, S 00° 09' 08" E, along the east line of said Bedell 356 acre tract and along Lewis Lane, a distance of 1883.54 feet to a most easterly southeast corner of said Bedell 356 acre tract, a 5/8" iron pin with a cap stamped "Pettit" found at corner;

THENCE, S 89° 50' 37" W, along a south line of said Bedell 356 acre tract and a north line of the previously mentioned Chris J. Hendrix and Laura B Hendrix tract north line, a distance of 333.10 feet to the Place Of Beginning with the subject tract containing 2,290,142 Square Feet or 52.5744 Acres of Land.

NOTES

4870-Notes  
THE FOLLOWING LISTED EASEMENTS ARE NOT LOCATED ON THIS TRACT

Easement granted by Bedell Family Limited Partnership to Parker Lake Estates II, Ltd. and Parker Lakes Estates Homeowners Association, Inc., filed 02/21/2001, recorded in Volume 4860, Page 3036, Real Property Records of Collin County, Texas, and corrected in instrument filed 02/10/2006, recorded in Clerks file No. 2006-0184170, Real Property Records Of Collin County, Texas.

Drainage easement granted by Bedell Family Limited Partnership to Parker Lake Estates III, Ltd. and Parker Lakes Estates HOA, Inc., dated 07/05/2001, filed 09/02/2002, recorded in Volume 5143, Page 419, Real Property Records of Collin County, Texas.

BEDELL FAMILY LIMITED PARTNERSHIP  
CC# 2000-0050958

N00°10'38"E ~ 880.42'

212.50' N36°00'53"E S36°00'53"E

N36°00'53"E 414.25' S36°00'53"E

N36°00'53"E 438.12' S36°00'53"E

N36°00'53"E 374.45' S36°00'53"E

N36°00'53"E 145.18' S10°38'02"E

N36°00'53"E 144.26' S10°38'02"E

N36°00'53"E 145.18' S10°38'02"E

&lt;p



## Council Agenda Item

Budget Account Code:	Meeting Date: July 17, 2012
Budgeted Amount:	Department/ Requestor: City Administrator
Fund Balance-before expenditure:	Prepared by: C Smith
Estimated Cost:	Date Prepared: 7/12/2012
Exhibits:	1) Ordinance

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 679 ANNEXING APPROXIMATELY 6.353 ACRES OF LAND IN THE RICHARD SPARKS SURVEY, ABSTRACT # 850, COLLIN COUNTY, TEXAS.

### SUMMARY

Annexation request has been submitted by Henry Cleburne Raney, Lura R. Raney, Curtis Pohl, Alexander Dinverno, Marie Dinverno, Scott E. Fletcher, Maria J. Fletcher, Steve Rhodes, and Sally Rhodes to the City of Parker, Collin County, Texas, requesting annexation of approximately 6.353 acres of land in the Richard Sparks survey, Abstract # 850, Collin County, Texas. The land proposed by the Petitioners is to be annexed, zoned and replatted to become additions to Lots 3, 4, 6, 7, and 8 of Block A of Brooks Farm Estates.

### POSSIBLE ACTION

Move to approve Ordinance 679.

Inter – Office Use			
Approved by:			
Department Head:	<i>Csmith</i>	Date:	<i>7/12/2012</i>
City Attorney:	<i>by Email</i>	Date:	<i>7/12/2012</i>

City Administrator:		Date:	7-12-12
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**ORDINANCE 679**  
*(Annexation – 6.353 acres)*

**AN, ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, ANNEXING APPROXIMATELY 6.353 ACRES OF LAND IN THE RICHARD SPARKS SURVEY, ABSTRACT # 850, COLLIN COUNTY, TEXAS, INTO THE CITY LIMITS OF PARKER, TEXAS, ADOPTING A SERVICE PLAN, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, GRANTING TO SAID TERRITORY AND TO ALL INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDS SAID INHABITANTS BY ALL THE ACTS AND ORDINANCES OF THE SAID CITY AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS, IN ACCORDANCE WITH Chapter 43 of the Texas Local Government Code, §43.028, a petition for annexation of land described herein was submitted to the City, and duly considered and accepted by the City Council of Parker; and**

**WHEREAS, in accordance with Chapter 43 of the Texas Local Government Code, a service plan was prepared and two public hearings were noted and held in accordance with §43.052 of the Texas Local Government Code to consider comments from the public for and against the annexation of such property into the City of Parker; and**

**WHEREAS, the City of Parker believes that annexation of the property hereinafter described is in the best interests of the citizens of Parker, and the owners and residents of the area seeking annexation.**

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

**SECTION 1. ANNEXATION:**

That the following described territory, to wit:

Approximately 6.353 ACRES OF LAND IN THE RICHARD SPARKS SURVEY, ABSTRACT # 850, COLLIN COUNTY, TEXAS and more particularly described as follows:

See attached EXHIBIT "A"

be and the same is hereby annexed into the City of Parker, Collin County, Texas, and that the boundary limits of the City of Parker, Texas, be and the same are hereby extended to include the above - described territory within the city limits of the City of Parker, Texas, and that the same shall hereafter be included with the territorial limits of said City and said land and the inhabitants thereof shall be hereafter entitled to all rights and privileges of other citizens of the City of Parker, Texas and shall be bound by the acts and ordinances of said City.

## **SECTION 2. SERVICE PLAN:**

The Service Plan attached hereto as EXHIBIT "B" is hereby adopted and the same shall govern the delivery of Parker's municipal services to the annexed territory.

## **SECTION 3. SEVERABILITY:**

It is the intent of the City Council that each sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be deemed severable and, should an such sentence, paragraph, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of the Ordinance left standing.

## **SECTION 4. FULL FORCE AND EFFECT:**

That all provisions of the ordinances of the City of Parker in conflict with the provisions of this Ordinance are, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Parker not in conflict with the provisions of this Ordinance shall remain in full force and effect.

## **SECTION 5. EFFECTIVE DATE:**

This Ordinance shall be effective on the date of its adoption, subject to pre - clearance by the Justice Department.

## **SECTION 6. FILING INSTRUCTIONS:**

The City Secretary is directed to file a certified copy of this Ordinance with the County Clerk of Collin County, Texas, and with the Collin County Central Appraisal District.

**ADOPTED** by the City Council of the City of Parker, Texas, on this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

APPROVED:

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Mayor Z Marshall

ATTEST:

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City Secretary Carrie L. Smith

APPROVED AS TO FORM:

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City Attorney James E. Shepherd

Exhibits:

Exhibit A – Legal description of 6.35 acres  
Exhibit B – Service Plan

*Ord 679  
Annexing 6.353 Acres*

**ORDINANCE 679**  
**EXHIBIT A – LEGAL DESCRIPTION**  
**6.353 ACRE TRACT**

BEING a 6.353 acre tract of land situated in the Richard Sparks Survey, Abstract No. 850, City of Parker, Collin County, Texas, and being a portion a 10-acre tract conveyed to Michael A. Caballero and Linda G. Caballero by deed recorded in County Clerk's File No. 20070605000757920, Real Property Records of Collin County, Texas, said tract being more particularly described as follows;

COMMENCING at a 1/2-inch steel rod found in the West right-of-way line of McCreary Road (a variable width right-of-way) and being in the South line, Lot 1 Block A, Brooks' Farm Estates, Phase I, an addition to the City of Parker, Texas according to the plat recorded in Volume R, Page 215 of the Map Records of Collin County, Texas, being in the Northeast corner of the said Caballero tract and having coordinates based on NAD83 (CORS96, EPOCH 2002) tied to the Texas Coordinate System of 1983, North Central Zone (4202) of X=2,552,219.35. Y=7,068,814.25;

THENCE South 89°24'33" West departing said West right-of-way line and with the North line of said Caballero tract and South line of said Brooks Farm Estates for a distance of 527.98 feet to a 5/8-inch steel rod with yellow plastic cap stamped "TERRACORP" set at the POINT OF BEGINNING;

THENCE South 00°35'27" East, departing said North line and across said Caballero tract for a distance of 260.28 feet to a 5/8-inch steel rod with "TERRACORP" cap set in the South line of said Caballero tract and North line of a tract of land conveyed to Richard and Sandra Pruitt in deed recorded in Volume 5601, Page 5699 Real Property Records of Collin County, Texas;

THENCE South 89°26'17" West, with the South line of said Caballero tract and North line of the said Pruitt tract and the North line of a tract conveyed to Terrell-Lewis Investments LLC by instrument recorded County Clerk's File No. 20081031001284470, Real Property Records of Collin County, Texas for a distance of 1064.10 feet to a concrete monument found at the Northwest corner of said Terrell-Lewis tract and being in the East line of a tract of land conveyed to Thomas R. Wilson by deed recorded in Volume 4563, Page 906 Real Property Records of Collin County, Texas;

THENCE North 00°42'07" West, with the West line of said Caballero tract and East line of the Wilson tract for a distance of 259.74 feet to a concrete monument found at the Northwest corner of said Caballero tract, Northeast corner of the Wilson tract and being the South line of said Brooks' Farm Estates;

THENCE North 89°24'33" East, with the South line of said Brooks' Farm Estates and said North line of the Caballero tract for a distance of 1064.601 feet to the POINT OF BEGINNING; CONTAINING 276,740 square feet or 6.353 acres of land, more or less.

## **EXHIBIT "B" SERVICE PLAN**

**Section 1.** Within ten (10) days of the effective date of an annexation pursuant to §43.033 of the Texas Local Government Code, the City of Parker ("the City") will provide the following services to the territory or property so annexed:

- A. Police protection in accordance with the City of Parker Ordinance 498 and state and federal law;
- B. Volunteer fire department service and emergency medical service in accordance with City of Parker Ordinance No. 258 and state and federal law;
- C. Solid waste collection in accordance with the City of Parker's contract with the city solid waste collection contractor;
- D. Maintenance of water service in connection with the City of Parker Ordinance No. 345A;
- E. Enforcement of all zoning ordinances, building codes, and miscellaneous penal ordinances including but not limited to regulation of animals, roads and streets, fireworks, alcoholic beverages, firearms, littering and dumping, except as provided in this Service Plan, and/or in any zoning ordinance imposed on the land subject to this Service Plan;
- F. Maintenance of roads and street, including street lighting, if any; and
- G. Maintenance of public parks, playgrounds and swimming pools and any other publicly owned facilities, buildings or services, if any.

**Section 2.** All services identified in Section 1 shall be provided at the same level at which services are currently provided to the territory that is currently within the corporate limits of the City.

**Section 3.** The Parker City Council finds that all of the municipal services adequate to serve the areas proposed for annexation are currently provided to such areas to be annexed by the City pursuant to §43.024 of the Texas Local Government Code or can be provided without acquisition or construction of capital improvements.

**Section 4.** In the event that any of the tracts of land annexed are subdivided and /or further developed, then the Developer will be required to comply with Parker's Land Development and Subdivision Regulations, and the construction standards (Ordinance No. 345A, Article 11), for additions to the Parker water system. The water service extension policy of the

City of Parker requires that the Developer construct, at his sole expense, all water main extensions with the required valves, fire hydrants, etc. necessary to provide adequate water service to the new subdivision with a minimum pipe size of eight (8") inches, with such amendments as may be hereafter adopted.

**Section 5.** Any improvements which may be placed, constructed, or installed on any portion of the development shall conform to the minimum specifications as called for in the Building Code, the Fire Code, and applicable engineering standards as to size, quality of materials, height, and strength of improvements. For the purpose of the foregoing, the following shall be considered improvements: water lines, fire hydrants, and sanitary sewer systems, or any similar improvement designed to ensure the health and safety of the public, residents, employees, or customers. In the event private drives or streets are constructed for the development of the property, they shall conform to the Fire Code, and applicable engineering standards for their construction, to assure that Fire Department vehicles may safely use them. The Developer or land owner shall not permit occupancy and the City shall not issue occupancy permits for any buildings or portions thereof until such private improvements are fully completed to serve the developed area.

**Section 6.** It is agreed and understood that extension and provision of City services to the property, and the construction, inspection and maintenance of all improvements necessary to provide such services will be in accordance with standards contained in the City's subdivision regulations or engineering manuals, or other standard specifications, as may be amended, except as expressly provided herein to the contrary.

**Section 7.** It is understood and agreed that, in accordance with Chapter 212, Texas Local Government Code, and the City's Land Development and Subdivision Regulations, any division as defined in the statute of the annexed property into two or more parcels for the purpose of sale will require the filing of a subdivision plat. The Developer agrees to complete those portions of the public improvements which the City may require in order to insure contiguity and proper service for the public improvements to the portion of the annexed property for which plat approval may be sought.





## Council Agenda Item

Budget Account Code:	Meeting Date: July 17, 2012
Budgeted Amount:	Department/ Requestor: City Administrator
Fund Balance-before expenditure:	Prepared by: C Smith
Estimated Cost:	Date Prepared: 7/12/2012
Exhibits:	1) Ordinance 2) Ordinance 568 – Brooks Farm Zoning

### **AGENDA SUBJECT**

PUBLIC HEARING, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 680 APPROVING SINGLE FAMILY TRANSITIONAL ZONING WITH CONDITIONS FOR APPROXIMATELY 6.353 ACRES OF LAND IN THE RICHARD SPARKS SURVEY, ABSTRACT # 850, COLLIN COUNTY, TEXAS.

### **SUMMARY**

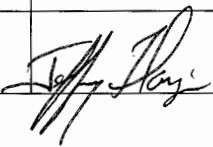
Submitted by Henry Cleburne Raney, Lura R. Raney, Curtis Pohl, Alexander Dinverno, Marie Dinverno, Scott E. Fletcher, Maria J. Fletcher, Steve Rhodes, and Sally Rhodes to the City of Parker, Collin County, Texas, requesting annexation of approximately 6.353 acres of land in the Richard Sparks survey, Abstract # 850, Collin County, Texas. The land proposed by the Petitioners is to be annexed, zoned and replatted to become additions to Lots 3, 4, 6, 7, and 8 of Block A of Brooks Farm Estates.

The applicants have requested the same zoning as Brooks Farm, SFT – with Conditions, Ordinance 568.

Planning and Zoning Commission met on June 14<sup>th</sup> and unanimously approved the recommendation of approval to the Council.

### **POSSIBLE ACTION**

Move to approve Ordinance 680.

Inter-Office Use			
Approved by:			
Department Head:		Date:	
City Attorney:		Date:	
City Administrator:		Date:	7/12/12

**ORDINANCE 680**  
*(Brooks Farm Block A, Zoning Amended Lots 3, 4, 6, 7, and 8)*

**AN ORDINANCE OF THE CITY OF PARKER, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF PARKER AS HERETOFORE AMENDED, BY ZONING A NEWLY ANNEXED (PURSUANT TO ORDINANCE 679) PARCEL OF LAND OF APPROXIMATELY 6.353 ACRES OF LAND IN THE RICHARD SPARKS SURVEY, ABSTRACT # 850, COLLIN COUNTY, TEXAS, INTO THE CITY LIMITS OF PARKER, TEXAS,; SAID PARCEL OF LAND BEING ZONED SINGLE FAMILY TRANSITIONAL (SFT) WITH SPECIAL CONDITIONS BY THIS ORDINANCE, AS SET FORTH SPECIFICALLY HEREIN; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$2,000.00 FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Parker Planning and Zoning Commission and the governing body of the City of Parker, in compliance with the laws of the State of Texas and the ordinances of the City of Parker, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance of the City of Parker should be amended to zone the land described herein;

**WHEREAS**, by Ordinance No. 679, the City of Parker did annex approximately 6.353 acres of land in the Richard Sparks Survey, Abstract # 850, Collin County, Texas.

**WHEREAS**, submitted by Henry Cleburne Raney, Laura R. Raney, Curtis Pohl, Alexander Dinverno, Marie Dinverno, Scott E. Fletcher, Maria J. Fletcher, Steve Rhodes, and Sally Rhodes to the City of Parker, Collin County, Texas, requesting annexation of approximately 6.353 acres of land in the Richard Sparks survey, Abstract # 850, Collin County, Texas. The land proposed by the Petitioners is to be annexed, and replatted to become additions to Lots 3, 4, 6, 7, and 8 of Block A of Brooks Farm Estates. (“Owners”) have requested zoning of this property as set forth in this Ordinance; and

**WHEREAS**, the property of approximately 6.353 acres is to be zoned by this Ordinance Single Family Transitional (SFT) with conditions as more particularly described below, in order the zoning on the newly annexed 6.353 acres will be the same zoning as all of Brooks Farm, including the original Lots 3,4,6,7 and 8, and

**WHEREAS**, the 6.353 acres described in the attached Exhibit A annexed by Ordinance 679 is or shall be divided and platted among Lots 3,4,6,7, and 8, creating a amended plat shown in Ex B as an addition to the subdivision known as Brooks Farm, which, including the 6.353 acres annexed and the original Lots 3,4,6,7 and 8, results in a replatted area of Brooks Farm of approximately. 11 acres, as described in Ex. C.

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

**SECTION 1.** The Comprehensive Zoning Ordinance of the City of Parker, Texas, Ordinance No. 483. as heretofore amended, be, and the same is hereby amended by zoning the 6.353 acre tract submitted by submitted by Henry Cleburne Raney, Lura R. Raney, Curtis Pohl, Alexander Dinverno, Marie Dinverno, Scott E. Fletcher, Maria J. Fletcher, Steve Rhodes, and Sally Rhodes more particularly described by metes and bounds as shown on the attached Exhibit "A". The annexed 6.353 acres, added to existing lots 3,4,6,7 and 8 of Brooks Farm, are zoned exactly as the zoning of the original Brooks Farm Subdivision lots, as follows:

The property described in EXHIBIT "A" is zoned Single Family Transitional ("SFT ") with the following special conditions:

A. Front Setback Minimum front setback for all lots 1.5 acres or greater in size shall be not less than 50 feet, except Lots 12a and 13a, which shall be not less than 75 feet.

B. Minimum Lot Width—The minimum lot width for any lot located on a cul-de-sac or curvilinear street shall be fifty (50) feet.

C. Average Lot Size—The average lot size shall be not less than 1.3 acres net, exclusive of the Plano Independent School District lot.

D. Lot 1, Block A shall be not less than 2 acres, minimum, and shall have not less than a 50 foot front setback and not less than a 240 foot minimum depth.

E. Cul-de-Sac Regulations,

1. Temporary cul-de-sacs - Phase 1 roads will be, built to City standards, or above, with the exception that the 600 foot limitation on the Phase I main streets shall be abated for a period of two years from the date of approval of the Preliminary Plat of Phase 1, or 180 days of the approval of the Preliminary Plat of Phase 1, whichever time period shall first elapse.

2. The street in Phase I identified in the concept plan as the "East-West cul-de-sac" is approved at a maximum length of 650 feet.

F. The minimum home size shall be 3,000 square feet.

**SECTION 2.** That the property shall be used only in the manner and for the purposes as required in the SFT zoning classifications provided for by this Ordinance pursuant to the Amended Comprehensive Zoning Ordinance of the City of Parker, as heretofore amended, and subject to the aforementioned special conditions. Any dispute as to the operation, effect, or interpretation of this Ordinance shall be determined by the Parker City Council at a meeting properly noticed and held on the subject.

**SECTION 3.** Severability. That should any word, phrase, paragraph, section or portion of this ordinance be held to be illegal, invalid or unenforceable, the legality, validity and

enforceability of the remaining portions of the ordinance shall not be affected thereby, and each such illegal, invalid or unenforceable word, phrase, paragraph, section or portion shall not affect the ordinance as a whole.

**SECTION 4. *Repealer.*** That all provisions of the ordinances of the City of Parker in conflict with the provisions- of this Ordinance are, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Parker not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 5. *Penalty.*** That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Parker, as heretofore amended, and upon conviction shall be punished by a Fine not to exceed the sum of \$2,000.00 for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 6. *Publication.*** In accordance with Section 52-011 of the Local Government Code, the caption of this Ordinance shall be published either (a) in every issue of the official newspaper of the City of Parker for two days, or (b) one issue of the newspaper if the official newspaper is a weekly paper. An affidavit by the printer or the publisher of the official newspaper verifying the publication shall be filed in the office of the City Secretary.

**SECTION 7. *Effective Date.*** This Ordinance shall take effect upon Publication of the caption, as the law in such case provides.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2012, by the Parker City Council.

APPROVED:

---

Mayor Z Marshall

ATTESTED:

---

City Secretary Carrie L. Smith

APPROVED AS TO FORM:

---

City Attorney James E. Shepherd

## EXHIBITS

Exhibit A – legal description for the 6.353 acres.

Exhibit B - the amended plat drawing

Exhibit C-- the "owners cert."

**ORDINANCE 680**  
**EXHIBIT A – LEGAL DESCRIPTION**  
**6.353 ACRE TRACT**

BEING a 6.353 acre tract of land situated in the Richard Sparks Survey, Abstract No. 850, City of Parker, Collin County, Texas, and being a portion a 10-acre tract conveyed to Michael A. Caballero and Linda G. Caballero by deed recorded in County Clerk's File No. 20070605000757920, Real Property Records of Collin County, Texas, said tract being more particularly described as follows;

COMMENCING at a 1/2-inch steel rod found in the West right-of-way line of McCreary Road (a variable width right-of-way) and being in the South line, Lot 1 Block A, Brooks' Farm Estates, Phase I, an addition to the City of Parker, Texas according to the plat recorded in Volume R, Page 215 of the Map Records of Collin County, Texas, being in the Northeast corner of the said Caballero tract and having coordinates based on NAD83 (CORS96, EPOCH 2002) tied to the Texas Coordinate System of 1983, North Central Zone (4202) of X=2,552,219.35. Y=7,068,814.25;

THENCE South 89°24'33" West departing said West right-of-way line and with the North line of said Caballero tract and South line of said Brooks Farm Estates for a distance of 527.98 feet to a 5/8-inch steel rod with yellow plastic cap stamped "TERRACORP" set at the POINT OF BEGINNING;

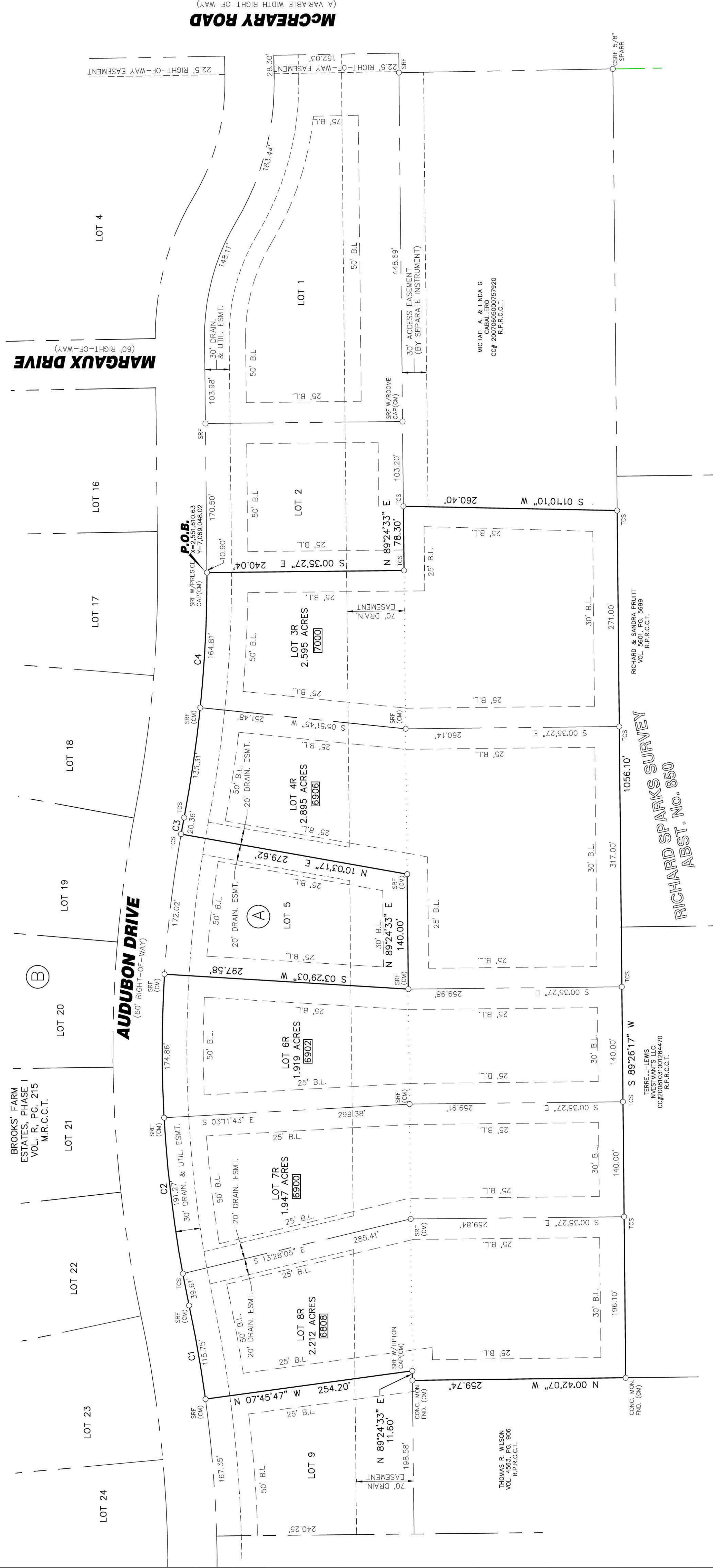
THENCE South 00°35'27" East, departing said North line and across said Caballero tract for a distance of 260.28 feet to a 5/8-inch steel rod with "TERRACORP" cap set in the South line of said Caballero tract and North line of a tract of land conveyed to Richard and Sandra Pruitt in deed recorded in Volume 5601, Page 5699 Real Property Records of Collin County, Texas;

THENCE South 89°26'17" West, with the South line of said Caballero tract and North line of the said Pruitt tract and the North line of a tract conveyed to Terrell-Lewis Investments LLC by instrument recorded County Clerk's File No. 20081031001284470, Real Property Records of Collin County, Texas for a distance of 1064.10 feet to a concrete monument found at the Northwest corner of said Terrell-Lewis tract and being in the East line of a tract of land conveyed to Thomas R. Wilson by deed recorded in Volume 4563, Page 906 Real Property Records of Collin County, Texas;

THENCE North 00°42'07" West, with the West line of said Caballero tract and East line of the Wilson tract for a distance of 259.74 feet to a concrete monument found at the Northwest corner of said Caballero tract, Northeast corner of the Wilson tract and being the South line of said Brooks' Farm Estates;

THENCE North 89°24'33" East, with the South line of said Brooks' Farm Estates and said North line of the Caballero tract for a distance of 1064.601 feet to the POINT OF BEGINNING; CONTAINING 276,740 square feet or 6.353 acres of land, more or less.

**EXHIBIT "B"**



# **BROOKS' FARM ESTATES PHASE I LOTS 3R,4R,6R,7R,&8R, BLOCK A**

BEING A REPLAT OF LOTS 3,4,6,7,8, BLOCK A  
BROOKS' FARM ESTATES  
PHASE I  
AND BEING SITUATED IN THE  
RICHARD SPARKS SURVEY, ABSTRACT No. 850  
CITY OF DAKER

COLLIN COUNTY, TEXAS

LOT 7 SCOTT E. & MARIE J. FLETCHER  
6900 AUDUBON DRIVE  
PARKER, TX 75002

LOT 8 STEVE & SALLY RHODES  
6808 AUDUBON DRIVE  
PARKER, TX 75002

LOT 3  
HENRY & LAURA R. F.  
7000 AUDUBON DRIVE  
PARKER, TX 75002

# REPLAT FARM CHASE, R,7R,8 LOTS 3

LEGEND (CM).....CONTROLLING MONUMENT  
 1PF.....IRON PIPE FOUND  
 1SRF.....STEEL ROD FOUND  
 1STC.....5/8-INCH STEEL ROD  
 W/"TERRACORP" CAP SET  
 ( ).....PLAT/DEED CALLS



Scale 1" = 60'

RICHARD SPARKS SURVEY, ABSTRACT No. 850  
AND BLING SITUATED IN THE  
CITY OF DARDEN

COLLIN COUNTY, TEXAS

**Terracorp Associates LLC**  
3960 Broadway Blvd. Ste 236  
Garland, TX 75043  
ph. 972-805-4529, fax 972-805-4527  
[www.terracorpsurvey.com](http://www.terracorpsurvey.com)

This site plan illustrates the layout of the McCreary Ranch property, which includes the following key features and boundaries:

- FM 1376**: A major road running along the northern and western edges of the property.
- FM 2514**: A road running along the southern edge of the property.
- FM 2551**: A road running along the eastern edge of the property.
- E. PARKER RD.**: A road running north-south through the center of the property.
- McCREARY RD.**: A road running east-west through the center of the property.
- COUNTRY CLUB**: A residential area located in the upper right corner.
- McMILLEN RD.,**: A road running along the eastern boundary of the property.
- SITE**: A large rectangular area outlined in black, representing the proposed development.
- LETSY LN.**: A road running along the southern boundary of the property.

The plan also shows various property lines, roads, and undeveloped land areas.

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD	CD. DIST.
C1	04°15'05"	1560.00	115.75	N 80°06'41"	E 115.72
C2	15°29'54"	1500.00	405.75	S 85°44'06"	W 404.51
C3	00°46'39"	1500.00	20.36	N 79°33'23"	W 20.36
C4	11°01'22"	1560.00	300.12	S 84°40'45"	E 299.66

LOT 3  
HENRY & LAURA R  
7000 AUDUBON DR  
PARKER, TX 75002

OWNERS CERTIFICATE			
STATE OF TEXAS	§	STATE OF TEXAS	§
COUNTY OF COLLIN	§	COUNTY OF COLLIN	§
<p>BEFORE ME, the undersigned authority, on this day personally appeared Henry Raney, Owner of Lot 3, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Henry Raney, and that he executed the same as the act of such limited partnership for the purposes and consideration therein expressed, and in the capacity therein stated.</p> <p>GIVEN UNDER MY HAND AND SEAL OF OFFICE, This _____ day of _____, 2012.</p>			
<p>REPLAT</p> <p><b>BROOKS' FARM ESTATES</b></p> <p><b>PHASE I</b></p> <p><b>LOTS 3R,4R,6R,7R,&amp;8R, BLOCK A</b></p> <p>BEING A REPLAT OF LOTS 3,4,6,7,8, BLOCK A</p> <p>BROOKS' FARM ESTATES</p> <p>PHASE I</p> <p>AND BEING SITUATED IN THE</p> <p>CITY OF PARKER,</p> <p>COLLIN COUNTY, TEXAS</p> <p>Page 2 of 2</p> <p><i>TerraCorp Associates LLC</i> 3960 Broadway Blvd. Ste 236 Garland, TX 75043 ph. 972-805-4529, fax 972-805-4527 www.terracorpsurvey.com</p>			

REPLAT

**BROOKS' FARM ESTATES**

**PHASE I**

**LOTS 3R,4R,6R,7R,&8R, BLOCK A**

BEING A REPLAT OF LOTS 3,4,6,7,8, BLOCK A

BROOKS' FARM ESTATES

PHASE I

AND BEING SITUATED IN THE

CITY OF PARKER,

COLLIN COUNTY, TEXAS

Page 2 of 2

*TerraCorp Associates LLC*  
3960 Broadway Blvd. Ste 236  
Garland, TX 75043  
ph. 972-805-4529, fax 972-805-4527  
www.terracorpsurvey.com

## SURVEYOR'S CERTIFICATE

STATE OF TEXAS

§

COUNTRY OF COLLIN

§

STATE OF TEXAS

§

COUNTRY OF COLLIN

**EXHIBIT "C"**  
**OWNER'S CERTIFICATE**

STATE OF TEXAS

§  
§  
§

COUNTY OF COLLIN

WHEREAS Henry Raney, Lura R. Raney, Curtis D. Pohl, Alexander Dinverno, Maria Dinverno, Scott E. Fletcher, Maria J. Fletcher, Steve Rhodes and Sally Rhodes are the owners of a 11.568 acre tract of land situated in the Richard Sparks Survey, Abstract No. 850, City of Parker, Collin County, Texas, being all of Lots 3,4,6,7, and 8, Block A, Brooks' Farm Estates, Phase I, an addition to the City of Parker, Texas according to the plat recorded in Volume R, Page 215 of the Map Records of Collin County, Texas and a portion a 10-acre tract conveyed to Michael A. Caballero and Linda G. Caballero by deed recorded in County Clerk's File No. 20070605000757920, Real Property Records of Collin County, Texas, said tract being more particularly described as follows;

BEGINNING at 1/2-inch steel rod with "PRECISE" cap found in the South right-of-way line of Audubon Drive (a 60 foot right-of-way) and being the Northeast corner of said Lot 3 and the Northwest corner of Lot 2 of said Brooks' Farm Estates, having coordinates based on NAD83(CORS96, EPOCH 2002) tied to the Texas Coordinate System of 1983, North Central Zone (4202) of X=2,551,610.63 feet Y=7,069,048.02 feet;

THENCE South 00°35'27" East departing said South right-of-way line and with the common line of said Lots 2 and 3 for a distance of 240.04 feet to a 5/8-inch steel rod with "TERRACORP" cap set in the South line of said Brooks' Farm Estates and North line of said Caballero tract and being the Southwest corner of said Lot 2 and Southeast corner of said Lot 3;

THENCE North 89°24'33" East with the said South line of Brooks' Farm Estates and North line of said Caballero tract for a distance of 78.30 feet to a 5/8-inch steel rod with "TERRACORP" cap set;

THENCE South 01°10'10" West departing said South line of Brooks' Farm Estates and North line of said Caballero tract an across said Caballero tract for a distance of 260.40 feet to a 5/8-inch steel rod with "TERRACORP" cap set in the South line of said Caballero tract and being in the North line of a tract of land conveyed to Richard and Sandra Pruitt in Volume 5601, Page 5699 Real Property Records of Collin County, Texas;

THENCE South 89°26'17" West with the South line of said caballero tract and North line of said Pruitt tract and the North line of a tract of land conveyed to Terrell-Lewis Investments LLC by instrument recorded County Clerk's File No.

20081031001284470, Real Property Records of Collin County, Texas for a distance of 1056.10 feet to a concrete monument found at the Southwest corner of said Caballero tract, the Northwest corner of said Terrell-Lewis tract in the East line of a tract of land conveyed.



## Council Agenda Item

Budget Account Code:	Meeting Date: July 17, 2012
Budgeted Amount:	Department/ Requestor: City Administrator
Fund Balance-before expenditure:	Prepared by: C Smith
Estimated Cost:	Date Prepared: 7/12/2012
Exhibits:	1) Re-plat drawing

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A REPLAT OF BROOKS FARM ESTATES BLOCK "A" LOTS 3, 4, 6, 7 AND 8.

### SUMMARY

Annexation request has been submitted by Henry Cleburne Raney, Lura R. Raney, Curtis Pohl, Alexander Dinverno, Marie Dinverno, Scott E. Fletcher, Maria J. Fletcher, Steve Rhodes, and Sally Rhodes to the City of Parker, Collin County, Texas, requesting annexation of approximately 6.353 acres of land in the Richard Sparks survey, Abstract # 850, Collin County, Texas. The land proposed by the Petitioners is to be annexed, zoned and replatted to become additions to Lots 3, 4, 6, 7, and 8 of Block A of Brooks Farm Estates.

### POSSIBLE ACTION

Move to approve the replat.

Inter-Office Use			
Approved by:			
Department Head:		Date:	7/12/2012
City Attorney:		Date:	

City Administrator:		Date:	7-12-12
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## Council Agenda Item

Budget Account Code:	Meeting Date: July 17, 2012
Budgeted Amount:	Department/ Requestor: Per Ordinance
Fund Balance-before expenditure:	Prepared by: C Smith
Estimated Cost:	Date Prepared: 7/12/2012
Exhibits:	1) Resolution

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2012 – 381 APPOINTING THE CITY JUDGE, ALTERNATE JUDGE AND PROSECUTOR.

### SUMMARY

#### § 31.03 MUNICIPAL COURT JUDGE; ALTERNATE.

(A) The City Council shall appoint a legally qualified person as Municipal Court Judge, who shall serve a term concurrent with the term of the city's Mayor. The Municipal Court Judge shall be compensated at a rate as established by the City Council by resolution from time to time.

(B) The City Council may appoint a legally qualified person as Alternate Municipal Court Judge, who shall serve a term concurrent with the term of the city's Mayor. The Alternate Municipal Court Judge shall be compensated at the same rate as established by the City Council for the Municipal Court Judge.

(Ord. 381-95, passed 3-14-1995)

#### § 31.05 PROSECUTING ATTORNEY.

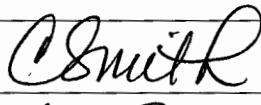
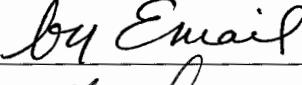
The City Attorney shall serve as the prosecuting attorney in the Municipal Court, unless the City Council shall appoint another qualified attorney to be the prosecuting attorney of the Municipal Court.

(Ord. 381-95, passed 3-14-1995)

## POSSIBLE ACTION

Move to approve Resolution 2012-381 appointing 1) Municipal court judge: Raymond D. Noah; 2) Municipal court alternate judges: William E. Guyer and Effren Ordandez; and 3) City prosecuting attorney: David Hill with terms ending July 2014.

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Inter-Office Use			
Approved by:			
Department Head:		Date:	7-12-2012
City Attorney:		Date:	7/12/2012
City Administrator:		Date:	7-12-12

**RESOLUTION NO. 2012-381**  
**(Appointment of Municipal Court Officials)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER,  
COLLIN COUNTY, TEXAS, ESTABLISHING TERMS OF OFFICE FOR  
THE MUNICIPAL COURT JUDGE, ALTERNATE COURT JUDGES, AND  
PROSECUTING ATTORNEY, AND APPOINTING INDIVIDUALS TO  
THOSE OFFICES.**

**WHEREAS**, the City Council of the City of Parker desires to establish uniformity in the appointment of its municipal court officials; and

**WHEREAS**, the City Council of the City of Parker has determined that two year terms, coinciding with the terms of the mayor of Parker are appropriate;

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

**SECTION 1.** The terms of office for municipal court officials, including municipal court judge, municipal court alternate judges, and city prosecutor, are to coincide with the two-year term of the mayor of Parker. The current term is May 8, 2010 through May 12, 2012. Persons appointed to municipal court office shall hold the office for the term appointed, and thereafter until either re-appointed or until a successor has been appointed by the city council, and qualified.

**SECTION 2.** For the current term ending May 12, 2012, the following are appointed:

- a. Municipal court judge: Raymond D. Noah
- b. Municipal court alternate judges: William E. Guyer and Effren Ordandez
- c. City prosecuting attorney: David Hill

**DULY RESOLVED** by the City Council of the City of Parker, Texas on this the 17<sup>th</sup> day of July, 2012.

APPROVED:

---

Z Marshall, Mayor

ATTEST:

---

Carrie L. Smith, City Secretary

APPROVED AS TO FORM:

---

James E. Shepherd, City Attorney



## Council Agenda Item

Budget Account Code:	Meeting Date: July 17, 2012
Budgeted Amount:	Department/ Requestor: Parks and Recreation
Fund Balance-before expenditure:	Prepared by: C Smith
Estimated Cost:	Date Prepared: 7/12/2012
Exhibits:	

**AGENDA SUBJECT**

PRESENTATION, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A PLAN FOR CREATION AND MAINTENANCE OF A TREE MEMORIAL IN THE PRESERVE.

**SUMMARY**

See attachments

**POSSIBLE ACTION**

Move to approve Resolution 2012-381 appointing

Inter-Office Use			
Approved by:			
Department Head:	<i>C Smith</i>	Date:	7/12/2012
City Attorney:		Date:	
City Administrator:	<i>Tiffy May</i>	Date:	7/12/12

## CITY OF PARKER TREE MEMORIAL PROGRAM

A positive way to expand the community's involvement in planting trees is through the creation of a TREE MEMORIAL PROGRAM. Trees promote healing for grieving families and friends who have suffered a loss, and these trees serve as a living tribute to friends or loved ones, both living and passed on. The new trees resulting from this program provide a place of quiet reflection and a sense of comfort to those in need as well as enhancing public property and reducing noise and air pollution.

Participating in this program is a wonderful way to honor someone special and to add value to our city.

You may choose from several species that grow well in Parker, which include Live Oak, Shumardi Red Oak, Chinquapin Oak, Cedar Elm, Chinese Pistache, Bald Cypress and Red or White Crepe Myrtles.

The trees will come with a 4"x9" permanent personalized plaque.

The trees will be planted near City Hall and around the Parker Fire Department. The City of Parker has a Tree Memorial Plan illustrating the specific species locations. You may view the plan at City Hall.

The trees will be 4" caliper, the Crepe Myrtles will have multiple stocks and be 6' - 8' tall, planted and maintained by the city, with plantings occurring in the fall.

Please fill out the following application which includes pricing of trees and plaque and submit your request to Parker City Hall by August 31<sup>st</sup> to ensure fall planting.

*THE CITY OF PARKER PARKS AND RECREATION BOARD THANKS  
YOU FOR YOUR PARTICIPATION*

## TREE MEMORIAL APPLICATION FORM

NAME: \_\_\_\_\_ PHONE:\_\_\_\_\_

ADDRESS:\_\_\_\_\_

EMAIL:\_\_\_\_\_

### *TREE SELECTION \*\*\* Price includes plaque*

*Red Crepe Myrtle \$375*       *White Crepe Myrtle \$375*  
 *Bald Cypress \$500*       *Cedar Elm \$500*  
 *Live Oak \$500*       *Shumardi Red Oak \$500*  
 *Chinquapin Oak \$650*       *Chinese Pistache \$650*

### *INFORMATION FOR THE PLAQUE*

*Please select one of the following plaque headers:*

In Honor Of     In Memory Of     In Recognition Of  
Please provide the name of person or group you would like listed:

\_\_\_\_\_

Please provide the date(s) you would like listed on the plaque:

*Please make checks payable to "The City of Parker" and submit to:  
Parker City Hall, 5700 E. Parker Rd, Parker, TX 75002 972-442-  
6811*

Please submit request by September 30<sup>th</sup> to ensure fall planting

**RESOLUTION NO. 2009-257**  
*(Public Recognition)*

**A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY,  
TEXAS, PROVIDING FOR THE MEANS OF PUBLIC  
RECOGNITION FOR CITIZENS**

WHEREAS, the City Council of the City of Parker desires to designate the means of honoring its citizens and neighbors who have contributed to the public good in Parker, Texas;

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

SECTION 1. The primary method of recognition awarded by the City of Parker to those selected by the council for public appreciation will be the planting of a tree in honor of the awardee on the public grounds of the City.

SECTION 2. Other means of recognition may be anything the City Council of the City of Parker designates, including plaques, certificates, or flowers.

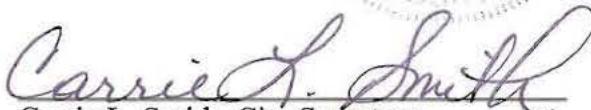
SECTION 3. This resolution shall be effective upon its passage.

APPROVED AND ADOPTED this 7th day of April, 2009.

APPROVED:  
CITY OF PARKER



ATTEST:

  
Carrie L. Smith, City Secretary

APPROVED AS TO FORM:

James E. Shepherd, City Attorney

**ANIMAL CONTROL REPORT**

**JUNE 2012**

Call #	Date:	6/1/2012	Caller Remarks:	CHIHUAHUA RUNNING AROUND. HAS A LEASH. GARY TALKED TO OWNERS.VG
	Invoice Type:	No Charge	Expected Charge:	\$0.00
	Call Type	Action Taken By:	Response	Disposition
	Stray	City Personnel	Other	Returned to Owner-No ticket

Call #	Date:	6/7/2012	Caller Remarks:	SKUNK IN LAUNDRY ROOM.VG
	Invoice Type:	Service Fee Only	Expected Charge:	\$50.00
	Call Type	Action Taken By:	Response	Disposition
	Wild Animal	Murphy Animal Control	No Animal Found	N/A

Call #	Date:	6/11/2012	Caller Remarks:	RACOON IN A TRAP.VG
	Invoice Type:	Service Fee Only	Expected Charge:	\$50.00
	Call Type	Action Taken By:	Response	Disposition
	Animal Trap	Murphy Animal Control	Murphy Pick Up	Relocated

Call #	Date:	6/14/2012	Caller Remarks:	RACOON IN A TRAP.VG
	Invoice Type:	Service Fee Only	Expected Charge:	\$50.00
	Call Type	Action Taken By:	Response	Disposition
	Animal Trap	Murphy Animal Control	Murphy Pick Up	Relocated

Call #	Date:	6/15/2012	Caller Remarks:	ANIMAL CRUELTY COMPLAINT- PUPPIES ARE OUT AGAIN/OWNERS OUT OF TOWN.CARETAKERS SHOWED UP AND STATED THEY WOULD TAKE CARE OF PROBLEM.VG
	Invoice Type:	Service Fee Only	Expected Charge:	\$50.00
	Call Type	Action Taken By:	Response	Disposition
	Other	Murphy Animal Control	Other	Other

## ANIMAL CONTROL REPORT

JUNE 2012

Call #	Date:	6/18/2012	Caller Remarks:	BABY DUCKS IN POOL. ADVICE ON WHAT TO DO.MURPHY SAID TO LEAVE THEM ALONE AND THEY WILL COME OUT ON THEIR OWN. HE WILL CALL BACK TOMORROW IF HE NEEDS MORE HELP.VG
				Invoice Type: No Charge Expected Charge: \$0.00
	Call Type	Action Taken By:	Response	Disposition
	Other	Murphy Animal Control	Other	N/A

Call #	Date:	6/18/2012	Caller Remarks:	FEMALE, MEDIUM SIZE, BLACK WITH WHITE/BROWN, MIXED BREED DOG FOUND AT ENGLENOOK AND DUMONT. PUT ON WEBSITE.VG OWNER FOUND ON 6/19/12
				Invoice Type: No Charge Expected Charge: \$0.00
	Call Type	Action Taken By:	Response	Disposition
	Stray	Other	Other	N/A

Call #	Date:	6/20/2012	Caller Remarks:	RACOON IN A TRAP.VG
				Invoice Type: Service Fee Only Expected Charge: \$50.00
	Call Type	Action Taken By:	Response	Disposition
	Animal Trap	Murphy Animal Control	Murphy Pick Up	Relocated

Call #	Date:	6/26/2012	Caller Remarks:	STRAY YELLOW LAB ON SYCAMORE/ANN'S LN.VG
				Invoice Type: No Charge Expected Charge: \$0.00
	Call Type	Action Taken By:	Response	Disposition
	Stray	Murphy Animal Control	Murphy Pick Up	Returned to Owner
			<b>TOTAL=</b>	<b>\$250</b>

City of Parker  
POLICE DEPARTMENT  
MONTHLY REPORT

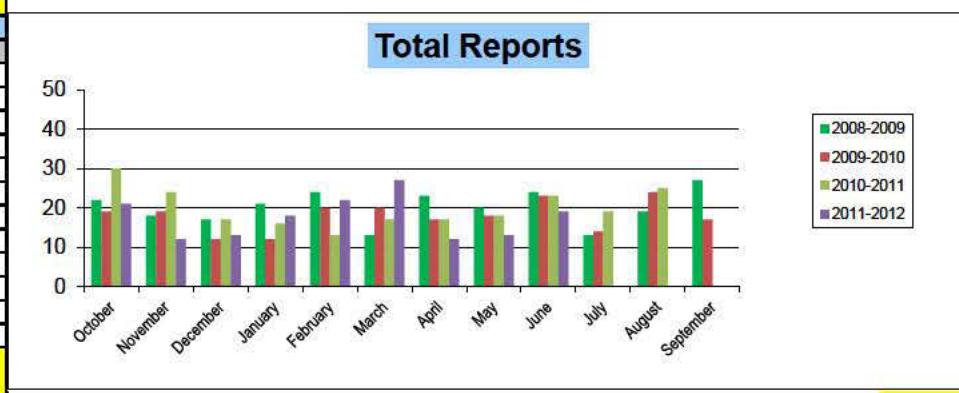
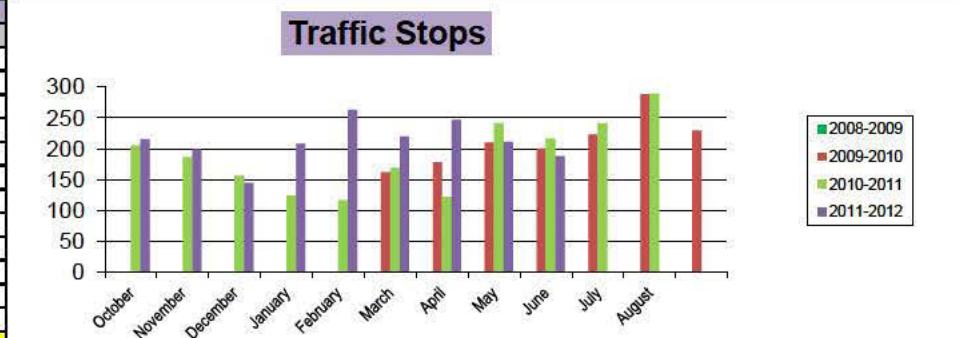
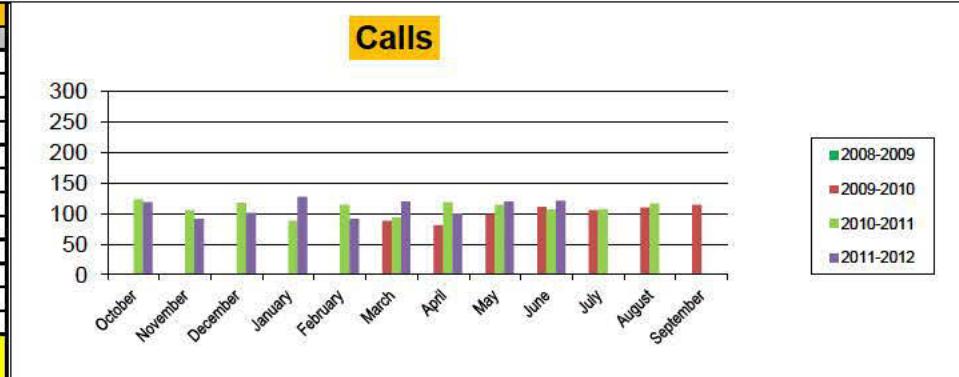
<b>Calls</b>				
Fiscal Year	2008-2009	2009-2010	2010-2011	2011-2012
October			123	118
November			105	91
December			117	101
January			88	127
February			114	91
March	88	93	120	
April	81	118	100	
May	99	114	119	
June	111	106	121	
July	105	107		
August	110	116		
September	114			
<b>Y-T-D Total</b>	<b>0</b>	<b>708</b>	<b>1201</b>	<b>988</b>

<b>Traffic Stops</b>				
Fiscal Year	2008-2009	2009-2010	2010-2011	2011-2012
October			205	215
November			186	199
December			156	145
January			124	208
February			117	263
March	162	169	220	
April	178	122	247	
May	210	241	211	
June	200	216	188	
July	223	241		
August	288	289		
September	229			
<b>Y-T-D Total</b>	<b>0</b>	<b>1490</b>	<b>2066</b>	<b>1896</b>

<b>Total Reports</b>				
Fiscal Year	2008-2009	2009-2010	2010-2011	2011-2012
October	22	19	30	21
November	18	19	24	12
December	17	12	17	13
January	21	12	16	18
February	24	20	13	22
March	13	20	17	27
April	23	17	17	12
May	20	18	18	13
June	24	23	23	19
July	13	14	19	
August	19	24	25	
September	27	17		
<b>Y-T-D Total</b>	<b>241</b>	<b>215</b>	<b>219</b>	<b>157</b>



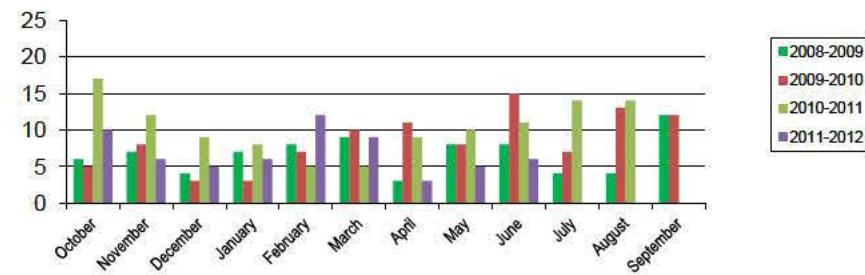
City of Parker  
POLICE DEPARTMENT  
MONTHLY REPORT

<b>Total Arrests</b>				
Fiscal Year	2008-2009	2009-2010	2010-2011	2011-2012
October	6	5	17	10
November	7	8	12	6
December	4	3	9	5
January	7	3	8	6
February	8	7	5	12
March	9	10	5	9
April	3	11	9	3
May	8	8	10	5
June	8	15	11	6
July	4	7	14	
August	4	13	14	
September	12	12		
<b>Y-T-D Total</b>	<b>80</b>	<b>102</b>	<b>114</b>	<b>62</b>

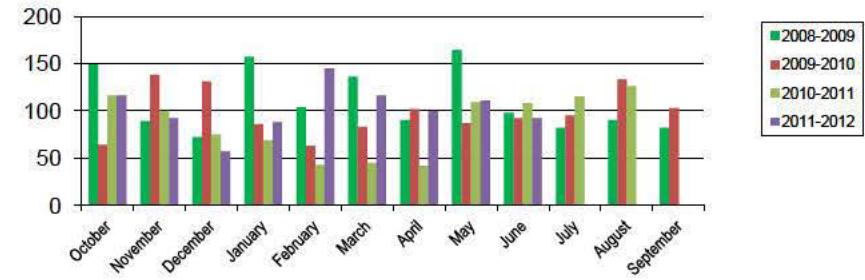
  

<b>Total Citations</b>				
Fiscal Year	2008-2009	2009-2010	2010-2011	2011-2012
October	149	64	116	116
November	89	138	100	92
December	72	131	75	57
January	157	86	69	88
February	104	63	43	145
March	136	83	45	116
April	90	102	42	100
May	164	87	109	111
June	98	92	108	92
July	82	95	115	
August	90	133	126	
September	82	103		
<b>Y-T-D Total</b>	<b>1313</b>	<b>1177</b>	<b>948</b>	<b>917</b>

**Total Arrests**



**Total Citations**



City of Parker  
POLICE DEPARTMENT  
VEHICLE MAINTENANCE

## RESERVE OFFICERS

OFFICER	HOURS WORKED												TOTAL
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	
Alan Blankenship	15	19	12	16	13	0	0	10	18.75				103.75
Paul Cogwell	8.5	17.5	0	14	6	0	0	13.5	0				59.5
Jon Fisher	10	0	18	12	0	6.5	0	4.5	—	—	—	—	51
Mike McCandless	6	6	0	20	10	6	0	9.5	39.5				97

