



## AGENDA

### CITY COUNCIL MEETING

**January 7, 2014 @ 5:00 P.M.**

Notice is hereby given the City Council for the City of Parker will meet in a Regular Meeting on Tuesday, January 7, 2014 at 5:00 P.M. at the Parker City Hall, 5700 E. Parker Road, Parker, Texas 75002.

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

#### **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.

1. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:
  - a. Govt. Code 551.074— “Personnel - to deliberate the employment, evaluation, and duties of the Chief of Police.
  - b. Govt. Code 551.087 and 551.071—“Economic Development”—to deliberate the request of Mike Bowen for an economic development agreement and incentives for developments of his property abutting CR 2551, south of the Easy Acres Subdivision, and confidential legal advice regarding same.
  - c. Govt. Code 551.071 –confidential legal advice regarding city obligations regarding pending development issues pursuant to vested rights statutes.
2. RECONVENE REGULAR MEETING.
3. ANY APPROPRIATE DELIBERATION AND/OR ACTION ON ANY OF THE EXECUTIVE SESSION SUBJECTS LISTED ABOVE.

#### **PLEDGE OF ALLEGIANCE**

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

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

## OATH OF OFFICE AND RECOGNITION

### PARKER POLICE DEPARTMENT OATH OF OFFICE CEREMONY RECOGNITION OF POLICE DEPARTMENT STAFF AND OFFICERS

10 Minute Break

**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.

**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.

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR DECEMBER 3, 2013. [SMITH]
5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR DECEMBER 17, 2013. [SMITH]
6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 708 ADOPTING THE 2013 CITY CODIFICATION SUPPLEMENT S-7. [SHEPHERD]

## INDIVIDUAL CONSIDERATION ITEMS

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ACCEPTING THE 2012-2013 FINANCIAL AUDIT. [BOYD]
8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON PARKER RANCH ESTATES PRELIMINARY PLAT PHASE 1. [FLANIGAN]
9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A PROCESS FOR FILLING A COUNCIL SEAT VACANCY. [PETTLE]

## ROUTINE ITEMS

10. FUTURE AGENDA ITEMS

11. UPDATES  
a. MOBILITY PLAN

12. 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 or before January 3, 2014 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

Carrie L. Smith, TRMC  
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: January 7, 2014
Budgeted Amount:		Department/ Requestor:
Fund Balance-before expenditure:		Prepared by: C Smith
Estimated Cost:		Date Prepared: December 11, 2013
Exhibits:	1. Proposed Minutes	

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES  
FOR DECEMBER 3, 2013. [SMITH]

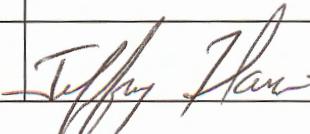
### SUMMARY

Please review the attached minutes and contact me with any necessary changes. I will amend the minutes prior to the meeting.

Thank you,  
Carrie

### POSSIBLE ACTION

Approve, Modify, Table or Deny

Inter – Office Use			
Approved by:			
Department Head:	Carrie Smith	Date:	
City Attorney:		Date:	
City Administrator:		Date:	1/2/14

**MINUTES**  
**CITY COUNCIL MEETING**  
**December 3, 2013**

**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 Marshall called the meeting to order at 5:00 p.m. Councilmembers Stone, Standridge, Levine, Pettle and Taylor were present.

Staff Present: City Attorney James Shepherd, City Administrator Jeff Flanigan, City Secretary Carrie Smith, Finance/H.R. Manager Johnna Boyd, Interim Police Chief Bill Rushing, Officer Kenny Price and Fire Chief Mike Sheff.

**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.

1. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:
  - a. Govt. Code 551.071—"Confidential legal advice regarding pending or threatened litigation." Wingfield vs. Parker
  - b. Govt. Code 551.071—"Confidential legal advice regarding pending or threatened litigation." City liabilities and vested rights
  - c. Govt. Code 551.074— "Personnel - to deliberate the appointment, evaluation, and duties of the Zoning Board of Adjustments

Mayor Marshall recessed the regular meeting at 5:01 p.m.

2. RECONVENE REGULAR MEETING.

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

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

No action was taken.

## PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Mark Stachiw led the pledge.

TEXAS PLEDGE: George Bednarz 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

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR NOVEMBER 18, 2013. [SMITH]

Amendment – Page 3, 4<sup>th</sup> paragraph, 4<sup>th</sup> sentence - change “they” to “the”

MOTION: Councilmember Stone moved to approve the November 18, 2013 minutes as amended. Councilmember Taylor seconded with Councilmembers Stone, Standridge, Levine, Pettle and Taylor voting for. Motion carried 5-0.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 704 REGARDING A REVIEW OF A SPECIFIC USE PERMIT TO ALLOW FOR A BARN AND A PRIVATE RIDING ARENA IN AGRICULTURAL AND OPEN SPACE ZONING DISTRICT TO BE LOCATED AT 5508 GREGORY LANE, AS REQUESTED BY THE PROPERTY OWNER, JIMMY STOCKTON/GINA ANDERSON. [SHEPHERD]

In 2008, Council approved an SUP for a private riding arena at 5508 Gregory Lane. On November 18, 2013 Council held a public hearing and tabled the item.

City Attorney Shepherd stated there was opposition to this SUP voiced at the November 18, 2013 meeting due to the lack of a single family dwelling; however, it is not a requirement of the approved SUP. The form of the ordinance presented reflects what was approved and includes a clause that provides the SUP will terminate on transfer of ownership. The owner has agreed to the SUP form as drafted and has further consented to regular inspections to ensure that City ordinances are adhered to. The property is for sale and the owners are to inform any potential buyers that the SUP will have to be re-applied for and any additional conditions the Council may feel are necessary will be proposed at that time or the SUP will be terminated.

There is one correction, to the proposed document, in Section 3, last sentence delete “of”.

City Secretary read two letters, received by staff, from Mr. David Henry and Mr. John Pratt. (Exhibits 5A and 5B)

Margaret Henry, 5408 Gregory Lane - spoke in opposition to the SUP.

Tom Dickson, 2610 Gregory Lane - requested City stop any commercial uses of the property.

City Attorney Shepherd stated this ordinance will require the owners to comply with all City Ordinances immediately.

City Administrator Flanigan stated the property owner will comply with all ordinances, but will not stop the riding academy.

**MOTION:** Councilmember Taylor moved to approve Ordinance 704 with one correction to Section 3, last sentence deleting "of". Mayor Pro Tem Levine seconded with Councilmembers Stone, Standridge, Levine, Pettle and Taylor voting for. Motion carried 5-0.

**6. CONSIDERATION, AND/OR ANY APPROPRIATE ACTION ON ZONING CHANGE REQUESTED BY WYNNE/JACKSON, INC. FOR RE-ZONING APPROXIMATELY 322.34 ACRES OF LAND LOCATED IN THE GW GUNNELL SURVEY, ABSTRACT NO. 350, AND THE THOMAS ESTES SURVEY, ABSTRACT NO. 298, COLLIN COUNTY, TEXAS FROM SINGLE- FAMILY AND AGRICULTURAL-OPEN SPACE TO SINGLE-FAMILY TRANSITIONAL WITH SPECIAL CONDITIONS. THE PROPERTY IS GENERALLY LOCATED AT THE WEST SIDE OF FM 2551 SOUTH OF KARA LANE AND NORTH OF E. PARKER ROAD. [COUNCIL]**

Property owner Michael Bowen gave the City Council a presentation on the proposed development of his property. (Exhibit 6) He requested approval of the requested zoning as recommended by the Planning and Zoning Commission.

Mr. Bowen's Attorney, Art Anderson told Council that he has represented a number of developers in Parker and they were able to resolve their issues with the City. He feels the City needs a rational basis for their actions. He too requested approval of the requested zoning as recommended by the Planning and Zoning Commission.

Mayor Marshall allowed public comments.

George Bednarz, 4607 Springhill Estates Drive - Mr. Bednarz has concerns with Pecan Orchard being a point of access for the development. He also stated the right of way for the road through his development is 105 feet not 60 feet as stated by the property owner.

Mark Stachiw, 4404 Pecan Orchard Drive - Mr. Stachiw opposes the development because it does not comply with the approved comprehensive plan.

Jean Nolan, 4702 Pecan Orchard Drive - Mrs. Nolan has concerns with additional traffic on Pecan Orchard Drive and the current water situation with the addition of 100 to 200 homes.

Pat Moorer, 4902 Hackberry Lane - Ms. Moorer's property abuts the west property line of the proposed development and she stated the drainage issue in that area has not been addressed. She opposes the development because it does not comply with the approved comprehensive plan.

Steve Schrick, 4506 Springhill Estates Drive - Mr. Schrick opposes the development with lots less than 2 acres.

Karen Pritzk, 4706 Pecan Orchard - Ms. Pritzk stated there is currently a drainage problem on the west side of the property that needs to be addressed and is concerned about additional traffic on Pecan Orchard.

Sandra McGuire, 4504 Springhill Estates Drive - Ms. McGuire had called Staff earlier in the day and stated her opposition to the development.

Melody Schell, 4601 Springhill Estates Drive - Ms. Schell opposes any additional traffic on Pecan Orchard for the safety of her family. She feels people move to Parker for the larger 2 acre lots and opposes the development because it does not comply with the approved comprehensive plan.

Eleanor Evans, Hogge Road - Ms. Evans opposes the development because it does not comply with the approved comprehensive plan.

Property owner Michael Bowen stated the access onto Pecan Orchard could be an emergency access only.

Mayor Marshall stated this is a re-zoning case and Council is not currently considering the plan or plat. A portion of the property is zoned Single Family Residential and a portion is zoned Agricultural. The re-zoning request is for Single Family Transitional with special conditions.

MOTION: Councilmember Pettle moved to deny Mr. Bowen's request for re-zoning. Councilmember Stone seconded with Councilmembers Stone, Standridge, Levine, Pettle and Taylor voting for. Motion carried 5-0.

## 7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON APPOINTING ZONING BOARD OF ADJUSTMENTS OFFICERS. [FLANIGAN]

MOTION: Councilmember Taylor moved to table this item to a future agenda. Councilmember Standridge seconded with Councilmembers Stone, Standridge, Levine, Pettle and Taylor voting for. Motion carried 5-0.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2013-432 VOTES FOR COLLIN COUNTY CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS. [MARSHALL]

Parker has six votes to cast for the Collin County Central Appraisal Board of Directors, which may be allocated in any manner among the candidates, including all six votes for one candidate.

Mayor Marshall suggested votes be cast for Tiffany Burleson, Ronald Carlisle, Dr. Leo Fitzgerald, Wayne Mayo, Gary Rodenbaugh and Roy Wilshire.

Councilmember Standridge would like to vote for Dr. Leo Fitzgerald rather than Tiffany Burleson due to his experience on the board.

MOTION: Councilmember Stone moved to cast one vote for each candidate; Tiffany Burleson, Ronald Carlisle, Dr. Leo Fitzgerald, Wayne Mayo, Gary Rodenbaugh and Roy Wilshire. Mayor Pro Tem Levine seconded with Councilmembers Stone, Levine, Pettle and Taylor voting for. Standridge opposed. Motion carried 4-1.

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON PARKER RANCH ESTATES PRELIMINARY PLAT. [FLANIGAN]

This item was tabled at the request of the developer.

10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2013-433 REPEALING 2011-348, BOARDS AND COMMISSIONS MEMBERSHIP. [SHEPHERD]

Changes were reviewed and are as follows:

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

- Existing Board and Commission Alternates who are interested in becoming **full voting**...

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

- 1) City Staff **will** **screen** **check** candidates for basic qualifications (residency, other Board membership in Parker, etc.), and **will** present qualified candidates to each Board.
- 2) **Select Applicants** **will** interview with Council, during an open meeting, and answer questions regarding their candidacy. [exception to Zoning Board of Adjustments, interview may be held in an open or closed meeting]
- 3) **Current Board members** **conduct** initial set of interviews, using standard questions, plus any additional they feel are appropriate for each individual.

- 4) Current Board members will provide their recommendation to Council.
- 5) Recommended appointee will meet with Council and answer questions from Council about their candidacy.

**SECTION 4.** Interview Questions. The following questions are examples of what may be asked, but are not limited to these questions. will be the standard questions for all candidates for Board or Commission positions. These questions are required, but are not exclusive:

- Please give details about municipal experiences you have had, if any.
- Why did you move to Parker?
- Please describe your personal style when working on volunteer committees.
- What changes do you think are needed in Parker?

**SECTION 5.** Officer Appointment Process Board members. Council will appoint Board Officers. Council will seek input from existing Boards or Commission members but is not required to do so. according to the pre-defined Officer appointment schedule. The following steps will be taken:

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

**SECTION 6.** The Council may consider the recommendations from Board for Board and Officer appointments. The Council may approve, disapprove, or amend the recommendations. An example of amendment of the recommendation would be appointing the recommended applicant to a full, rather than an alternate, position.

MOTION: Councilmember Standridge moved to bring this item back with a final resolution for Council approval. Councilmember Stone seconded with Councilmembers Stone, Standridge, Levine, Pettle and Taylor voting for. Motion carried 5-0.

## ROUTINE ITEMS

### 11. FUTURE AGENDA ITEMS

- Douglas property plat
- Board membership resolution

- Executive session
- Assistant Fire Chief appointment
- Mobility

## 12. STAFF UPDATES

### A. IRRIGATION ALONG PARKER ROAD AND FIRE STATION

- a. City Administrator Flanigan noted the Texas Department of Transportation no longer allows the irrigation of turf in the medians.
- b. City staff has made a temporary irrigation system for the fire station and it is working properly.

### B. PARKER ROAD

- a. Parker Road is to be widened to 6 lanes from FM 2551/Hogge Road to Country Club/FM 1378 beginning in August 2016. The City has a complete set of plans if anyone is interested in viewing them and they should contact City Administrator Flanigan.

### C. ALLIED WASTE SERVICE REPORT

- a. The report will be emailed to City Council. Allied Waste representative Brenda Lalonde will be present in January to give the yearend report.

## 13. ADJOURN

Mayor Marshall adjourned the meeting.

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 \_\_\_\_\_, 2013.

## EXHIBITS

- 5 - Public comment
- 6 - Presentation by property owner Michael Bowen



## Council Agenda Item

Budget Account Code:	Meeting Date: January 7, 2014
Budgeted Amount:	Department/ Requestor:
Fund Balance-before expenditure:	Prepared by: C Smith
Estimated Cost:	Date Prepared: December 18, 2013
Exhibits:	1. Proposed Minutes

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES  
FOR DECEMBER 17, 2013. [SMITH]

### SUMMARY

Please review the attached minutes and contact me with any necessary changes. I will amend the minutes prior to the meeting.

Thank you,  
Carrie

### POSSIBLE ACTION

Approve, Modify, Table or Deny

Inter – Office Use			
Approved by:			
Department Head:	Carrie Smith <i>Smith</i>	Date:	1/2/2014
City Attorney:		Date:	
City Administrator:	<i>Tiffy T</i>	Date:	1/2/14

**MINUTES**  
**CITY COUNCIL MEETING**  
**December 17, 2013**

**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 Marshall called the meeting to order at 5:30 p.m. Councilmembers Stone, Standridge, Levine, Pettle and Taylor were present.

Staff Present: City Attorney James Shepherd, City Administrator Jeff Flanigan, City Secretary Carrie Smith, Interim Police Chief Bill Rushing, Officer Delia Hernandez and Fire Chief Mike Sheff.

**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.

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

Govt. Code 551.074— “Personnel - to deliberate the employment, evaluation, and duties of the Chief of Police.”

Mayor Marshall recessed the meeting to Executive Session at 5:30 p.m.

**2. RECONVENE REGULAR MEETING.**

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

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

No action was taken.

**PLEDGE OF ALLEGIANCE**

AMERICAN PLEDGE: Peggy Threadgill led the pledge.

TEXAS PLEDGE: Fire Department Operations Chief Marcus Allen led the pledge.

## PROCLAMATION

### PROCLAMATION RECOGNIZING THE PARKER WOMEN'S CLUB 40TH ANNIVERSARY.

PWC President Peggy Threadgill, V.P. of Programs Stacy Patrick and Treasurer Barbara Douglas were present and accepted the Proclamation read by Mayor Marshall.

**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 were made.

## INDIVIDUAL CONSIDERATION ITEMS

### 4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR DECEMBER 3, 2013. [SMITH]

MOTION: Mayor Pro Tem Levine moved to table the minutes. Councilmember Taylor seconded with Councilmembers Stone, Standridge, Levine, Pettle and Taylor voting for. Motion carried 5-0.

### 5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2013-433 REPEALING 2011-348, BOARDS AND COMMISSIONS MEMBERSHIP. [SHEPHERD]

Amendments:

Section 1. insert, "members on which they serve as an alternate"

Section 4. modify, "but are not limited to, the following"

MOTION: Councilmember Taylor moved to approve Resolution 2013-433 as amended. Councilmember Standridge seconded with Councilmembers Stone, Standridge, Levine, Pettle and Taylor voting for. Motion carried 5-0.

### 6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE USE OF A CONSENT AGENDA. [MARSHALL]

Mayor Marshall summarized the information provided in the TML Handbook for Mayors and Councilmembers (2013 Edition)

*Agendas tend to be cluttered with uncontroversial recurring items that must be included because they require formal council approval.*

*Examples include council approval of the minutes of previous meetings, routine purchases, and minor fund transfers between accounts. Most of these items generate*

*no discussion, but each uses up time by requiring a separate motion to approve, a second, and a vote. This problem can be overcome by establishing a “consent” agenda category that encompasses routine items that are approved by a single motion and a vote, without debate. (“Councilmember Smith moves the approval of items 3a, b, c, d, e, f, and g.”) If a councilmember objects to a consent item, it is removed from the list and added to the regular agenda at the appropriate spot. If a councilmember questions a consent item, but not so strongly as to require that it be removed from the list, his or her “no” vote or abstention can be entered in the minutes when the consent vote is taken. The number of consent items can range from a handful to 25 or 30 or more, depending on the council’s workload and preferences. Whatever the size, the consent agenda can be a real time-saver. One city reported that using a consent agenda had slashed the length of the average council meeting by 50 percent.*

MOTION: Councilmember Pettle moved to approve the use of a consent agenda. Councilmember Stone seconded with Councilmembers Stone, Standridge, Levine, Pettle and Taylor voting for. Motion carried 5-0.

**7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2013-434 APPOINTING MARCUS ALLEN ASSISTANT FIRE CHIEF [SHEFF]**

Chief Sheff introduced Operations Chief Marcus Allen. Chief Allen is a Commission-certified firefighter presently serving as Division Chief-Operations of the Parker Volunteer Fire Department. He has been a volunteer with Parker since 2001. In addition to serving as a volunteer with Parker he is a paid Captain with the Town of Fairview Fire Department. Prior to Fairview, he served in paid positions with Seagoville and Frisco fire departments. He is a certified fire instructor, has completed NFA Officer II and holds certifications in swift water rescue and high angle rope rescue among others.

Chief Allen stated Parker is his founding department where he began his fire service career. He related it is an honor to him to take this position and assist Chief Sheff run the department.

MOTION: Councilmember Pettle moved to approve Resolution 2013-434 as written. Councilmember Standridge seconded with Councilmembers Stone, Standridge, Levine, Pettle and Taylor voting for. Motion carried 5-0.

**8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2013-435 APPROVING CITY PROCUREMENT PROCESS. [SHEPHERD]**

Amend Section III b. to read “2 business days” and “delete 48 business hours.”

MOTION: Councilmember Taylor moved to approve Resolution 2013-435 as amended. Councilmember Standridge seconded with Councilmember Stone, Standridge, Levine, Pettle and Taylor voting for. Motion carried 5-0.

## ROUTINE ITEMS

### 9. FUTURE AGENDA ITEMS

December 3, 2013 meeting minutes

### 10. DEPARTMENT REPORTS: ANIMAL CONTROL, POLICE, COURT, BUILDING

See Exhibit 10.

### 11. UPDATE

#### a. SUBCOMMITTEE REPORT ON THE COMPREHENSIVE PLAN

Mayor Pro Tem Levine and committee members Councilmember Stone, Commissioner Chair Wright and City Administrator Flanigan met and discussed holding a town hall meeting to take input from the citizens on the comprehensive plan and maps. Dates and an update will be brought at a future meeting.

### 12. ADJOURN

Mayor Marshall adjourned the meeting at 7:37 pm.

APPROVED:

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Mayor Z Marshall

ATTESTED:

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City Secretary Carrie L. Smith

APPROVED on the \_\_\_\_\_ day  
of \_\_\_\_\_, 2014.

## EXHIBITS

### 10 - Department Reports



## Council Agenda Item

Budget Account Code:		Meeting Date:	January 7, 2014
Budgeted Amount:		Department/ Requestor:	Procedural
Fund Balance-before expenditure:		Prepared by:	C Smith
Estimated Cost:		Date Prepared:	12/18/13
Exhibits:	1) Proposed Ordinance 708 2) Proposed codification supplement 3) Approved Ordinances in Codification		

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 708  
APPROVING THE 2013 CODIFICATION SUPPLEMENT ST.

### SUMMARY

This is the update to the Code of Ordinance. City Attorney and Staff have reviewed and approved the codification.

### POSSIBLE ACTION

Move to approve Ordinance 708 as written.

Inter – Office Use			
<b>Approved by:</b>			
Department Head:		Date:	
City Attorney:	By Email	Date:	Mon 12/30/2013 2:53 PM
City Administrator:	<i>Tiffy Hay</i>	Date:	1/2/14

**ORDINANCE NO. 708**  
*(Adoption of 2013 S-7 Codification Supplement)*

**AN ORDINANCE ENACTING AND ADOPTING THE  
SEVENTH SUPPLEMENT TO THE CODE OF ORDINANCES  
FOR THE CITY OF PARKER, TEXAS, COLLIN COUNTY.**

**WHEREAS**, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the Seventh supplement to the Code of Ordinances of the City of Parker, Texas, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of the City of Parker; and

**WHEREAS**, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to sections of the Parker Municipal Code; and

**WHEREAS**, it is the intent of the City Council to accept these updated sections in accordance with the changes of the law of the City of Parker; and

**WHEREAS**, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date;

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

- Section 1. That the Seventh supplement to the Code of Ordinances of the City of Parker as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto (Exhibit A), be and the same is hereby adopted by reference as if set out in its entirety.
- Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the City Council and the City Secretary of the City of Parker is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the City Secretary.

**PASSED AND ADOPTED** by the City Council of the City of Parker on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

---

Mayor Z Marshall

ATTEST:

---

City Secretary Carrie L. Smith

APPROVED AS TO FORM:

---

City Attorney James E. Shepherd

PROPOSED

**PARKER, TEXAS  
Instruction Sheet  
2013 S-7 Supplement**

**REMOVE OLD PAGES**

Title page

City Officials page

**INSERT NEW PAGES**

Title page

City Officials page

**TITLE III: ADMINISTRATION**

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**TITLE V: PUBLIC WORKS**

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**TITLE IX: GENERAL REGULATIONS**

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# **CITY OF PARKER, TEXAS**

## **CODE OF ORDINANCES**

2013 S-7 Supplement contains:  
Local legislation current through Ord. 706, passed 10-15-2013

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## **CITY GOVERNMENT**

Mayor: Z Marshall  
Mayor Pro-tem: Scott Levine  
Council Members: Lee Pettle  
Ed Standridge  
Tom Stone  
Patrick Taylor

## **CITY PERSONNEL**

Interim City Administrator: Jeff Flanigan  
City Secretary: Carrie L. Smith  
City Attorney: James E. Shepherd  
City Engineer: Birkoff, Hendricks and Carter  
Building Official: Gary Machado  
Fire Chief: Mike Sheff  
Finance/H.R. Manager: Johnna Boyd  
Court Clerk: Lori Newton  
Interim Police Chief: Bill Rushing

## **OTHER BOARDS & COMMISSIONS**

Planning and Zoning Commission  
Zoning Board of Adjustments  
Parks and Recreation Commission  
Parker Beautification Committee

## **CHAPTER 33: EMERGENCY MANAGEMENT AND SERVICES**

### **Section**

- 33.01 County Emergency Management Plan adopted
- 33.02 Police Department; Police Reserve Force
- 33.03 Fire Department; Fire Marshal
- 33.04 Uniform EMS Ordinance adopted

### **§ 33.01 COUNTY EMERGENCY MANAGEMENT PLAN ADOPTED.**

(A) The city hereby adopts the County Emergency Management Plan as of its most recent revision to date.

(B) The Mayor is hereby authorized to declare emergencies as required subject to ratification by the City Council in accordance with § 10 of the State Disaster Act.

(Ord. 360, passed 2-22-1994)

### **§ 33.02 POLICE DEPARTMENT; POLICE RESERVE FORCE.**

The city ordinances providing for the Police Department and Police Reserve Force, as they may be amended from time to time, are adopted by reference and shall be a part of this code as if set forth in full herein.

(Ord. 284, passed 6-10-1986; Ord. 498, passed 3-13-2001)

### **§ 33.03 FIRE DEPARTMENT; FIRE MARSHAL.**

The city ordinances providing for the Volunteer Fire Department and the Fire Marshal, as they may be amended from time to time, are adopted by reference and shall be a part of this code as if set forth in full herein.

(Ord. 415, passed 3-25-1997; Am. Ord. 515, passed 12-4-2001; Am. Ord. 699, passed 7-15-2013)

**§ 33.04 UNIFORM EMS ORDINANCE ADOPTED.**

The Uniform EMS Ordinance, as it may be amended from time to time, is adopted by reference and shall be a part of this code as if set forth in full herein.  
(Ord. 507, passed 6-12-2001)

## CHAPTER 53: SOLID WASTE DISPOSAL; RECYCLING

### Section

- 53.01 Unlawful deposit of trash
- 53.02 Scavenging recyclables from residential areas prohibited
- 53.03 Solid waste collection and disposal
- 53.04 Brush and bulky items
  
- 53.99 Penalty

### **§ 53.01 UNLAWFUL DEPOSIT OF TRASH.**

It shall be unlawful for any person to sweep, throw, or deposit in any manner garbage, trash, dirt, concrete, rocks, stagnant water, dead animal, glass, cans, paper, bottles, nails, or any other rubbish into or along any drain, gutter, street, vacant lot or acreage, or upon any public or private premises within the corporate limits of the city; and the presence of same upon any street or public place shall be held to constitute a violation of this section.

(Ord. 102, passed 3-24-1970) Penalty, see § 53.99

### **§ 53.02 SCAVENGING RECYCLABLES FROM RESIDENTIAL AREAS PROHIBITED.**

No person or persons within the corporate city limits, other than the current resident or owner of the property on which recyclable materials are placed, or an authorized carrier, shall remove, pick up, or transfer recyclable materials left in front of a single-family residence in a specifically marked recovery container. Recyclable materials referred to herein shall include recyclable materials identified in the city's recycling program or contract for pickup of recyclable materials.

(Ord. 347, passed 9-8-1992) Penalty, see § 53.99

### **§ 53.03 SOLID WASTE COLLECTION AND DISPOSAL.**

(A) The city shall henceforth provide a solid waste collection and disposal service in and for the residents of the city, and the City Council is hereby empowered to enter into those contracts with other governmental entities, individuals, or corporations as may be necessary to provide solid waste collection and disposal service, all or any part thereof.

(B) The City Council is hereby empowered to establish, by its own resolution, rules and regulations as are necessary to effect and achieve the intents and purposes of this section, and to provide for and establish penalties, not to exceed \$100 for each offense or violation of those rules and regulations and of this section.

(C) It shall, from and after the effective date of this section, be unlawful for any person, company, corporation, or entity to engage in or provide solid waste collection service within the corporate limits of the city without first obtaining a permit or license from the City Council, as it shall in its discretion issue.

(Ord. 185, passed 12-17-1974) Penalty, see § 53.99

#### **§ 53.04 BRUSH AND BULKY ITEMS.**

(A) It is a violation of this section to place or store the following within 25 feet from the edge of the surface of the road more than 7 days prior to the date such items are scheduled to be removed by the city solid waste service:

(1) Brush items (including trees, tree limbs, plants, and/or leaves), and/or

(2) Bulky items (including appliances, and other trash items too large to be contained in the residential trash bin).

(B) Residents are requested to place their brush and bulky items within 10 feet from the edge of the roadbed within the 7-day period to facilitate its pick up and removal.

(C) The date scheduled for collection by the city is not counted in the 7-day period. The schedule for brush and bulky item pick-up may be obtained from the city's web site, or, in the event it is not available on the web site, directly from Parker City Hall.

(Ord. 640, passed 4-7-2009; Am. Ord. 666, passed 4-19-2011; Am. Ord. 706, passed 10-15-2013) Penalty, see § 53.99

#### **§ 53.99 PENALTY.**

(A) Any person who shall violate any provision of this chapter for which no other penalty is provided shall, upon conviction thereof, be subject to penalties as provided in § 10.99 of this code.

(B) Violators of § 53.01 of this code will be subject to a fine of up to but not to exceed \$200. (Ord. 102, passed 3-24-1970)

(C) Any person violating any provision of § 53.02 of this code shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined an amount of not more than \$500 for each

## CHAPTER 92: ANIMALS

### Section

- 92.01 Definitions
- 92.02 Rabies control
- 92.03 Wild, exotic, and vicious animals
- 92.04 Animals running at large; barking dogs
- 92.05 Sanitary conditions required
- 92.06 Humane treatment of animals required
  
- 92.99 Penalty

#### *Statutory reference:*

*Authority to adopt rabies ordinances, see Tex. Health and Safety Code, Ch. 826*

### § 92.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ANIMAL.** Any living creature, including, but not limited to, dogs, cats, horses, birds, fish, mammals, reptiles, insects, fowl, and livestock, but specifically excluding human beings.

**ANIMAL CONTROL.** The animal control function of the city.

**ANIMAL CONTROL OFFICER.** Any person or agency designated by the city to enforce the provisions of this chapter.

**ANIMAL NUISANCE.** Created when an animal:

- (1) Runs uncontrolled;
- (2) Moles or disturbs persons or vehicles by chasing, barking, or biting;
- (3) Attacks other animals;

- (4) Damages property other than that of the owner or harborer;
- (5) Barks, whines, howls, honks, brays, cries, or makes other noises excessively;
- (6) Creates noxious or offensive odors;
- (7) Defecates upon any public place or upon premises not owned or controlled by the owner or harborer unless promptly removed by the animal owner or harborer; or
- (8) Creates an insect breeding or attraction site due to an accumulation of excreta.

**BITE.** To be seized with the teeth or jaws so that a person or animal has been nipped, gripped, wounded, or pierced and saliva of the biting animal has contacted the resulting break or abrasion of the skin.

**CAT.** Any live or dead cat (*Felis catus*).

**CONTROL** or **CONTROL OF AN ANIMAL.** The same is on a leash not more than 8 feet in length, is under voice control in the presence of a competent person, is on or within a vehicle being driven or parked, or is within the property limits of its owner or harborer or upon the premises of another person with the consent of that person.

**CURRENTLY VACCINATED.** Vaccinated and satisfying the following criteria:

- (1) The animal must have been at least 3 months of age at the time of vaccination;
- (2) At least 30 days have elapsed since the initial vaccination; and
- (3) No more than 36 months have elapsed since the most recent vaccination.

**DOG.** Any live or dead dog (*Canis familiaris*).

**DOMESTIC ANIMAL.** Includes all species of animals commonly accepted as being domesticated.

**HARBORING.** The act of keeping or caring for an animal or of providing premises to which the animal returns for food, shelter, or care for a period of 3 consecutive days.

**OWNER.** Any person, firm, or corporation having title to any animal, or a person who has, harbors, keeps, or causes or permits to be harbored or kept, any animal in his or her care, or who permits an animal to remain on or about his or her premises.

(2) Animals not having a current vaccination should be humanely destroyed. However, if the owner of such an animal elects, he or she may, at his or her expense and in a manner prescribed by the local health authority, confine the animal. This animal must be vaccinated immediately following exposure and quarantined for not less than 6 months. A revaccination shall be done 1 month prior to release from quarantine.

(Ord. 414, passed 12-17-1996; Am. Ord. 625, passed 7-1-2008) Penalty, see § 92.99

### § 92.03 WILD, EXOTIC, AND VICIOUS ANIMALS.

(A) (1) *Prohibited wild animals.* Prohibited wild animals include the definition and regulations of the Tex. Health and Safety Code, subch. E, entitled Dangerous Wild Animals, as set forth in Tex. Health and Safety Code, §§ 822.101 through 822.116. The regulations of these sections, to the extent legally permissible, are adopted by the city, and the violation of these regulations is a violation of this section. The dangerous wild animals listed in Tex. Health and Safety Code, Ch. 822 are prohibited in the city. The Tex. Health and Safety Code sections cited above are adopted and incorporated by reference as if fully set forth herein.

(2) *Dangerous dogs.* Tex. Health and Safety Code, §§ 822.041 through 822.047, subch. D, entitled Dangerous Dogs, are adopted as regulations of the city by this section. Violation of these regulations is a violation of this section. The Tex. Health and Safety Code sections cited above are adopted and incorporated by reference as if fully set forth herein.

(3) The provisions of Tex. Health and Safety Code, Ch. 822 are adopted as they are effective on the date of Ordinance 697, and as they may hereafter be amended.

(B) Prohibited animal does not mean a gerbil, hamster, guinea pig or laboratory mouse or rat.

(C) *Large animal.*

(1) A large animal is defined as any herbivorous grazing animal over 500 pounds body weight. It shall be unlawful for any person to keep a large animal on any premises except as follows, or to keep any large animal on any premises in an unsanitary condition.

(2) The minimum lot size for large animals is 1.8 net acres. For each lot, the portion of the lot in excess of one-half acre is determined to be the net grazing area. A person may keep large animals in accordance with the following:

(a) One large animal per one-half acre of net grazing area, when each animal is provided a fully enclosed stall inside a barn, suitable for the large animal's care and feeding, accessible by the animal and not used for storage or other use.

(b) One large animal per acre of net grazing area when no fully enclosed stall is provided for the large animal.

(c) A special permit may be requested by applicants wishing to keep animals with a minor variance from the terms of this division (C).

(3) *Medium size animals.* An owner may have up to 8 animals whose adult body weight is between 200 and 500 pounds per acre of pasture, or other permitted animal. Medium size animals includes llamas.

(4) *Small size animals.* An owner may have up to 8 animals whose adult body weight is less than 200 pounds per acre of pasture. Small size animals includes alpacas. Provided, however:

(a) Swine known as "pot bellied pigs" are limited to 2 per residence.

(b) All other swine are prohibited, regardless of size.

(5) *Cumulative regulations.* The animal per acre restriction in this chapter prohibits cumulative numbers of large, medium, and/or small animals on the same acreage. Example: 2 acres of pasture may have 16 alpacas, but not 16 alpacas and 2 horses.

(6) *Pastured animals.* The foregoing regulations are relevant to pastured and stabled animals. (Ord. 414, passed 12-17-1996; Am. Ord. 560, passed 10-26-2004; Am. Ord. 625, passed 7-1-2008; Am. Ord. 697, passed 8-6-2013) Penalty, see § 92.99

#### § 92.04 ANIMALS RUNNING AT LARGE; BARKING DOGS.

(A) *Running at large.* It shall be unlawful for any dog or other animal possessed, kept, or harbored, other than a cat, to run at large as is defined in § 92.01 of this code.

(B) *Public nuisance; barking.* It shall be unlawful for any owner or possessor of an animal to fail to exercise proper care and control of his or her animals to prevent them from becoming a public nuisance, as that term is defined in § 92.01 above. Excessive, continuous, or untimely barking, in a manner to disturb the peace, or in a manner so as to materially disturb or annoy persons in the neighborhood of ordinary sensibilities, is declared and defined herein to be an unlawful public nuisance.

*(C) Notice and complaints.*

(1) Whenever any person shall complain in writing to the city that a dog or dogs which habitually bark, howl, or yelp is being kept by any person in the city, the city shall notify the owner of the dog(s) that a complaint has been received and that the person should take whatever steps necessary to alleviate the barking, howling, or yelping.

(2) Any person who believes this chapter is being violated may, in a manner prescribed by law, file a complaint with the Municipal Court of the city, where it shall be processed in the normal course of the Court's business. The Court is authorized to issue such writs and process as may be necessary to hear the complaint.

(Ord. 414, passed 12-17-1996) Penalty, see § 92.99

**§ 92.05 SANITARY CONDITIONS REQUIRED.**

(A) The owner or person in possession of animals shall keep yards, pens, and enclosures in which the animals are confined in such a manner as not to give off odors offensive to persons of ordinary sensibilities residing in the vicinity or to breed or attract flies, mosquitoes, or other noxious insects, or in any manner to endanger the public health or safety, or to create a public nuisance.

(B) All persons keeping animals shall comply with the following regulations:

(1) Manure and droppings shall be removed from pens, stables, yards, cages, and other enclosures as necessary to maintain sanitary conditions and handled or disposed of in a manner so as to keep the premises free of any nuisances;

(2) Mound storage of droppings or manure between removals shall be permitted only under conditions so as to protect against the breeding of flies and to prevent migration of fly larvae (maggots) into the surrounding soil;

(3) Watering troughs or tanks shall be provided that are equipped with adequate facilities for draining the overflow so as to prevent the breeding of flies, mosquitoes, and other insects; and

(4) No putrescible material shall be allowed to accumulate on the premises, and all such material used to feed that is unconsumed shall be removed and disposed of by burial or other sanitary means.

(Ord. 414, passed 12-17-1996) Penalty, see § 92.99

**§ 92.06 HUMANE TREATMENT OF ANIMALS REQUIRED.**

The following requirements are established for pet and animal care and not intended to contravene the provisions on animal cruelty as provided in the TEX. PENAL CODE, Ch. 42.

(A) No owner shall fail to provide his or her animal(s) with sufficient good wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment.

(B) No person shall beat, cruelly ill-treat, torment, overload, overwork, or otherwise abuse an animal, or cause, instigate, or permit any dogfight, cockfight, bullfight, or other combat between animals or between animals and humans.

(C) No owner of an animal shall abandon the animal.

(D) Any person who, as the operator of a motor vehicle, strikes a domestic animal, shall stop at once and render such assistance as may be possible and shall immediately report the injury or death to the animal's owner; in the event the owner cannot be ascertained and located, the operator shall at once report the accident to the appropriate law enforcement agency.

(E) The use of steel jaw traps shall be prohibited.

(Ord. 414, passed 12-17-1996) Penalty, see § 92.99

**§ 92.99 PENALTY.**

(A) Any person who shall violate any provision of this chapter for which no other penalty is provided shall, upon conviction thereof, be subject to penalties as provided in § 10.99 of this code.

(B) The designated representative of the city may cite any person who violates any provision of this chapter, and, if convicted in Municipal Court, the person shall be fined not more than \$500, and each and every day the provisions of this chapter are violated shall constitute a separate offense.

(Ord. 414, passed 12-17-1996)

## CHAPTER 97: PARKS AND RECREATION COMMISSION

### Section

- 97.01 Compensation of members
- 97.02 Meetings
- 97.03 Voting and quorum
- 97.04 Attendance of City Administrator and/or City Council Liaison
- 97.05 Places; alternates; duties of officers
- 97.06 Powers and duties
- 97.07 Subcommittees
- 97.08 Short title
- 97.09 Definitions
- 97.10 Enforcement
- 97.11 Unlawful acts
- 97.12 Use of commercial vehicles and the like
- 97.13 Parking vehicles
- 97.14 City-sponsored events
- 97.15 Park facilities
- 97.16 Damages and cost of services
  
- 97.99 Penalty

### § 97.01 COMPENSATION OF MEMBERS.

Members of the Commission shall serve without compensation.  
(Ord. 608, passed 2-27-2007)

### § 97.02 MEETINGS.

(A) *Regular meetings.* The Commission shall meet at least bi-monthly. Such bi-monthly meeting shall be on the last Wednesday of every other month at the suggested time of 7:00 p.m. in the City Hall unless another time, date and place be designated by the Chairman, and all members of the Commission notified at least 7 days in advance. Regular meetings shall be in the months of January, March, May, July, September and November. The regular meeting in November may be set each year by resolution of the Commission as the first, second, third or fourth Wednesday of November to avoid conflict with the Thanksgiving holidays.

(B) *Special meetings.* Special meetings may be called by the Chairman or by written request sent to the Chairman or Vice-Chairman by 3 members of the Commission.

(Ord. 608, passed 2-27-2007; Am. Ord. 688, passed 10-30-2012)

#### **§ 97.03 VOTING AND QUORUM.**

All questions presented for a vote of the Parks and Recreation Commission shall be decided by a simple majority of those present. A meeting may not be held unless a majority of the members are in attendance.

(Ord. 608, passed 2-27-2007)

#### **§ 97.04 ATTENDANCE OF CITY ADMINISTRATOR AND/OR CITY COUNCIL LIAISON.**

The City Administrator and/or City Council Liaison may be in attendance at Commission meetings as required by the City Council. The City Administrator may have other members of the staff in attendance at Commission meetings when required or requested by the Commission. The City Administrator may participate in meetings to provide staff assistance, reports and recommendations as requested by the Commission.

(Ord. 608, passed 2-27-2007)

#### **§ 97.05 PLACES; ALTERNATES; DUTIES OF OFFICERS.**

##### **(A) *Places.***

(1) The Parks and Recreation Commission for the city shall consist of 5 members appointed by a majority of the City Council. Each member shall serve in a place designated by the Council. Places 1, 3, and 5 shall have 2-year terms, expiring May 31 in odd years. Places 2 and 4 shall have 2-year terms, expiring May 31 in even years. All terms commence on June 1 of the even or odd year assigned that Place.

(2) There are no term limits for appointees. There are no term limits for appointees. Upon the passage of Ordinance 683, the Council may designate, or re-designate, current members, and/or any members to be appointed, into each Place, with the appropriate provisions as to the fulfillment of any unexpired terms.

(3) Unless otherwise designated by the City Council, the Commission member serving in a designated Place upon the passage of Ordinance 683 continues in that Place through May 31 of the even or odd year term for that Place. All members of the Commission continue to serve until their successors are appointed and qualified; save and except when a member resigns, in writing. Such resignation shall be effective the date of its receipt by the City Secretary.

(B) *Alternates.* A majority of the City Council may appoint 1, 2, 3, or 4 alternates to the Parks and Recreation Commission. The terms of the alternates will be 1-year terms, unless specifically set at the time of the appointment of the alternate as a 2-year term. An alternate may be reappointed at the discretion of the Council. Regardless of the term assigned to the alternate, the City Council may remove an alternate with or without cause at any time. Terms of alternates commence June 1 of each year. All alternates continue to serve until their successors are appointed and qualified; save and except when an alternate resigns in writing. Alternate members shall be classified as members for all purposes other than regular voting.

(C) *Duties.* The duties of the officers of the Parks and Recreation Commission shall be as follows:

(1) *Chairman.* The Chairman shall preside at all meetings when he or she is present. The Chairman shall implement or cause to have implemented any practice or procedure in the calling of meetings, conduct of meetings, or reporting of activities that he or she considers in the best interest of the Commission and shall so inform the City Council or consult with the City Council when necessary or desirable. It shall be the responsibility of the Chairman to request from the City Administrator support activity needed from the city. It shall be the responsibility of the Chairman to submit reports to the City Council, when necessary or requested, relative to such matters as Commission activity, participation by members, and any other matters deemed significant relative to the Commission's functions. The Chairman may represent the Parks and Recreation Commission at public functions.

(2) *Vice-Chairman.* The Vice-Chairman shall assist the Chairman in directing the total affairs of the Commission. In the absence of Chairman, the Vice-Chairman shall assume all duties of the Chairman.

(3) *Secretary.* The Secretary shall take minutes and maintain the books and records of the Commission.

(Ord. 608, passed 2-27-2007; Am. Ord. 683, passed 9-4-2012; Am. Ord. 688, passed 10-30-2012)

## § 97.06 POWERS AND DUTIES.

The Commission shall have the following powers and perform the following duties:

(A) *Advisory capacity to Council.* The primary role of the Commission shall be to advise the Council regarding the city land known as the Preserve, adjacent to City Hall. It shall act only in an advisory capacity to the City Council in all matters pertaining to nature areas, trails, open space, historical areas, public gardens, and public activity, collectively referred to as recreation, shall acquaint itself with and make a continuous study and inspection of the complete "open spaces plan" [or "nature plan"] of the city; and shall advise with the City Council from time to time as to the present and future maintenance, operation, planning, acquisition, development, enlargement and use policy of the city open space property.

(B) *Recommend standards.* It shall recommend the adoption of standards on areas, facilities, program and financial support.

(C) *Review, maintenance of master planning guide: review of services and needs.* There shall be created a master planning guide for city open spaces areas and the Commission shall review and maintain such master planning guide. Such master planning guide shall be considered, revised and maintained with technical assistance and recommendations of the city staff and the city Plan Commission. The master planning guide shall be reviewed at least bi-annually and periodically updated. The Commission shall periodically review all recreation services that exist or that may be needed and interpret the needs of the public to the City Council and to the City Administrator. In the conduct of the above activities, the Commission shall, at the request of the City Council, hold public hearings provided notice is published in the official city newspaper at least 10 days prior to such public hearings.

(D) *Rules and regulations for conduct of business.* It shall follow the rules and regulations prescribed by the City Council for the conduct of its business.

(E) *Other recommendations to Council.* It shall make any other recommendations to the City Council regarding recreation matters that it considers advisable, or which are requested by the City Council.

(F) *Solicitations.* It may solicit for the city gifts, revenues, bequests or endowments of money or property as donations or grants from persons, subject to the prior approval and acceptance by the City Council. All funds are the property of the city, to be accepted and/or expended by the City Council.

(G) *Reports.* It shall cause to have reports prepared as required on any aspect of the program or facilities. No such reports shall be made available to other than Commission members and City Council members without action by the Commission in a formal meeting.

(Ord. 608, passed 2-27-2007)

#### § 97.07 SUBCOMMITTEES.

(A) *Appointment.* The Parks and Recreation Commission, by a majority vote of the quorum present at any regular or special meeting, may appoint such members and citizens as reasonable and prudent to subcommittees to serve the purposes of the Parks and Recreation Commission.

(B) *Termination.* These committees may be dissolved in a like manner, or by the City Council.  
(Ord. 608, passed 2-27-2007)

**§ 97.08 SHORT TITLE.**

This chapter shall be commonly known and cited as the "Parks and Recreation Commission Ordinance."

(Ord. 608, passed 2-27-2007)



(b) Fencing in side yard or back yard areas shall not exceed 6 feet, 0 inches in height. All fences shall be of open construction and not solid or near-solid fabric or surfacing. Open construction shall mean that each fence panel, when viewed from an elevation perspective at a perpendicular to that elevation, shall be constructed of materials that allow at least 50% of the surface area of each panel to provide for an open unobstructed view.

(c) The 50% open construction requirement for each fence panel is exclusive of columns and posts, which may be constructed of solid material including masonry or metal.

(d) Fencing columns, if used, shall not be more than 2 feet square on base, and not more than 6 feet in height. The columns shall not be closer together than 6 feet center to center.

(2) *Chain link fencing.* Chain link fences may not be used in the front yard. They cannot extend beyond the front building line of the primary dwelling on the lot. They cannot extend into the side setback on the street side of a corner lot. It is preferred that chain link fence be black or green vinyl coated rather than galvanized.

(3) *Privacy fencing.* Privacy fences are permitted around swimming pool areas, subject to the following:

(a) The fence must be built with the finished side facing the exterior of the lot; and

(b) The privacy fence must not be built farther than 30 feet from the side of the pool. The side of the pool is defined as where the water's edge meets the side of the pool, not the outside edge of the pool decking, if any.

(4) *Inspection and maintenance.* When any fence is completed, it must be inspected. The Building Inspection Department shall be notified upon completion of the fence. The Chief Building Official will issue a card of acceptance if the fence complies with the provisions of this section, or it will be rejected. All fences constructed under the provisions of this section shall be maintained so as to comply with the requirements of this section at all times. Fences shall be maintained by the owner or person in charge of the property in as near as possible the condition of the fence when installed and accepted as provided herein, and shall be maintained as follows:

(a) The fence shall not be out of vertical alignment more than 20%; and

(b) All damaged, removed, or missing portions of the fence shall be replaced or repaired with comparable materials of a comparable color to the remaining portions of the fence.

(5) *Materials.*

(a) *Permitted materials.* Materials permitted are wood, concrete, masonry, chain link, wrought iron, metal tubing, vinyl, fiberglass composite, barbed wire, or other materials approved by the Building Official for exterior exposure as fence material.

(b) *Prohibited materials.* Materials prohibited are razor ribbon, sheet metal, corrugated steel and fiberglass panel, plywood, or any other similar material manufactured for other uses.

(6) *Certain locations, construction prohibited.*

(a) *Within easements.* No fence shall be located within any easement except by prior written approval of those agencies having interest in that easement.

(b) *Electric fences.* No fence erected shall be electrically charged in a manner to be dangerous to humans.

(7) *Swimming pool enclosures.* A building permit is required for the construction of all swimming pools, and all pools and their associated safety fences shall be built according to the building code.

(Ord. 483, passed 6-6-2000; Am. Ord. 508, passed 7-10-2001; Am. Ord. 697, passed 8-6-2013)  
Penalty, see § 156.99

**§ 156.33 SINGLE-FAMILY TRANSITIONAL DISTRICT.**

(A) *Purpose; SFT.* The purpose of this classification is to provide for the gradual transition from the smaller lot sizes in neighboring cities to the larger lot sizes preferred by most city residents. This classification also provides for a landscaped bufferyard between cities.

(G) *Garages; SFT.* No garage shall open to the front of a lot or to the side street in a corner lot.

(H) *Trees and drainage; SFT.*

(1) *Existing trees and drainage.* All existing trees and drainage ways shall be noted on the conceptual site plan submitted with the zoning application. Trees to be added or removed shall be designated on the site plan. A separate landscaping plan may be submitted with this conceptual plan.

(2) *Tree plantings.* All streets shall have rows of trees, of approved species, planted along street sides outside of the right-of-way, at an average of 50 feet on center. Non-uniform planting of trees is encouraged.

(I) *Fences; SFT.*

(1) *General restrictions.*

(a) No fences shall be permitted in front yard areas and side yards extending beyond the house facade on developments in the SFT areas, except for lots of 2 acres or more.

(b) Fencing in side yard or back yard areas shall not exceed 6 feet, 0 inches in height. All fences shall be of open construction and not solid or near-solid fabric or surfacing. Open construction shall mean that each fence panel, when viewed from an elevation perspective at a perpendicular to that elevation, shall be constructed of materials that allow at least 50% of the surface area of each panel to provide for an open unobstructed view.

(c) The 50% open construction requirement for each fence panel is exclusive of columns and posts, which may be constructed of solid material including masonry or metal.

(d) Fencing columns, if used, shall not be more than 2 feet square on base, and not more than 6 feet in height. The columns shall not be closer together than 6 feet center to center.

(2) *Chain link fencing.* Chain link fences may not be used in the front yard. They cannot extend beyond the front building line of the primary dwelling on the lot. They cannot extend into the side setback on the street side of a corner lot. It is preferred that chain link fence be black or green vinyl coated rather than galvanized.

(3) *Privacy fencing.* Privacy fences are permitted around swimming pool areas, subject to the following:

(a) The fence must be built with the finished side facing the exterior of the lot; and

(b) The privacy fence must not be built farther than 30 feet from the side of the pool. The side of the pool is defined as where the water's edge meets the side of the pool, not the outside edge of the pool decking, if any.

(4) *Inspection and maintenance.* When any fence is completed, it must be inspected. The Building Inspection Department shall be notified upon completion of the fence. The Chief Building Official will issue a card of acceptance if the fence complies with the provisions of this section, or it will be rejected. All fences constructed under the provisions of this section shall be maintained so as to comply with the requirements of this section at all times. Fences shall be maintained by the owner or person in charge of the property in as near as possible the condition of the fence when installed and accepted as provided herein, and shall be maintained as follows:

- (a) The fence shall not be out of vertical alignment more than 20%; and
- (b) All damaged, removed, or missing portions of the fence shall be replaced or repaired with comparable materials of a comparable color to the remaining portions of the fence.

(5) *Materials.*

(a) *Permitted materials.* Materials permitted are wood, concrete, masonry, chain link, wrought iron, metal tubing, vinyl, fiberglass composite, barbed wire, or other materials approved by the Building Official for exterior exposure as fence material.

(b) *Prohibited materials.* Materials prohibited are razor ribbon, sheet metal, corrugated steel and fiberglass panel, plywood, or any other similar material manufactured for other uses.

(6) *Certain locations, construction prohibited.*

(a) *Within easements.* No fence shall be located within any easement except by prior written approval of those agencies having interest in that easement.

(b) *Electric fences.* No fence erected shall be electrically charged in a manner to be dangerous to humans.

(7) *Swimming pool enclosures.* A building permit is required for the construction of all swimming pools, and all pools and their associated safety fences shall be built according to the building code.

(Ord. 483, passed 6-6-2000; Am. Ord. 508, passed 7-10-2001; Am. Ord. 697, passed 8-6-2013)  
Penalty, see § 156.99

**§ 156.34 MANUFACTURED HOUSING DISTRICT.****(A) *Purpose; MH.***

(1) The manufactured housing district is designated in order to provide an adequately controlled area for the placement of manufactured homes, and to ensure an environment suitable for family living. The terms "HUD-Code manufactured home," "mobile home," "manufactured housing," and "recreational vehicle" as used herein are as defined in Tex. Occupation Code, Ch. 1201 and Tex. Trans. Code, § 522.004(b), as amended.

(2) Any violations of the provisions of the manufactured housing district ordinance passed September 19, 1995 which occurred prior to the date of any amendments to this chapter are not waived or released by those amendments. The provisions of this chapter in effect on the date of any violation of this chapter shall be interpreted as still being in effect on the date any violation is prosecuted. Further, no amendments to this chapter shall waive, accept, or approve any nonconforming use which existed immediately prior to September 19, 1995, the date the preceding manufactured housing district ordinance was enacted. Any nonconforming use on the date this manufactured housing district ordinance was originally passed by the city is a nonconforming use solely for the size of the tract, the number of mobile homes, or manufactured homes, located on the manufactured housing tracts, or the mobile home tracts, on the date this chapter was passed. No additional manufactured housing or mobile homes are permitted without strict compliance with this chapter.

**(B) *Principal permitted uses; MH.***

(1) (a) Individually owned manufactured homes and lots in an approved manufactured housing district subdivision; and

(b) Commercial manufactured home parks providing, either on a rental or as an outright sale, lots for placement of manufactured homes with utilities for those manufactured homes.

(2) Supporting service facilities for the exclusive use of the residents will be permitted within the manufactured home park.

**(C) *General provisions; MH.***

(1) *Mobile homes constructed prior to June 15, 1976.* No mobile home may be installed for use or occupancy as a residential dwelling unit within the city, effective the date of this chapter. Any mobile home previously legally permitted and used or occupied as residential dwelling unit within the

city is deemed a nonconforming use. A permit for that legal nonconforming use and occupancy shall be granted for a lawful nonconforming mobile home within the city, so long as a replacement is a HUD-Code manufactured home.

(2) *No HUD-Code manufactured homes constructed on or after June 15, 1976.* No HUD-Code manufactured homes (constructed on or after June 15, 1976) shall be permitted in the city as a residential dwelling, or otherwise, unless the installation is within a manufacturing housing district approved by the city. An application to install a new HUD-Code manufactured home for use and occupancy as a residential dwelling is deemed approved and granted unless the city denies the application in writing, within 45 days of the receipt of the application, setting forth the reason for denial.

(3) *Recreational vehicles.* No recreational vehicle may be installed, used, or occupied as a residential dwelling within the corporate limits of the city.

(4) *Wastewater requirements.* All wastewater connections, septic systems, plumbing, and drainage shall meet the highest standards of federal, state, and county regulations adopted above.

(5) *Individual manufactured home lots and subdivisions.*

(a) Any individual desiring to place a manufactured home on a lot within the area designated as a manufactured housing district may do so without meeting the requirements of a commercial manufactured home park except for structural protection, under the conditions that the manufactured home be placed on a lot of no less than 1 acre and that all other applicable provisions of the single-family residential district (SF) regulations are met (such as use, setbacks, building code requirements). The conditions set forth for structural protection of manufactured homes in manufactured home parks will apply to individual manufactured home lots.

(b) Individual manufactured home lots and subdivisions shall comply with all requirements of the subdivision regulations in Chapter 155 and the city's other ordinances.

(6) *Commercial manufactured home parks.*

(a) *Site plan required.* All applications for development of a manufactured home park or manufactured housing district subdivision shall be accompanied by a site plan and construction plans (12 copies) drawn to scale, acceptable to the City Engineer, complying with the requirements of Chapter 155 of this code. A preliminary and final plat are required on all manufactured home parks. The boundary survey shall be prepared by a registered professional land surveyor and layout and design shall be prepared by a registered professional engineer. The manufactured home park shall comply with the

(a) Landscaping requirements may be waived or modified by the City Council at the site plan stage if a finding is made that the site plan provides sufficient permeable surfaces and adequately addresses the drainage and visual impacts of impermeable surfaces.

(b) There shall be a minimum of 1 tree planted in the parking area for each 400 square feet or fraction thereof of hard surfaced area. Trees shall be a minimum of a 4-inch caliper, and shall be conifers or hardwoods.

(c) The perimeter of all parking areas should be effectively screened to a minimum depth of 15 feet from streets, driveways, drop-off areas, buildings, and open spaces.

(d) An area equal to 15% of the total size of the parking lot must be landscaped and permeable, exclusive of perimeter plantings.

(H) *Manufactured housing limitations; SA.* No mobile homes or HUD-Code manufactured homes shall be permitted.

(Ord. 483, passed 6-6-2000) Penalty, see § 156.99

### **§ 156.37 SUPPLEMENTARY DISTRICT REGULATIONS.**

The following supplementary district regulations are hereby adopted and shall apply in all cases where specified by this section.

(A) *Visibility at intersections in all districts.* On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vehicle drivers' vision at intersections.

(B) *Fences, walls, and hedges.* Notwithstanding other provisions of this chapter, fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard, provided that the fences, walls, or hedges along lot lines at street intersections do not impair visibility at the intersection within an area defined by lines of joining points located 20 feet back from the intersection of all curb lines extended.

(C) *Offensive trade activity.* No offensive trade activity shall be carried on upon any lot, nor shall anything be done which may be or become an annoyance or nuisance. No lot shall be used or maintained as a dumping ground for rubbish.

(D) *Lot maintenance.* In all districts, lots shall be maintained in such a manner as to be free and clear of debris. The following provisions relate only to the height of grass and weeds:

(1) On tracts of land, whether platted or described by metes and bounds, grass and weeds are not permitted to grow to a height in excess of 12 inches unless the vegetation is for agricultural operations and may then exceed 12 inches.

(2) Agricultural operations include the following activities:

- (a) Cultivating the soil (tilling soil in order to better prepare it for planting);
- (b) Producing crops for human food, animal feed, planting seed, or fiber;
- (c) Floriculture (cultivation and management of ornamental and flowering plants);
- (d) Viticulture (the cultivation or culture of grapes especially for wine making);

(e) Horticulture (growing fruits, vegetables, flowers, or ornamental plants - wildflowers may exceed 12 inches when growing, but shall be mowed to a maximum height of 12 inches after seeding);

- (f) Silviculture (dealing with the development and care of forests);
- (g) Current wildlife management;
- (h) Current raising or keeping livestock or poultry.

(3) Regularly cultivated crops shall not be allowed to grow within the public road right-of-way of any public street or easement but shall be kept mowed. It shall be the duty of any person owning, claiming, occupying, or having supervision or control of any real property to cut and remove all weeds, brush, or other objectionable or unsightly matter as often as may be necessary; provided that the removing and cutting same at least once in every 30 days shall be deemed a compliance with this chapter; and to use every precaution to prevent the same growing on the premises to become a nuisance.

(E) *Exceptions to height regulations.* The height limitations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

(F) *Structures to have access.* Every building erected or moved shall be on a lot with direct access on a public street, or with access to a municipally approved street. All structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection, and required on-site parking.

(G) *Yard definitions.* Yards as required in this chapter are open spaces on the lot on which a building is situated and which are open and unobstructed to the sky, except as herein provided.

(1) *Front yard.* A yard facing and abutting a street and extending across the full width of the front of the lot and having a minimum horizontal depth measured from the front property line equal to the depth of the minimum front yard specified for the district in which the lot is located. The required yard line represents the line in front of which no building or structure may be erected. Balconies, decks, and marquees located more than 8 feet from the ground may project up to 6 feet into the required front yard.

(2) *Rear yard.* A yard extending across the full width of the lot between the side lot lines and having a minimum depth measured from the rear lot line as specified for the district in which the lot is located. There shall be no intrusion into the rear yard by stairways, balconies, or other building extensions to more than 4 feet.

(3) *Side yard.* A yard located on a lot extending from the required rear yard to the required front yard and having a minimum width measured from the side lot line as specified for the district in which the lot is located.

(H) *Use of major recreational equipment.*

(1) For purposes of these regulations, **MAJOR RECREATIONAL EQUIPMENT** is defined as including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings/RVs, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No such equipment shall be used for living, sleeping, or housekeeping purposes for more than:

- (a) 14 days per year, or
- (b) 21 days (consecutive or non-consecutive) in any 30-day period.



(b) Temporary storage units and trash containers must not be in the right-of-way or public easement.

(2) Construction storage and trash containers.

(a) Storage and trash containers, or other containers in use for a permitted construction project, must be removed within 10 days of the project completion or issuance of a CO (certificate of occupancy).

(b) Construction storage units and trash containers must not be in the right-of-way or public easement.

(3) Non-temporary storage units.

(a) Shipping containers, PODS, railroad cars, or transportation storage equipment may not be located on a residential lot in a permanent manner.

(b) Storage sheds of less than 126 square feet of floor area are allowed on residential properties. Not more than 1 per acre will be allowed. The shed must be placed behind the rear building line of the principal dwelling, and, on a corner lot, no closer to the street than the main dwelling. Building setbacks do not apply to storage sheds described in this division (P)(3).

(4) Non-temporary trash containers. All non-temporary trash containers require an SUP, must be screened on all 4 sides, with access on 1 side, and must be out of the right-of-way and/or city easement.

(5) Portable toilets.

(a) Portable toilets are required for permitted construction projects, and must be removed within 10 days of the project completion or CO.

(b) Portable toilets are allowed on a residential lot for special events of up to 3 days without a permit.

(c) Portable toilets are allowed on agricultural zoned lots (non-residential) without a permit, but not be placed within 100 feet of the property lines.

(Ord. 483, passed 6-6-2000; Am. Ord. 508, passed 7-10-2001; Am. Ord. 638, passed 2-17-2009; Am. Ord. 653, passed 3-16-2010; Am. Ord. 696, passed 5-21-2013) Penalty, see § 156.99

***NONCONFORMING, CONDITIONAL, AND SPECIAL USES*****§ 156.50 NONCONFORMING USES.**

(A) *Existing buildings, structures, and uses.* Except as hereinafter specified, any use, building, or structure existing at the time of the enactment of this chapter may be continued, even though that use, building, or structure may not conform with the provisions of this chapter for the district in which it is located; provided, however, that this section shall not apply to any use, building, or structure established in violation of any ordinance previously in effect in the city, unless that use, building, or structure now conforms with this chapter.

(B) *Conditional uses.* Any use existing on the effective date of Ord. 242A which is listed as a conditional use in the use district where it is located shall remain a nonconforming use until a special use permit is obtained as provided in this chapter.

(C) *Alteration of nonconforming uses.* No existing building or premises devoted to a use that is not permitted by this chapter in the use district in which the building or premises is located shall be enlarged or improved, except when required to do so by law or written order, unless the use thereof is changed to a use that is permitted in the district in which the building or premises is located, and except as follows.

(1) When authorized by the City Council in accordance with the provisions of this chapter, the substitution for a nonconforming use of another nonconforming use, or an extension of a nonconforming use, may be made.

(2) Whenever a nonconforming use has been changed to a conforming use, that use shall not thereafter be changed to a nonconforming use.

(3) When authorized by the City Council in accordance with the provisions of this chapter, enlargement or completion of a building devoted to a nonconforming use may be made upon the lot occupied by that building, where that extension is necessary and incidental to the existing use of the building and does not exceed 25% of its area of nonconformity, as measured by the square footage of the building or land area.

***HEALTH AND SAFETY CODE***

<i>Statutory Reference</i>	<i>2005 Code</i>
Ch. 342	94.04
Ch. 826	Ch. 92
Ch. 822, subch. E	92.03
822.041 through 822.047	92.03
822.101 through 822.116	92.03

***LOCAL GOVERNMENT CODE***

<i>Statutory Reference</i>	<i>2005 Code</i>
Title 2	30.01
Title 6	32.03, 32.08
22.071	30.30, 30.31
Ch. 53	10.01
54.001	10.99
Ch. 205	32.14
Ch. 211	156.16
211.007	150.02
Ch. 212	156.99
Ch. 212, subch. A	155.004
Ch. 212, subch. B	155.004
212.0115	155.005
212.044	156.84
214.001	152.06
214.001(f)	152.06
214.001(n)	152.06
214.191 <i>et seq.</i>	Ch. 91
Ch. 216	153.02
Ch. 217	Ch. 94
229.001	130.01, 130.02
342.003	Ch. 93

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185	12-17-1974	53.03, 53.99
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326	8-22-1989	30.45
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345	2-11-1992	51.01 - 51.04, 51.15 - 51.18, 51.30 - 51.33, 51.45 - 51.49, 51.51 - 51.55, 51.99
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346	7-14-1992	130.01, 130.99
347	9-8-1992	53.02, 53.99

<i>Ord. No.</i>	<i>Date Passed</i>	<i>2005 Code</i>
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358	2-8-1994	91.01 - 91.08, 91.99
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# **CITY OF PARKER, TEXAS**

## **CODE OF ORDINANCES**

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Local legislation current through Ord. ~~667706~~, passed ~~5-3-2011~~ ~~10-16-2013~~

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## CITY GOVERNMENT

Mayor: **Joe Cordina** **Z Marshall**  
Mayor Pro-tem: **Z Marshall** **Scott Levine**  
Council Members: **David Leamy** **Lee Pettie**  
**Eleanor Evans** **Ed Standridge**  
**Allison Sumrow** **Tom Stone**  
**Scott Levine** **Patrick Taylor**

## CITY PERSONNEL

Interim City Administrator: **Jeff Flanigan**  
City Secretary: **Carrie L. Smith**  
City Attorney: **James E. Shepherd**  
City Engineer: **Birkoff, Hendricks and Carter**  
Building Official: **Gary Machado**  
Fire Chief: **Mike Sheff**  
Finance/H.R. Manager: **Johnnna Boyd**  
Court Clerk: **Lori Newton**  
Police Chief: **Tony Fragoso** **Bill Rushing**

## OTHER BOARDS & COMMISSIONS

Planning and Zoning Commission  
Zoning Board of Adjustments  
Parks and Recreation Commission  
Parker Beautification Committee

## CHAPTER 33: EMERGENCY MANAGEMENT AND SERVICES

### Section

- 33.01 County Emergency Management Plan adopted
- 33.02 Police Department; Police Reserve Force
- 33.03 Fire Department; Fire Marshal
- 33.04 Uniform EMS Ordinance adopted

### **§ 33.01 COUNTY EMERGENCY MANAGEMENT PLAN ADOPTED.**

(A) The city hereby adopts the County Emergency Management Plan as of its most recent revision to date.

(B) The Mayor is hereby authorized to declare emergencies as required subject to ratification by the City Council in accordance with § 10 of the State Disaster Act.

(Ord. 360, passed 2-22-1994)

### **§ 33.02 POLICE DEPARTMENT; POLICE RESERVE FORCE.**

The city ordinances providing for the Police Department and Police Reserve Force, as they may be amended from time to time, are adopted by reference and shall be a part of this code as if set forth in full herein.

(Ord. 284, passed 6-10-1986; Ord. 498, passed 3-13-2001)

### **§ 33.03 FIRE DEPARTMENT; FIRE MARSHAL.**

The city ordinances providing for the Volunteer Fire Department and the Fire Marshal, as they may be amended from time to time, are adopted by reference and shall be a part of this code as if set forth in full herein.

(Ord. 415, passed 3-25-1997; Am. Ord. 515, passed 12-4-2001; Am. Ord. 699, passed 7-15-2013)

(B) The City Council is hereby empowered to establish, by its own resolution, rules and regulations as are necessary to effect and achieve the intents and purposes of this section, and to provide for and establish penalties, not to exceed \$100 for each offense or violation of those rules and regulations and of this section.

(C) It shall, from and after the effective date of this section, be unlawful for any person, company, corporation, or entity to engage in or provide solid waste collection service within the corporate limits of the city without first obtaining a permit or license from the City Council, as it shall in its discretion issue.

(Ord. 185, passed 12-17-1974) Penalty, see § 53.99

#### **§ 53.04 BRUSH AND BULKY ITEMS.**

(A) It is a violation of this section to place or store the following within 25 feet from the edge of the surface of the road more than 7 days prior to the date such items are scheduled to be removed by the city solid waste service:

(1) Brush items (including trees, tree limbs, plants, and/or leaves), and/or less than 25 feet from the edge of the surface of the road more than 12 days prior to the date such items are scheduled to be removed by the city solid waste service.

(2) Bulky items (including appliances, and other trash items too large to be contained in the residential trash bin), less than 25 feet from the edge of the surface of the road more than 7 days prior to the date such items are scheduled to be removed by the city solid waste service. The term "bulky items" does not include the brush items defined in division (A)(1) above.

(B) Residents are requested to place their brush and bulky items within 10 feet from the edge of the roadbed within the 7-day period to facilitate its pick up and removal.

(C) The date scheduled for collection by the city is not counted in the 7, or 12-day period. The schedule for brush and bulky item pick-up may be obtained from the city's web site, or, in the event it is not available on the web site, directly from Parker City Hall.

(Ord. 640, passed 4-7-2009; Am. Ord. 666, passed 4-19-2011; Am. Ord. 706, passed 10-15-2013) Penalty, see § 53.99

#### **§ 53.99 PENALTY.**

(A) Any person who shall violate any provision of this chapter for which no other penalty is provided shall, upon conviction thereof, be subject to penalties as provided in § 10.99 of this code.

(B) Violators of § 53.01 of this code will be subject to a fine of up to but not to exceed \$200. (Ord. 102, passed 3-24-1970)

(C) Any person violating any provision of § 53.02 of this code shall be deemed guilty of a

## CHAPTER 92: ANIMALS

### Section

- 92.01 Definitions
- 92.02 Rabies control
- 92.03 Wild, exotic, and vicious animals
- 92.04 Animals running at large; barking dogs
- 92.05 Sanitary conditions required
- 92.06 Humane treatment of animals required
- ~~92.07 Enforcement~~

- 92.99 Penalty

*Statutory reference:*

*Authority to adopt rabies ordinances, see Tex. Health and Safety Code, Ch. 826*

### § 92.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ANIMAL.** Any living creature, including, but not limited to, dogs, cats, horses, birds, fish, mammals, reptiles, insects, fowl, and livestock, but specifically excluding human beings.

**ANIMAL CONTROL.** The animal control function of the city.

**ANIMAL CONTROL OFFICER.** Any person or agency designated by the city to enforce the provisions of this chapter.

**ANIMAL NUISANCE.** Created when an animal:

- (1) Runs uncontrolled;
- (2) Moles or disturbs persons or vehicles by chasing, barking, or biting;
- (3) Attacks other animals;

(2) Animals not having a current vaccination should be humanely destroyed. However, if the owner of such an animal elects, he or she may, at his or her expense and in a manner prescribed by the local health authority, confine the animal. This animal must be vaccinated immediately following exposure and quarantined for not less than 6 months. A revaccination shall be done 1 month prior to release from quarantine.

(Ord. 414, passed 12-17-1996; Am. Ord. 625, passed 7-1-2008) Penalty, see § 92.99

### § 92.03 WILD, EXOTIC, AND VICIOUS ANIMALS.

(A) *Prohibited animals.* It shall be unlawful for a person to keep or harbor a prohibited animal within the city limits. Prohibited animals include the following. Any animal, regardless of state or duration of captivity, that poses a potential physical or disease threat to the public, that is protected by international, federal or state regulations, or that is considered to be excessively odiferous, noisy or having offensive characteristics, including but not limited to the following:

(1) *Class Reptilia.* Family Helodermatidae (venomous lizards); Family Viperidae (rattlesnakes, copperheads, cottonmouths, other pit vipers and true vipers); Family Elapidae (coral snakes, cobras, mambas and other elapids); the following listed species of Family Colubridae-Dispholidus typus (boomslang), Hydrodynastes gigas (water cobra), Boiga (mangrove snake), and Thelotornis (African twig snake) only; Order Phidia, Family Boidae (racers, boas, water snakes and pythons); and Order Crocodilia (crocodiles, alligators, caimans and gavials).

(2) *Class Aves.* Order Falconiforms (such as hawks, eagles and vultures), Subdivision Ratitae (such as ostriches, rheas, cassowaries and emus); Order Strigiforms (such as owls), genus Meleagris (such as turkey), genus Inachis (such as peacocks).

(3) *Class Mammalia.* Order Carnivora, Family Felidae (such as ocelots, margays, tigers, jaguars, leopards and cougars), except commonly accepted domesticated cats; Family Canidae (such as wolves, wolf-dog hybrids, dingos, coyotes and jackals), except domesticated dogs; Family Mustelidae (such as weasels, skunks, martens, mink and badgers); Family Procyonidae (raccoon); Family Ursidae (such as bears); Order Marsupialia (such as kangaroos and common opossums); Order Edentata (such as sloths, anteaters and armadillos); Order Proboscidea (elephants); Order Primata (such as monkeys, chimpanzees and gorillas); Order Rodentia (such as porcupines); Species Procine (such as swine and potbellied pigs).

(A) (1) *Prohibited wild animals.* Prohibited wild animals include the definition and regulations of the Tex. Health and Safety Code, subch. E, entitled Dangerous Wild Animals, as set forth in Tex. Health and Safety Code, §§ 822.101 through 822.116. The regulations of these sections, to the extent legally permissible, are adopted by the city, and the violation of these regulations is a violation of this section. The dangerous wild animals listed in Tex. Health and Safety Code, Ch. 822 are prohibited in the city. The Tex. Health and Safety Code sections cited above are adopted and incorporated by reference as if fully set forth herein.

(2) *Dangerous dogs.* Tex. Health and Safety Code, §§ 822.041 through 822.047, subch. D, entitled Dangerous Dogs, are adopted as regulations of the city by this section. Violation of these regulations is a violation of this section. The Tex. Health and Safety Code sections cited above are

are adopted and incorporated by reference as if fully set forth herein.

(3) The provisions of Tex. Health and Safety Code, Ch. 822 are adopted as they are effective on the date of Ordinance 697, and as they may hereafter be amended.

(B) Prohibited animal does not mean a gerbil, hamster, guinea pig or laboratory mouse or rat.

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**(C) Large animal.**

(1) A large animal is defined as any herbivorous grazing animal over 500 pounds body weight. It shall be unlawful for any person to keep a large animal on any premises except as follows, or to keep any large animal on any premises in an unsanitary condition.

(2) The minimum lot size for large animals is 1.8 net acres. For each lot, the portion of the lot in excess of one-half acre is determined to be the net grazing area. A person may keep large animals in accordance with the following:

(a) One large animal per one-half acre of net grazing area, when each animal is provided a fully enclosed stall inside a barn, suitable for the large animal's care and feeding, accessible by the animal and not used for storage or other use.

(b) One large animal per acre of net grazing area when no fully enclosed stall is provided for the large animal.

(c) ~~Two herbivorous grazing animals less than 500 pounds body weight shall be considered the same as one large animal in the calculation of the number of animals permitted on a lot.~~

(d) A special permit may be requested by applicants wishing to keep animals with a minor variance from the terms of this division (C).

(3) *Medium size animals.* An owner may have up to 8 animals whose adult body weight is between 200 and 500 pounds per acre of pasture, or other permitted animal. Medium size animals includes llamas.

(4) *Small size animals.* An owner may have up to 8 animals whose adult body weight is less than 200 pounds per acre of pasture. Small size animals includes alpacas. Provided, however:

(a) Swine known as "pot bellied pigs" are limited to 2 per residence.

(b) All other swine are prohibited, regardless of size.

(5) *Cumulative regulations.* The animal per acre restriction in this chapter prohibits cumulative numbers of large, medium, and/or small animals on the same acreage. Example: 2 acres of pasture may have 16 alpacas, but not 16 alpacas and 2 horses.

(6) *Pastured animals.* The foregoing regulations are relevant to pastured and stabled animals. (Ord. 414, passed 12-17-1996; Am. Ord. 560, passed 10-26-2004; Am. Ord. 625, passed 7-1-2008; Am. Ord. 697, passed 8-6-2013) Penalty, see § 92.99

**§ 92.04 ANIMALS RUNNING AT LARGE; BARKING DOGS.**

(A) *Running at large.* It shall be unlawful for any dog or other animal possessed, kept, or harbored, other than a cat, to run at large as is defined in § 92.01 of this code.

**§ 92.06 HUMANE TREATMENT OF ANIMALS REQUIRED.**

The following requirements are established for pet and animal care and not intended to contravene the provisions on animal cruelty as provided in the TEX. PENAL CODE, Ch. 42.

- (A) No owner shall fail to provide his or her animal(s) with sufficient good wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment.
- (B) No person shall beat, cruelly ill-treat, torment, overload, overwork, or otherwise abuse an animal, or cause, instigate, or permit any dogfight, cockfight, bullfight, or other combat between animals or between animals and humans.
- (C) No owner of an animal shall abandon the animal.
- (D) Any person who, as the operator of a motor vehicle, strikes a domestic animal, shall stop at once and render such assistance as may be possible and shall immediately report the injury or death to the animal's owner; in the event the owner cannot be ascertained and located, the operator shall at once report the accident to the appropriate law enforcement agency.
- (E) The use of steel jaw traps shall be prohibited.

(Ord. 414, passed 12-17-1996) Penalty, see § 92.99

**§ 92.07 ENFORCEMENT.**

- (A) Enforcement of this chapter shall be the responsibility of the City Police Department.
- (B) Upon receipt of a citizen's written complaint, the Police Department shall have the authority to issue citations for any violation of this chapter.
- (C) If the person being cited is not present, the Police Department may send the citation to the alleged offender by registered or certified mail.

(Ord. 414, passed 12-17-1996) Penalty, see § 92.99

**§ 92.99 PENALTY.**

- (A) Any person who shall violate any provision of this chapter for which no other penalty is provided shall, upon conviction thereof, be subject to penalties as provided in § 10.99 of this code.

## CHAPTER 97: PARKS AND RECREATION COMMISSION

### Section

- 97.01 Compensation of members
- 97.02 Meetings
- 97.03 Voting and quorum
- 97.04 Attendance of City Administrator and/or City Council Liaison
- 97.05 Places; alternates; duties of officers
- 97.06 Powers and duties
- 97.07 Subcommittees
- 97.08 Short title
- 97.09 Definitions
- 97.10 Enforcement
- 97.11 Unlawful acts
- 97.12 Use of commercial vehicles and the like
- 97.13 Parking vehicles
- 97.14 City-sponsored events
- 97.15 Park facilities
- 97.16 Damages and cost of services
  
- 97.99 Penalty

### § 97.01 COMPENSATION OF MEMBERS.

Members of the Commission shall serve without compensation.  
(Ord. 608, passed 2-27-2007)

### § 97.02 MEETINGS.

(A) *Regular meetings.* The Commission shall meet at least bi-monthly. Such bi-monthly meeting shall be on the last Wednesday of every other month at 7:30 ~~the suggested time of~~ 7:00 p.m. in the City Hall unless another time, date and place be designated by the Chairman, and all members of the Commission notified at least 7 days in advance. Regular meetings shall be in the months of January, March, May, July, September and November. The regular meeting in November may be set each year by resolution of the Commission as the first, second, third or fourth Wednesday of November to avoid conflict with the Thanksgiving holidays.

(B) *Special meetings.* Special meetings may be called by the Chairman or by written request sent to the Chairman or Vice-Chairman by 3 members of the Commission.

(Ord. 608, passed 2-27-2007; Am. Ord. 683, passed 10-30-2012)

### **§ 97.03 VOTING AND QUORUM.**

All questions presented for a vote of the Parks and Recreation Commission shall be decided by a simple majority of those present. A meeting may not be held unless a majority of the members are in attendance.

(Ord. 608, passed 2-27-2007)

### **§ 97.04 ATTENDANCE OF CITY ADMINISTRATOR AND/OR CITY COUNCIL LIAISON.**

The City Administrator and/or City Council Liaison may be in attendance at Commission meetings as required by the City Council. The City Administrator may have other members of the staff in attendance at Commission meetings when required or requested by the Commission. The City Administrator may participate in meetings to provide staff assistance, reports and recommendations as requested by the Commission.

(Ord. 608, passed 2-27-2007)

### **§ 97.05 PLACES; ALTERNATES; DUTIES OF OFFICERS.**

#### **(A) *Places.***

(1) The Parks and Recreation Commission for the city shall consist of ~~75~~ members appointed by a majority of the City Council. Each member shall serve in a place designated by the Council. Places ~~1, 2, 3 and 4~~, ~~1, 3, and 5~~ shall have 2-year terms, commencing June 1, 2007, and ending expiring May 31, 2009 in odd years. Places ~~5, 6 and 7~~ shall have ~~12~~ and ~~4~~ shall have 2-year terms, expiring May 31 in even years, starting June 1, 2007, and ending May 31, 2008. Thereafter, places ~~5, 6 and 7~~ shall be for 2 years, with the first being June 1, 2008, through May 31, 2010. Alternates are appointed for 2-year terms, commencing June 1 of each year. There are no term limits for appointees. Upon the passage of this chapter, the Council may designate, or redesignate, current members, and/or any members to be appointed, into each place, with the appropriate provisions as to the fulfillment of any unexpired terms. Unless otherwise designated by the City Council, the Commission member serving in a designated place upon the passage of this chapter continues in that place through May of the even, or odd, year for that place. All members of the Commission continue to serve until their successors are appointed and qualified, save and except when a member resigns, in writing. Such resignation shall be effective the date of its receipt by the City Secretary. All terms commence on June 1 of the even or odd year assigned that Place.

(2) There are no term limits for appointees. There are no term limits for appointees. Upon the passage of Ordinance 683, the Council may designate, or re-designate, current members, and/or any members to be appointed, into each Place, with the appropriate provisions as to the fulfillment of any unexpired terms.

(3) Unless otherwise designated by the City Council, the Commission member serving in a designated Place upon the passage of Ordinance 681 continues in that Place through May 31 of the even or odd year term for that Place. All members of the Commission continue to serve until their successors are appointed and qualified, save and except when a member resigns, in writing. Such resignation shall be effective the date of its receipt by the City Secretary.

(B) *Alternates.* A majority of the City Council may appoint 1, 2, ~~or 3~~ or 4 alternates to the Parks and Recreation Commission. The terms of the alternates will be 1-year terms, unless specifically set at the time of the appointment of the alternate as a 2-year term. An alternate may be reappointed at the discretion of the Council. Regardless of the term assigned to the alternate, the City Council may remove an alternate with or without cause at any time. Terms of alternates commence June 1 of each year. All

alternates continue to serve until their successors are appointed and qualified; save and except when an alternate resigns in writing. Alternate members shall be classified as members for all purposes other than regular voting.

(C) *Duties.* The duties of the officers of the Parks and Recreation Commission shall be as follows:

(1) *Chairman.* The Chairman shall preside at all meetings when he or she is present. The Chairman shall implement or cause to have implemented any practice or procedure in the calling of meetings, conduct of meetings, or reporting of activities that he or she considers in the best interest of the Commission and shall so inform the City Council or consult with the City Council when necessary or desirable. It shall be the responsibility of the Chairman to request from the City Administrator support activity needed from the city. It shall be the responsibility of the Chairman to submit reports to the City Council, when necessary or requested, relative to such matters as Commission activity, participation by members, and any other matters deemed significant relative to the Commission's functions. The Chairman may represent the Parks and Recreation Commission at public functions.

(2) *Vice-Chairman.* The Vice-Chairman shall assist the Chairman in directing the total affairs of the Commission. In the absence of Chairman, the Vice-Chairman shall assume all duties of the Chairman.

(3) *Secretary.* The Secretary shall take minutes and maintain the books and records of the Commission.

(Ord. 608, passed 2-27-2007; Am. Ord. 683, passed 9-4-2012; Am. Ord. 688, passed 10-30-2012)

## § 97.06 POWERS AND DUTIES.

The Commission shall have the following powers and perform the following duties:

(A) *Advisory capacity to Council.* The primary role of the Commission shall be to advise the Council regarding the city land known as the Preserve, adjacent to City Hall. It shall act only in an advisory capacity to the City Council in all matters pertaining to nature areas, trails, open space, historical areas, public gardens, and public activity, collectively referred to as recreation, shall acquaint itself with and make a continuous study and inspection of the complete "open spaces plan" [or "nature plan"] of the city; and shall advise with the City Council from time to time as to the present and future maintenance, operation, planning, acquisition, development, enlargement and use policy of the city open space property.

(B) *Recommend standards.* It shall recommend the adoption of standards on areas, facilities, program and financial support.

(C) *Review, maintenance of master planning guide: review of services and needs.* There shall be created a master planning guide for city open spaces areas and the Commission shall review and maintain such master planning guide. Such master planning guide shall be considered, revised and maintained with

(b) *Prohibited materials.* Materials prohibited are razor ribbon, sheet metal, corrugated steel and fiberglass panel, plywood, or any other similar material manufactured for other uses.

(6) *Certain locations, construction prohibited.*

(a) *Within easements.* No fence shall be located within any easement except by prior written approval of those agencies having interest in that easement.

(b) *Electric fences.* No fence erected shall be electrically charged in a manner to be dangerous to humans.

(7) *Swimming pool enclosures.* A building permit is required for the construction of all swimming pools, and all pools and their associated safety fences shall be built according to the building code.

— (J) *Animal restrictions, SF.*

— (1) ~~It shall be unlawful for a person to keep any swine within the city limits.~~

— (2) ~~It shall be unlawful for any person to keep large animals on any premises except as follows, or to keep any large animals on any premises in an unsanitary condition.~~

— (3) ~~The minimum lot size for large animals is 1.8 net acres. For each lot, the portion of the lot in excess of  $\frac{1}{2}$  acre is determined to be the net grazing area. A person may keep large animals in accordance with the following:~~

— (a) ~~One large animal per  $\frac{1}{2}$  acre of net grazing area, when each animal is provided a fully enclosed stall inside a barn, suitable for the large animal's care and feeding.~~

— (b) ~~One large animal per acre of net grazing area, when no fully enclosed stall is provided for the large animal.~~

— (c) ~~Two miniature horses shall be considered the same as 1 large animal.~~

(Ord. 483, passed 6-6-2000; Am. Ord. 508, passed 7-10-2001; Am. Ord. 697, passed 8-6-2013)  
Penalty, see § 156.99

**§ 156.33 SINGLE-FAMILY TRANSITIONAL DISTRICT.**

(A) *Purpose; SFT.* The purpose of this classification is to provide for the gradual transition from the smaller lot sizes in neighboring cities to the larger lot sizes preferred by most city residents. This classification also provides for a landscaped bufferyard between cities.

(4) *Inspection and maintenance.* When any fence is completed, it must be inspected. The Building Inspection Department shall be notified upon completion of the fence. The Chief Building Official will issue a card of acceptance if the fence complies with the provisions of this section, or it will be rejected. All fences constructed under the provisions of this section shall be maintained so as to comply with the requirements of this section at all times. Fences shall be maintained by the owner or person in charge of the property in as near as possible the condition of the fence when installed and accepted as provided herein, and shall be maintained as follows:

- (a) The fence shall not be out of vertical alignment more than 20%; and
- (b) All damaged, removed, or missing portions of the fence shall be replaced or repaired with comparable materials of a comparable color to the remaining portions of the fence.

(5) *Materials.*

(a) *Permitted materials.* Materials permitted are wood, concrete, masonry, chain link, wrought iron, metal tubing, vinyl, fiberglass composite, barbed wire, or other materials approved by the Building Official for exterior exposure as fence material.

(b) *Prohibited materials.* Materials prohibited are razor ribbon, sheet metal, corrugated steel and fiberglass panel, plywood, or any other similar material manufactured for other uses.

(6) *Certain locations, construction prohibited.*

(a) *Within easements.* No fence shall be located within any easement except by prior written approval of those agencies having interest in that easement.

(b) *Electric fences.* No fence erected shall be electrically charged in a manner to be dangerous to humans.

(7) *Swimming pool enclosures.* A building permit is required for the construction of all swimming pools, and all pools and their associated safety fences shall be built according to the building code.

(J) *Animal restrictions; SFT.*

- (1) It shall be unlawful for a person to keep any swine within the city limits.
- (2) It shall be unlawful for any person to keep large animals on any premises except as follows, or to keep any large animals on any premises in an unsanitary condition.
- (3) The minimum lot size for large animals is 1.8 net acres. For each lot, the portion of the lot in excess of  $\frac{1}{2}$  acre is determined to be the net grazing area. A person may keep large animals in accordance with the following:

~~(a) One large animal per ½ acre of net grazing area, when each animal is provided a fully enclosed stall inside a barn, suitable for the large animal's care and feeding.~~

~~(b) One large animal per acre of net grazing area, when no fully enclosed stall is provided for the large animal.~~

~~(c) Two miniature horses shall be considered the same as 1 large animal.~~

(Ord. 483, passed 6-6-2000; Am. Ord. 508, passed 7-10-2001; Am. Ord. 697, passed 8-6-2013)  
Penalty, see § 156.99

### **§ 156.34 MANUFACTURED HOUSING DISTRICT.**

#### **(A) *Purpose; MH.***

(1) The manufactured housing district is designated in order to provide an adequately controlled area for the placement of manufactured homes, and to ensure an environment suitable for family living. The terms "HUD-Code manufactured home," "mobile home," "manufactured housing," and "recreational vehicle" as used herein are as defined in Tex. Occupation Code, Ch. 1201 and Tex. Trans. Code, § 522.004(b), as amended.

(2) Any violations of the provisions of the manufactured housing district ordinance passed September 19, 1995 which occurred prior to the date of any amendments to this chapter are not waived or released by those amendments. The provisions of this chapter in effect on the date of any violation of this chapter shall be interpreted as still being in effect on the date any violation is prosecuted. Further, no amendments to this chapter shall waive, accept, or approve any nonconforming use which existed immediately prior to September 19, 1995, the date the preceding manufactured housing district ordinance was enacted. Any nonconforming use on the date this manufactured housing district ordinance was originally passed by the city is a nonconforming use solely for the size of the tract, the number of mobile homes, or manufactured homes, located on the manufactured housing tracts, or the mobile home tracts, on the date this chapter was passed. No additional manufactured housing or mobile homes are permitted without strict compliance with this chapter.

#### **(B) *Principal permitted uses; MH.***

(1) (a) Individually owned manufactured homes and lots in an approved manufactured housing district subdivision; and

(b) Commercial manufactured home parks providing, either on a rental or as an outright sale, lots for placement of manufactured homes with utilities for those manufactured homes.

(2) Supporting service facilities for the exclusive use of the residents will be permitted within the manufactured home park.

(a) Landscaping requirements may be waived or modified by the City Council at the site plan stage if a finding is made that the site plan provides sufficient permeable surfaces and adequately addresses the drainage and visual impacts of impermeable surfaces.

(b) There shall be a minimum of 1 tree planted in the parking area for each 400 square feet or fraction thereof of hard surfaced area. Trees shall be a minimum of a 4-inch caliper, and shall be conifers or hardwoods.

(c) The perimeter of all parking areas should be effectively screened to a minimum depth of 15 feet from streets, driveways, drop-off areas, buildings, and open spaces.

(d) An area equal to 15% of the total size of the parking lot must be landscaped and permeable, exclusive of perimeter plantings.

(H) *Manufactured housing limitations; SA.* No mobile homes or HUD-Code manufactured homes shall be permitted.

(Ord. 483, passed 6-6-2000) Penalty, see § 156.99

### **§ 156.37 SUPPLEMENTARY DISTRICT REGULATIONS.**

The following supplementary district regulations are hereby adopted and shall apply in all cases where specified by this section.

(A) *Visibility at intersections in all districts.* On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vehicle drivers' vision at intersections.

(B) *Fences, walls, and hedges.* Notwithstanding other provisions of this chapter, fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard, provided that the fences, walls, or hedges along lot lines at street intersections do not impair visibility at the intersection within an area defined by lines of joining points located 20 feet back from the intersection of all curb lines extended.

(C) *Offensive trade activity.* No offensive trade activity shall be carried on upon any lot, nor shall anything be done which may be or become an annoyance or nuisance. No lot shall be used or maintained as a dumping ground for rubbish.

(D) *Lot maintenance.* In all districts, lots shall be maintained in such a manner as to be free and clear of debris. ~~The following provisions relate only to the height of grass and weeds. All vegetation, except for regularly cultivated crops, trees, or shrubbery, which exceeds 12 inches in height shall be presumed to be objectionable and unsightly. Regularly cultivated crops shall not be allowed to grow within the right-of-way of any public street or easement but shall be kept mowed. It shall be the duty of any person owning, claiming, occupying, or having supervision or control of any~~

real property to cut and remove all weeds, brush, or other objectionable or unsightly matter as often as may be necessary; provided that the removing and cutting same at least once in every 30 days shall be deemed a compliance with this chapter; and to use every precaution to prevent the same growing on the premises to become a nuisance.

(1) On tracts of land, whether platted or described by metes and bounds, grass and weeds are not permitted to grow to a height in excess of 12 inches unless the vegetation is for agricultural operations and may then exceed 12 inches.

(2) Agricultural operations include the following activities:

- (a) Cultivating the soil (tilling soil in order to better prepare it for planting);
- (b) Producing crops for human food, animal feed, planting seed, or fiber;
- (c) Floriculture (cultivation and management of ornamental and flowering plants);
- (d) Viticulture (the cultivation or culture of grapes especially for wine making);
- (e) Horticulture (growing fruits, vegetables, flowers, or ornamental plants - wildflowers may exceed 12 inches when growing, but shall be mowed to a maximum height of 12 inches after seeding);
- (f) Silviculture (dealing with the development and care of forests);
- (g) Current wildlife management;
- (h) Current raising or keeping livestock or poultry.

(3) Regularly cultivated crops shall not be allowed to grow within the public road right-of-way of any public street or easement but shall be kept mowed. It shall be the duty of any person owning, claiming, occupying, or having supervision or control of any real property to cut and remove all weeds, brush, or other objectionable or unsightly matter as often as may be necessary; provided that the removing and cutting same at least once in every 30 days shall be deemed a compliance with this chapter; and to use every precaution to prevent the same growing on the premises to become a nuisance.

(E) *Exceptions to height regulations.* The height limitations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

(F) *Structures to have access.* Every building erected or moved shall be on a lot with direct access on a public street, or with access to a municipally approved street. All structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection, and required on-site parking.

(G) *Yard definitions.* Yards as required in this chapter are open spaces on the lot on which a building is situated and which are open and unobstructed to the sky, except as herein provided.

(1) *Front yard.* A yard facing and abutting a street and extending across the full width of the

(b) Temporary storage units and trash containers must not be in the right-of-way or public easement.

(2) Construction storage and trash containers.

(a) Storage and trash containers, or other containers in use for a permitted construction project, must be removed within 10 days of the project completion or issuance of a CO (certificate of occupancy).

(b) Construction storage units and trash containers must not be in the right-of-way or public easement.

(3) Non-temporary storage units.

(a) Shipping containers, PODS, railroad cars, or transportation storage equipment may not be located on a residential lot in a permanent manner.

(b) Storage sheds of less than 126 square feet of floor area are allowed on residential properties. Not more than 1 per acre will be allowed. The shed must be placed behind the rear building line of the principal dwelling, and, on a corner lot, no closer to the street than the main dwelling. Building setbacks do not apply to storage sheds described in this division (P)(3).

(4) Non-temporary trash containers. All non-temporary trash containers require an SUP, must be screened on all 4 sides, with access on 1 side, and must be out of the right-of-way and/or city easement.

(5) Portable toilets.

(a) Portable toilets are required for permitted construction projects, and must be removed within 10 days of the project completion or CO.

(b) Portable toilets are allowed on a residential lot for special events of up to 3 days without a permit.

(c) Portable toilets are allowed on agricultural zoned lots (non-residential) without a permit, but not be placed within 100 feet of the property lines.

(Ord. 483, passed 6-6-2000; Am. Ord. 508, passed 7-10-2001; Am. Ord. 638, passed 2-17-2009; Am. Ord. 653, passed 3-16-2010; Am. Ord. 696, passed 5-21-2014) Penalty, see § 156.99

***HEALTH AND SAFETY CODE***

<i>Statutory Reference</i>	<i>2005 Code</i>
Ch. 342	94.04
Ch. 826	Ch. 92
Ch. 822, subch. E	92.03
822.041 through 822.047	92.03
822.101 through 822.116	92.03

<i>Ord. No.</i>	<i>Date Passed</i>	<i>2005 Code</i>
350	1-12-1993	156.36
353	8-10-1993	30.45
358	2-8-1994	91.01 - 91.08, 91.99
359	2-8-1994	151.22
360	2-22-1994	33.01
379	12-13-1994	30.45
381-95	3-14-1995	31.01 - 31.05
382	7-11-1995	70.01, 70.99
392	11-14-1995	31.06
395	12-12-1995	130.02, 130.99
401	5-14-1996	34.01
403	9-27-1996	156.16
410	11-19-1996	150.01
414	12-17-1996	92.01 - 92.07, 92.06, 92.99
415	3-25-1997	33.03
418	8-8-1997	34.02
422	8-26-1997	154.01, 154.99
428	10-14-1997	71.02, 71.99
429	10-14-1997	30.45
439	7-14-1998	51.70 - 51.77, 51.99
445	9-8-1998	30.45
455	4-13-1999	155.051, 155.999
458	4-27-1999	50.01 - 50.07, 50.99
459	5-11-1999	110.01 - 110.17, 110.99
462	6-8-1999	71.01, 71.99
469	10-5-1999	51.56
477	11-16-1999	151.01 - 151.05, 151.99
478	1-18-2000	34.03
480	3-21-2000	95.15 - 95.25, 95.99
481	5-2-2000	30.46
483	6-6-2000	156.01, 156.02, 156.15 - 156.18, 156.30 - 156.37, 156.50 - 156.52, 156.65 - 156.71, 156.99
487	7-18-2000	155.001 - 155.010, 155.025 - 155.032, 155.045 - 155.050, 155.052 - 155.062, 155.075 - 155.077, 155.090 - 155.093, 155.999, Ch. 155 Appendix
495	12-19-2000	52.02, 52.99
498	3-13-2001	33.02
505	5-29-2001	152.01 - 152.07, 152.99

<i>Ord. No.</i>	<i>Date Passed</i>	<i>2005 Code</i>
661	9-21-2010	Adopting Ordinance
666	4-19-2011	53.04, 53.99
667	5-3-2011	151.21, 151.99
683	9-1-2012	97.05
688	10-30-2012	97.02, 97.05
696	5-21-2013	156.37
697	8-6-2013	92.03, 156.32, 156.33
699	7-15-2013	33.03
705	10-15-2013	53.04

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- Junked vehicles; restrictions; removal and disposition, 90.03

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**ORDINANCE NO. 706**  
(AMENDING ORDINANCE NO. 2011-666)

*(Regulating Storage, Collection, and Disposal of Brush and Bulky Items of Solid Waste)*

**AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AMENDING ORDINANCE NO. 2011-666, REGULATING THE STORAGE, COLLECTION, AND DISPOSAL OF BRUSH AND BULKY ITEMS OF SOLID WASTE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED \$500.00 PER DAY, FOR EACH DAY OF VIOLATION; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR REVOCATION OF CONFLICTING ORDINANCES; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, large lots, extensive agriculture, and landscaping within the City of Parker may produce significant accumulations of brush and/or other bulky items in need of disposal; and

**WHEREAS**, the City of Parker provides a brush and bulky items solid waste disposal service to its residents, at certain regulated times during the year; and

**WHEREAS**, a property owner's storage of brush and other bulky items collected from the owner's property is a practice which may produce a physical and visual hazard for the travelling public, all against the health, safety, and welfare of the residents of the City of Parker, Texas; and

**WHEREAS**, Ordinance 2011-666 established requirements for the placement and timing of the removal of brush and bulky items, which the council now has determined should be further amended;

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

Section 1. It is a violation of this Ordinance to place or store:

- A. Brush items (including trees, tree limbs, plants, and/or leaves), and/or
- B. Bulky items (including appliances, and other trash items too large to be contained in the residential trash bin)

within 25 feet from the edge of the surface of the road more than seven (7) days prior to the date such items are scheduled to be removed by the city solid waste service.

Section 2. Residents are requested to place their brush and bulky items within ten (10) feet from the edge of the roadbed within the seven day period to facilitate its pick up and removal.

Section 3. The date scheduled for collection by the city is not counted in the seven (7) day period. The schedule for brush and bulky item pick-up may be obtained from the City of Parker's web site, or, in the event it is not available on the web site, directly from Parker City Hall.

Section 4. That should any sentence, paragraph, 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 the Ordinance as a whole.

Section 5. That all provisions of the ordinances of the City of Parker in conflict with the provisions of this Ordinance be, 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 6. That any person, firm or corporation violating any of the provisions or terms of this Ordinance upon conviction shall be punished by a fine not to exceed the sum of \$500.00 for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 7. 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.

**PASSED AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 15TH DAY OF OCTOBER, 2013.**

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

**ORDINANCE NO. 699**  
*(Amending Ordinance No. 515 – Fire Department)*

**AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, MODIFYING ORDINANCE NO. 515, BY REVISING THE QUALIFICATIONS NECESSARY TO BE APPOINTED CITY FIRE MARSHAL; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Parker wishes to be proactive in the continuing development of all city services, including the fire department; and

**WHEREAS**, the continuing evaluation of all city services may, in part, result in the modifications of requirements and qualifications of those volunteers serving in the Parker Fire Department;

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

**SECTION 1.**

Ordinance No. 515, entitled “Fire Department”, is modified as follows:

**Section 3** entitled “**OFFICERS’ DUTIES AND POWERS**”, is amended by revoking section 3.a., which reads as follows:

“3. Fire Marshal:

a. Shall be a certified police officer;”

Section 3.a. shall be replaced with the following:

“3. Fire Marshal:

a. Shall hold certifications issued and approved by the appropriate state agency for Fire Investigator, and Fire Inspector;”

**SECTION 2. 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 any 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.

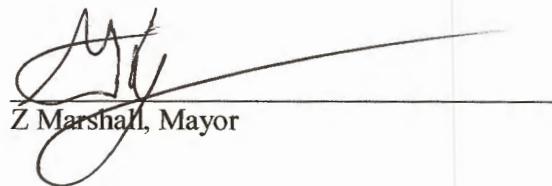
**SECTION 3. REPEALER:**

That all provisions of the ordinances of the City of Parker in conflict with the provisions of this Ordinance be, 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 4. EFFECTIVE DATE:**

This Ordinance shall be effective on the date of its adoption.

**ADOPTED** by the City Council of the City of Parker, Texas, on this 15<sup>th</sup> day of July, 2013.



Z Marshall, Mayor

ATTEST:



Carrie L. Smith  
Carrie Smith, City Secretary

APPROVED AS TO FORM:



James E. Shepherd  
James E. Shepherd, City Attorney

**ORDINANCE NO. 697**  
*(Consolidated Animal Regulations)*

**AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AMENDING AND RESTATING ITS REGULATIONS REGARDING ANIMALS INTO CHAPTER 92 OF THE PARKER MUNICIPAL CODE OF ORDINANCES, AND AMENDING CHAPTER 156, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF PARKER, AT SECTIONS 156.32 AND 156.33; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$500.00 FOR EACH OFFENSE; AND PROVIDING A PUBLICATION CLAUSE.**

**WHEREAS**, the City Council of the City of Parker, Collin County, Texas has determined it is necessary to revise and restate the animal regulations of the City of Parker; and

**WHEREAS**, all lawful requirements to amend the Comprehensive Zoning Ordinance of the City of Parker have been complied with, including public notice, public hearings before the City Council and the Planning and Zoning Commission, receipt of a written report from the Planning and Zoning Commission regarding animal regulations, and the appropriate deliberation by the City Council; and

**WHEREAS**, the intent of the City Council is to consolidate the majority of the animal regulations in the City of Parker Code of Ordinances, at Chapter 92: Animals;

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

**SECTION 1.** Provisions of the Parker Comprehensive Zoning Ordinance, codified as Chapter 156 of the City of Parker Code of Ordinances, are revised as follows:

- A. Section 156.32 (J) entitled *Animal Restrictions: SF* is repealed.
- B. Section 156.33 (J) entitled *Animal Restrictions: SFT* is repealed.
- C. Section 92.03 of the City of Parker Code of Ordinances, entitled **WILD, EXOTIC, AND VICIOUS ANIMALS**, is amended by repealing Sections 92.03 (A) (1) *Class Reptilia*, (2) *Class Aves*, (3) *Class Mammalia*, and Section 92.07, entitled **ENFORCEMENT**.

Sections 92.03 (A) (1), (2), and (3) are revised as follows:

“(1) *Prohibited wild animals.* Prohibited wild animals include the definition and regulations of the Texas Health and Safety Code, subchapter E, entitled Dangerous Wild Animals, as set forth in Sections 822.101 through 822.116. The regulations of these sections, to the extent legally permissible, are adopted by the City of Parker, and the violation of these regulations is a violation of this ordinance. The Dangerous Wild Animals listed in Section 822

of the Texas Health and Safety Code are prohibited in the City of Parker. The Code sections adopted and incorporated herein are as follows:

**“ Texas Health and Safety Code**

**Sec. 822.101. DEFINITIONS.** In this subchapter:

(1) "Dangerous wild animal" means:

- (A) a lion;
- (B) a tiger;
- (C) an ocelot;
- (D) a cougar;
- (E) a leopard;
- (F) a cheetah;
- (G) a jaguar;
- (H) a bobcat;
- (I) a lynx;
- (J) a serval;
- (K) a caracal;
- (L) a hyena;
- (M) a bear;
- (N) a coyote;
- (O) a jackal;
- (P) a baboon;
- (Q) a chimpanzee;
- (R) an orangutan;
- (S) a gorilla; or
- (T) any hybrid of an animal listed in this subdivision.

(2) "Owner" means any person who owns, harbors, or has custody or control of a dangerous wild animal.

(3) "Person" means an individual, partnership, corporation, trust, estate, joint stock company, foundation, or association of individuals.

(4) "Primary enclosure" means any structure used to immediately restrict an animal to a limited amount of space, including a cage, pen, run, room, compartment, or hutch.

(2) *Dangerous Dogs.* Sections 822.041 through 822.047 of the Texas Health and Safety Code, subchapter D, entitled Dangerous Dogs, are adopted as regulations of the City of Parker by this ordinance. Violation of these regulations is a violation of this ordinance. The Code sections adopted and incorporated herein are as follows:

**"DANGEROUS DOG STATUTES**  
**SUBCHAPTER D. DANGEROUS DOGS**

**Sec. 822.041. DEFINITIONS.** In this subchapter:

- (1) "Animal control authority" means a municipal or county animal control office with authority over the area where the dog is kept or a county sheriff in an area with no animal control office.
- (2) "Dangerous dog" means a dog that:

- (A) makes an unprovoked attack on a person that causes bodily injury and occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or
- (B) commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.

(3) "Dog" means a domesticated animal that is a member of the canine family.

(4) "Secure enclosure" means a fenced area or structure that is:

- (A) locked;
- (B) capable of preventing the entry of the general public, including children;
- (C) capable of preventing the escape or release of a dog;
- (D) clearly marked as containing a dangerous dog; and
- (E) in conformance with the requirements for enclosures established by the local animal control authority.

(5) "Owner" means a person who owns or has custody or control of the dog.

**Sec. 822.042. REQUIREMENTS FOR OWNER OF DANGEROUS DOG.**

- (a) Not later than the 30th day after a person learns that the person is the owner of a dangerous dog, the person shall:
  - (1) register the dangerous dog with the animal control authority for the area in which the dog is kept;
  - (2) restrain the dangerous dog at all times on a leash in the immediate control of a person or in a secure enclosure;
  - (3) obtain liability insurance coverage or show financial responsibility in an amount of at least \$100,000 to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person and provide proof of the required liability insurance coverage or financial responsibility to the animal control authority for the area in which the dog is kept; and
  - (4) comply with an applicable municipal or county regulation, requirement, or restriction on dangerous dogs.
- (b) The owner of a dangerous dog who does not comply with Subsection (a) shall deliver the dog to the animal control authority not later than the 30th day after the owner learns that the dog is a dangerous dog.
- (c) If, on application of any person, a justice court, county court, or municipal court finds, after notice and hearing as provided by Section 822.0423, that the owner of a dangerous dog has failed to comply with Subsection (a) or (b), the court shall order the animal control authority to seize the dog and shall issue a warrant authorizing the seizure. The authority shall seize the dog or order its seizure and shall provide for the impoundment of the dog in secure and humane conditions.
- (d) The owner shall pay any cost or fee assessed by the municipality or county related to the seizure, acceptance, impoundment, or destruction of the dog. The governing body of the municipality or county may prescribe the amount of the fees.
- (e) The court shall order the animal control authority to humanely destroy the dog if the owner has not complied with Subsection (a) before the 11th day after the date on which the dog is seized or delivered to the authority. The court shall order the authority to return the dog to the owner if the owner complies with Subsection (a) before the 11th day after the date on which the dog is seized or delivered to the authority.
- (f) The court may order the humane destruction of a dog if the owner of the dog has not been located before the 15th day after the seizure and impoundment of the dog.

(g) For purposes of this section, a person learns that the person is the owner of a dangerous dog when:

- (1) the owner knows of an attack described in Section 822.041(2)(A) or (B);
- (2) the owner receives notice that a justice court, county court, or municipal court has found that the dog is a dangerous dog under Section 822.0423; or
- (3) the owner is informed by the animal control authority that the dog is a dangerous dog under Section 822.0421.

**Sec. 822.0421. DETERMINATION THAT DOG IS DANGEROUS.**

(a) If a person reports an incident described by Section 822.041(2), the animal control authority may investigate the incident. If, after receiving the sworn statements of any witnesses, the animal control authority determines the dog is a dangerous dog, it shall notify the owner of that fact.

(b) An owner, not later than the 15th day after the date the owner is notified that a dog owned by the owner is a dangerous dog, may appeal the determination of the animal control authority to a justice, county, or municipal court of competent jurisdiction. An owner may appeal the decision of the justice, county, or municipal court in the same manner as appeal for other cases from the justice, county, or municipal court.

**Sec. 822.044. ATTACK BY DANGEROUS DOG.**

(a) A person commits an offense if the person is the owner of a dangerous dog and the dog makes an unprovoked attack on another person outside the dog's enclosure and causes bodily injury to the other person.

(b) An offense under this section is a Class C misdemeanor.

(c) If a person is found guilty of an offense under this section, the court may order the dangerous dog destroyed by a person listed in Section 822.004.

**Sec. 822.045. VIOLATIONS.**

(a) A person who owns or keeps custody or control of a dangerous dog commits an offense if the person fails to comply with Section 822.042 or Section 822.0422(b) or an applicable municipal or county regulation relating to dangerous dogs.

(b) Except as provided by Subsection (c), an offense under this section is a Class C misdemeanor.

(c) An offense under this section is a Class B misdemeanor if it is shown on the trial of the offense that the defendant has previously been convicted under this section.

**Sec. 822.046. DEFENSE.**

(a) It is a defense to prosecution under Section 822.044 or Section 822.045 that the person is a veterinarian, a peace officer, a person employed by a recognized animal shelter, or a person employed by the state or a political subdivision of the state to deal with stray animals and has temporary ownership, custody, or control of the dog in connection with that position.

(b) It is a defense to prosecution under Section 822.044 or Section 822.045 that the person is an employee of the institutional division of the Texas Department of Criminal Justice or a law enforcement agency and trains or uses dogs for law enforcement or corrections purposes.

(c) It is a defense to prosecution under Section 822.044 or Section 822.045 that the person is a dog trainer or an employee of a guard dog company under Chapter 1702, Occupations Code.

Sec. 822.047. LOCAL REGULATION OF DANGEROUS DOGS. A county or municipality may place additional requirements or restrictions on dangerous dogs if the requirements or restrictions:

- (1) are not specific to one breed or several breeds of dogs; and
- (2) are more stringent than restrictions provided by this subchapter."

(3) The provisions specified above in this Section 1 of Chapter 822 of the Texas Health and Safety Code are adopted as they are effective on the date of this ordinance, and as they may hereafter be amended."

D. Section 92.03 (C), entitled *Large animal*, is amended by adding Sections 3, 4, 5 and 6 as follows:

"(3) *Medium Size Animals*. An owner may have up to eight (8) animals whose adult body weight is between 200 – 500 pounds per acre of pasture, or other permitted animal. Medium Size Animals includes Llamas."

(4) *Small Size Animals*. An owner may have up to eight (8) animals whose adult body weight is less than 200 pounds per acre of pasture. Small Size Animals includes Alpacas. Provided, however:

- (A) Swine known as "pot bellied pigs" are limited to two per residence.
- (B) All other swine are prohibited, regardless of size.

(5) *Cumulative Regulations*. The animal per acre restriction in this chapter prohibits cumulative numbers of Large, Medium, and/or Small animals on the same acreage. Example: Two acres of pasture may have 16 alpacas, but not 16 alpacas and two horses.

(6) *Pastured animals*. The foregoing regulations are relevant to pastured and stabled animals."

E. Section 92.03 C. 2 (c) is repealed.

**SECTION 2.** Should any sentence, paragraph, 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 the Comprehensive Zoning Ordinance or the Code of Ordinances, as amended, as a whole.

**SECTION 3.** All provisions of the ordinances of the City of Parker in conflict with the provisions of this Ordinance be, 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 4.** 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 Municipal Code of the City of Parker, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of \$500.00 for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 5.** 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.

ADOPTED this 6<sup>th</sup> day of August, 2013, by the Parker City Council.

APPROVED:



Z. Marshall, Mayor



ATTEST:



Carrie Smith, City Secretary

APPROVED AS TO FORM:



James E. Shepherd, City Attorney

**ORDINANCE NO. 696**

*(Amending Municipal Code of Ordinances Chapter 156, § 156.37,  
Lot Maintenance Requirements)*

**AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AMENDING THE CITY OF PARKER MUNICIPAL CODE OF ORDINANCES, CHAPTER 156, AT SECTION 156.37 (D), LOT MAINTENANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City Council of the City of Parker has reviewed the lot maintenance requirements of the Parker Code of Ordinances; and

**WHEREAS**, the City Council has determined that amendments to the Code of Ordinances regarding lot maintenance are in the best interest of the city;

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

**SECTION 1. AMENDMENTS. CHAPTER 156, SUPPLEMENTARY DISTRICT REGULATIONS, AT SECTION 156.37 (D): LOT MAINTENANCE** of the City of Parker Municipal Code of Ordinances is amended, and shall hereafter read as follows:

“(D) *Lot maintenance.* In all districts, lots shall be maintained in such a manner as to be free and clear of debris. The following provisions relate only to the height of grass and weeds:

- (1) On tracts of land, whether platted or described by metes and bounds, grass and weeds are not permitted to grow to a height in excess of 12 inches unless the vegetation is for agricultural operations and may then exceed 12 inches.
- (2) Agricultural operations include the following activities:
  - a. Cultivating the soil (tilling soil in order to better prepare it for planting);
  - b. Producing crops for human food, animal feed, planting seed, or fiber;
  - c. Floriculture (cultivation and management of ornamental and flowering plants)
  - d. Viticulture (the cultivation or culture of grapes especially for wine making)
  - e. Horticulture (growing fruits, vegetables, flowers, or ornamental plants – wildflowers may exceed 12 inches

when growing, but shall be mowed to a maximum height of 12 inches after seeding);

- f. Silviculture (dealing with the development and care of forests);
- g. Current wildlife management;
- h. Current raising or keeping livestock or poultry.

Regularly cultivated crops shall not be allowed to grow within the public road right-of-way of any public street or easement but shall be kept mowed. It shall be the duty of any person owning, claiming, occupying, or having supervision or control of any real property to cut and remove all weeds, brush, or other objectionable or unsightly matter as often as may be necessary; provided that the removing and cutting same at least once in every 30 days shall be deemed a compliance with this chapter; and to use every precaution to prevent the same growing on the premises to become a nuisance."

**SECTION 2. SEVERABILITY CLAUSE.** Should any sentence, paragraph, 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 the Ordinance as a whole.

**SECTION 3. REPEALER CLAUSE.** All provisions of the ordinances of the City of Parker in conflict with the provisions of this Ordinance be, 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 4. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, and it is so ordained.

21<sup>st</sup> **DULY PASSED** by the City Council of the City of Parker, Collin County, Texas, on the day of May, 2013.

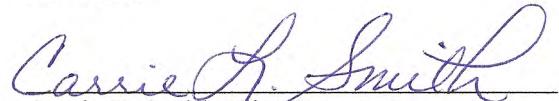


APPROVED:



Z Marshall, Mayor

ATTEST:

  
Carrie L. Smith, City Secretary

APPROVED AS TO FORM:

James E. Shepherd, City Attorney

**ORDINANCE NO. 688**  
(Amending Municipal Code of Ordinances Chapter 97  
Parks and Recreation Commission)

**AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AMENDING THE CITY OF PARKER MUNICIPAL CODE OF ORDINANCES, CHAPTER 97: REGARDING THE PARKS AND RECREATION COMMISSION; AMENDING THE REQUIREMENT THE MEETINGS OF THE COMMISSION BE HELD AT 7:30PM; AMENDING THE NUMBER OF ALTERNATES TO THAT COMMISSION FROM 3, TO 4 ALTERNATES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Parks and Recreation Commission of the City of Parker, Collin County, Texas has reduced its full board membership from 7 members to 5; and

**WHEREAS**, the Parks and Recreation Commission has requested the City Council to expand the number of commission alternates from 3 alternates to 4;

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

**SECTION 1. AMENDMENTS TO THE PARKER MUNICIPAL CODE OF ORDINANCES, CHAPTER 97: PARKS AND RECREATION COMMISSION:**

**AMENDMENT A.** The required time of Commission meetings of 7:30PM is deleted, and **§ 97.02 MEETINGS (A)** shall hereafter read as follows:

“(A) *Regular meetings.* The Commission shall meet at least bi-monthly. Such bi-monthly meeting shall be on the last Wednesday of every other month at the suggested time of 7:00 PM in the City Hall unless another time, date and place be designated by the Chairman, and all members of the Commission notified at least 7 days in advance. Regular meetings shall be in the months of January, March, May, July, September and November. The regular meeting in November may be set each year by resolution of the Commission as the first, second, third or fourth Wednesday of November to avoid conflict with the Thanksgiving holidays.

**AMENDMENT B.** The maximum number of alternates to the Parks and Recreation Commission is changed from 3 to 4, and **§ 97.05 PLACES; ALTERNATES; DUTIES OF OFFICERS. (B) Alternates.** shall hereafter read as follows:

“(B) *Alternates.* A majority of the City Council may appoint 1, 2, or 3 or 4 alternates to the Parks and Recreation Commission. The terms of the alternates will be 1-year terms, unless specifically

set at the time of the appointment of the alternate as a 2-year term. An alternate may be reappointed at the discretion of the Council. Regardless of the term assigned to the alternate, the City Council may remove an alternate with or without cause at any time. Terms of alternates commence June 1 of each year. All alternates continue to serve until their successors are appointed and qualified; save and except when an alternate resigns in writing. Alternate members shall be classified as members for all purposes other than regular voting."

**SECTION 2. SEVERABILITY CLAUSE.** Should any sentence, paragraph, 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 the Ordinance as a whole.

**SECTION 3. REPEALER CLAUSE.** All provisions of the ordinances of the City of Parker in conflict with the provisions of this Ordinance be, 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 4. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, and it is so ordained.

30<sup>th</sup> **DULY PASSED** by the City Council of the City of Parker, Collin County, Texas, on the day of October, 2012.

ATTEST:



Carrie L. Smith, City Secretary



APPROVED:

  
Z Marshall, Mayor

APPROVED AS TO FORM:

  
James E. Shepherd, City Attorney

**ORDINANCE NO. 683**

*(Amending Ordinance No. 658A, Parks and Recreation Commission)*

**AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AMENDING ORDINANCE NO. 658A, ESTABLISHMENT AND REGULATIONS FOR THE PARKS AND RECREATION COMMISSION, AMENDING THE TERMS OF THE PARKS AND RECREATION COMMISSION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City Council of the City of Parker, Collin County, Texas wishes to make the appointed terms of its Boards and Commissions consistent;

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

**SECTION 1. MEMBERS PLACES.** Ordinance 658A, Section 5 is amended to read as follows:

**“SECTION 5.**

(a) Places. The Parks and Recreation Commission for the City of Parker shall consist of five members appointed by a majority of the City Council. Each member shall serve in a place designated by the Council. Places 1, 3, and 5 shall have two year terms, expiring May 31 in odd years. Places 2 and 4 shall have two year terms, expiring May 31 in even years. All terms commence on June 1 of the even or odd year assigned that Place.

Alternates are appointed for two year terms.

There are no term limits for appointees. Upon the passage of this Ordinance, the Council may designate, or re-designate, current members, and/or any members to be appointed, into each Place, with the appropriate provisions as to the fulfillment of any unexpired terms.

Unless otherwise designated by the City Council, the Commission member serving in a designated Place upon the passage of this Ordinance continues in that Place through May 31 of the even or odd year term for that Place. All members of the Commission continue to serve until their successors are appointed and qualified; save and except when a member resigns, in writing. Such resignation shall be effective the date of its receipt by the City Secretary.

**SECTION 2. SEVERABILITY.** Should any sentence, paragraph, 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 the Ordinance as a whole.

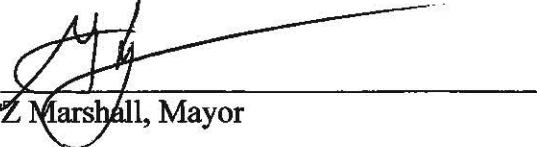
**SECTION 3. REPEALER CLAUSE.** All provisions of the ordinances of the City of Parker in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Parker not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, and it is so ordained.

III **DULY PASSED** by the City Council of the City of Parker, Collin County, Texas, on the day of September, 2012.



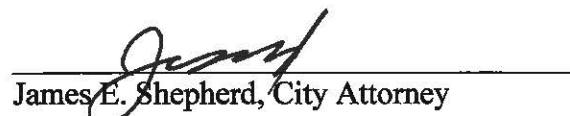
APPROVED:

  
Z Marshall, Mayor

ATTEST:

  
Carrie L. Smith, City Secretary

APPROVED AS TO FORM:

  
James E. Shepherd, City Attorney



## Council Agenda Item

Budget Account Code:	N/A	Meeting Date:	January 7, 2014
Budgeted Amount:	N/A	Department/ Requestor:	Finance/J. Boyd
Fund Balance-before expenditure:	N/A	Prepared by:	Boyd
Estimated Cost:	N/A	Date Prepared:	12/18/13
Exhibits:	1) Audit Report		

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ACCEPTING THE 2012-2013 FINANCIAL AUDIT. [BOYD]

### SUMMARY

A representative from BrooksCardiel, PLLC will present the Annual Audit Report for the fiscal year ended September 30, 2013.

### POSSIBLE ACTION

Approve, Deny, Table

Inter – Office Use			
Approved by:			
Department Head:	Johnna Boyd By email	Date:	Wed 12/18/2013 11:15 AM
City Attorney:		Date:	
City Administrator:		Date:	1/2/14

*ANNUAL FINANCIAL REPORT*

of the

**City of Parker, Texas**

For the Year Ended  
September 30, 2013

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# City of Parker, Texas

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September 30, 2013

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**INDEPENDENT AUDITOR'S REPORT**

To the Honorable Mayor and  
Members of the City Council  
City of Parker, Texas:

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Parker, Texas (the "City"), as of and for the year ended September 30, 2013, which collectively comprise the City's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the City's management. Our responsibility is to express opinions on these financial statements based on our audit.

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

In our opinion the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City as of September 30, 2013 and the respective changes in financial position and cash flows, where applicable, thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial

statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

*BrooksCardiel, PLLC*

BrooksCardiel, PLLC  
Certified Public Accountants  
The Woodlands, Texas  
November 08, 2013

***MANAGEMENT'S DISCUSSION  
AND ANALYSIS***

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# **City of Parker, Texas**

## **MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A)**

### **September 30, 2013**

As management of the City of Parker, Texas (the “City”), we offer readers of the City’s financial statements this narrative overview and analysis of the financial activities of the City for the fiscal year ended September 30, 2013.

#### **Financial Highlights**

- The City's total combined net position is \$49,503,657 at September 30, 2013. Of this, \$6,123,903 (unrestricted net position) may be used to meet the City's ongoing obligations to its citizens and creditors.
- At the close of the current fiscal year, the City's governmental funds reported combined fund balances of \$4,082,304, an increase of \$578,660.
- As of the end of the year, the unassigned fund balance of the general fund was \$3,705,283 or 166% of total general fund expenditures.
- The City had an overall decrease in net position of \$612,105, which is primarily due to depreciation expense taken on capital assets.

#### **Overview of the Financial Statements**

The discussion and analysis provided here are intended to serve as an introduction to the City’s basic financial statements. The City’s basic financial statements consist of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) the notes to financial statements. This report also includes supplementary information intended to furnish additional detail to support the basic financial statements themselves.

#### **Government-Wide Statements**

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

The *statement of net position* presents information on all of the City’s assets, liabilities, and deferred inflows/outflows with the difference reported as *net position*. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating. Other non-financial factors, such as the City’s property tax base and the condition of the City’s infrastructure, need to be considered in order to assess the overall health of the City.

The *statement of activities* presents information showing how the City’s net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses

# City of Parker, Texas

## *MANAGEMENT'S DISCUSSION AND ANALYSIS, Continued*

### September 30, 2013

are reported for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave).

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

The government-wide financial statements include not only the City itself (known as the *primary government*), but also the legally separate Parker Volunteer Fire Department for which the City is financially accountable. Although legally separate, functions for all practical purposes as a department of the City and therefore has been included as an integral part of the primary government.

The government-wide financial statements can be found on pages 17 through 19 of this report.

## **FUND FINANCIAL STATEMENTS**

Funds may be considered as operating companies of the parent corporation, which is the City of Parker. They are usually segregated for specific activities or objectives. The City of Parker uses fund accounting to ensure and demonstrate compliance with finance-related legal reporting requirements. The two categories of City funds are governmental and proprietary.

### **Governmental Funds**

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

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

The City of Parker maintains three individual governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of

# **City of Parker, Texas**

## ***MANAGEMENT'S DISCUSSION AND ANALYSIS, Continued***

### **September 30, 2013**

revenues, expenditures, and changes in fund balances for the general and debt service funds which are considered to be major funds.

The City of Parker adopts an annual appropriated budget for its general, debt service, and utility funds. A budgetary comparison schedule has been provided to demonstrate compliance with general fund budget.

#### **Proprietary Funds**

The City maintains one type of proprietary fund which is considered an enterprise fund. Enterprise funds are used to report the same functions presented as business-type activities in the government-wide financial statements. The City uses enterprise funds to account for its water distribution, wastewater collection/treatment, water construction operations and sanitation services. The proprietary fund financial statements provide separate information for the water distribution, wastewater collection/treatment fund, and sanitation funds. The basic proprietary fund financial statements can be found in the basic financial statements of this report.

#### **Notes to Financial Statements**

The notes to the financial statements provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes are the last section of the basic financial statements.

#### **Other Information**

In addition to the basic financial statements, MD&A, and accompanying notes, this report also presents certain Required Supplementary Information (RSI). The RSI that GASB Statement No. 34 requires includes a budgetary comparison schedule for the general fund and schedule of funding progress for Texas Municipal Retirement System. RSI can be found after the basic financial statements.

### **GOVERNMENT-WIDE FINANCIAL ANALYSIS**

As noted previously, net position may serve over time as a useful indicator of the City's financial position. For the City of Parker, assets exceed liabilities by \$49,503,657 as of September 30, 2013, in the primary government.

The largest portion of the City's net position, \$43,096,678, reflects its investments in capital assets (e.g., land, city hall, police station, streets, and drainage systems, as well as the public works facilities), less any debt used to acquire those assets that are still outstanding. The City uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the

**City of Parker, Texas**  
**MANAGEMENT'S DISCUSSION AND ANALYSIS, Continued**  
**September 30, 2013**

resources needed to repay this debt must be provided from other sources, since the assets themselves cannot be used to liquidate these liabilities.

**Statement of Net Position:**

The following table reflects the condensed Statement of Net Position:

	2013			2012				
	Governmental Activities		Business-Type Activities	Total	Governmental Activities		Business-Type Activities	Total
	Activities	Activities		Total	Activities	Activities		
<b>Current and</b>								
other assets	\$ 4,211,182	\$ 2,339,508	\$ 6,550,690		\$ 3,656,166	\$ 2,614,645	\$ 6,270,811	
Capital assets, net	36,651,089	12,968,552	49,619,641		38,084,527	12,990,990	51,075,517	
<b>Total Assets</b>	<b>40,862,271</b>	<b>15,308,060</b>	<b>56,170,331</b>		<b>41,740,693</b>	<b>15,605,635</b>	<b>57,346,328</b>	
<b>Deferred Outflows</b>								
<b>of Resources</b>	<b>85,569</b>	<b>78,987</b>	<b>164,556</b>		<b>91,274</b>	<b>84,253</b>	<b>175,527</b>	
Other liabilities	116,104	143,831	259,935		150,499	132,151	282,650	
Long-term liabilities	3,273,615	3,297,680	6,571,295		3,531,585	3,591,858	7,123,443	
<b>Total Liabilities</b>	<b>3,389,719</b>	<b>3,441,511</b>	<b>6,831,230</b>		<b>3,682,084</b>	<b>3,724,009</b>	<b>7,406,093</b>	
<b>Net Position:</b>								
Invested in capital assets,								
net of related debt	33,409,605	9,687,073	43,096,678		34,666,176	9,499,586	44,165,762	
Restricted	283,076	-	283,076		270,194	-	270,194	
Unrestricted	3,865,440	2,258,463	6,123,903		3,213,513	2,466,293	5,679,806	
<b>Total Net Position</b>	<b>\$ 37,558,121</b>	<b>\$ 11,945,536</b>	<b>\$ 49,503,657</b>		<b>\$ 38,149,883</b>	<b>\$ 11,965,879</b>	<b>\$ 50,115,762</b>	

**City of Parker, Texas**  
**MANAGEMENT'S DISCUSSION AND ANALYSIS, Continued**  
**September 30, 2013**

**Statement of Activities:**

The following table provides a summary of the City's changes in net position:

	For the Year Ended September 30, 2013			For the Year Ended September 30, 2012		
	Total		Primary Government	Total		Primary Government
	Governmental Activities	Business-Type Activities		Governmental Activities	Business-Type Activities	
<b>Revenues</b>						
Program revenues:						
Charges for services	\$ 377,427	\$ 2,353,786	\$ 2,731,213	\$ 383,019	\$ 2,296,960	\$ 2,679,979
Grants and contributions	125,451	-	125,451	191,090	-	191,090
General revenues:						
Property taxes	1,998,515	-	1,998,515	1,898,227	-	1,898,227
Sales taxes	518,256	-	518,256	138,072	-	138,072
Franchise and local taxes	208,724	-	208,724	199,884	-	199,884
Investment income	37,367	1,151	38,518	47,543	1,858	49,401
Other revenues	48,286	-	48,286	136,146	-	136,146
<b>Total Revenues</b>	<b>3,314,026</b>	<b>2,354,937</b>	<b>5,668,963</b>	<b>2,993,981</b>	<b>2,298,818</b>	<b>5,292,799</b>
<b>Expenses</b>						
General government	867,217	-	867,217	798,327	-	798,327
Public safety	877,683	-	877,683	908,634	-	908,634
Transportation	2,044,862	-	2,044,862	1,995,799	-	1,995,799
Culture and recreation	14,331	-	14,331	13,921	-	13,921
Interest and fiscal charges	101,695	104,423	206,118	111,918	113,531	225,449
Water, sewer, & sanitation	-	2,270,857	2,270,857	-	2,127,803	2,127,803
<b>Total Expenses</b>	<b>3,905,788</b>	<b>2,375,280</b>	<b>6,281,068</b>	<b>3,828,599</b>	<b>2,241,334</b>	<b>6,069,933</b>
<b>Change in Net Position</b>						
Before Transfers	(591,762)	(20,343)	(612,105)	(834,618)	57,484	(777,134)
Transfers	-	-	-	(78,664)	78,664	-
<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(78,664)</b>	<b>78,664</b>	<b>-</b>
<b>Change in Net Position</b>	<b>(591,762)</b>	<b>(20,343)</b>	<b>(612,105)</b>	<b>(913,282)</b>	<b>136,148</b>	<b>(777,134)</b>
Beginning Net Position	38,149,883	11,965,879	50,115,762	39,063,165	11,829,731	50,892,896
<b>Ending Net Position</b>	<b>\$ 37,558,121</b>	<b>\$ 11,945,536</b>	<b>\$ 49,503,657</b>	<b>\$ 38,149,883</b>	<b>\$ 11,965,879</b>	<b>\$ 50,115,762</b>

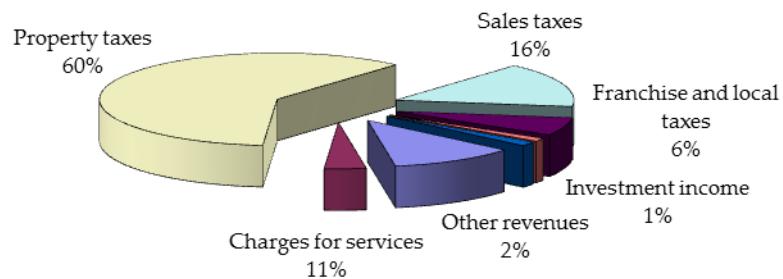
# City of Parker, Texas

## MANAGEMENT'S DISCUSSION AND ANALYSIS, *Continued*

September 30, 2013

Graphic presentations of selected data from the summary tables are displayed below to assist in the analysis of the City's activities.

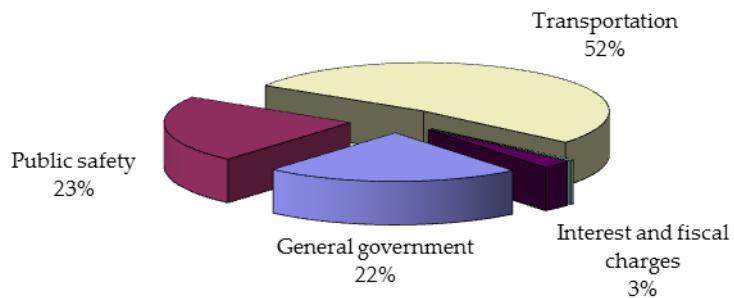
### Governmental Activities - Revenues



For the year ended September 30, 2013, revenues from governmental activities totaled \$3,314,026. Property tax, sales tax and charges for services are the City's largest revenue sources. Sales tax increased \$380,184 or 73% due to a one-time sales tax distribution from the State Comptroller. This distribution was the result of a state audit which revealed that sales tax previously collected was not correctly allocated to the City. Property tax revenue increased by \$100,288 due to an increase in overall property values and their related assessment. Grants and contributions decreased by \$65,639 due to several nonrecurring grants received in the prior year. All other revenues remained relatively stable when compared to the previous year.

This graph shows the governmental function expenses of the City:

### Governmental Activities - Expenses



For the year ended September 30, 2013, expenses for governmental activities totaled \$3,905,788. This represents an increase of \$77,189 or 1% from the prior year. The City's largest functional expense is transportation of \$2,044,862 which is primarily depreciation of transportation related assets. All expenditures remained relatively consistent with the previous year.

# City of Parker, Texas

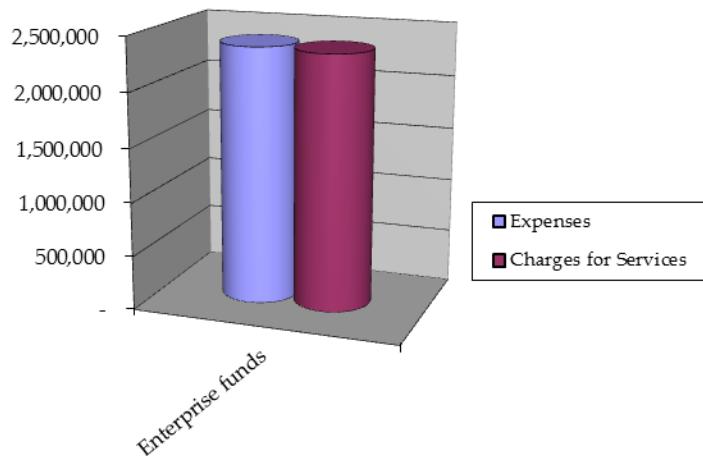
## *MANAGEMENT'S DISCUSSION AND ANALYSIS, Continued*

### September 30, 2013

Business-type activities are shown comparing operating costs to revenues generated by related services.

For the year ended September 30, 2013, charges for services by business-type activities totaled \$2,353,786. This is an increase of \$56,826, or 2%, from the previous year. This increase directly relates to water usage due to a surcharge imposed to conserve water applied in the previous year.

#### **Business-Type Activities - Revenues and Expenses**



Total expenses increased \$133,946 due primarily to an increase in the cost of water purchased by the City. All other expenses remained relatively consistent.

#### **FINANCIAL ANALYSIS OF THE CITY'S FUNDS**

As noted earlier, fund accounting is used to demonstrate and ensure compliance with finance-related legal requirements.

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

As of the end of the year the general fund reflected a total fund balance of \$3,831,299. Of this, \$31,388 is restricted for municipal court and \$93,945 is committed for capital improvements. Unassigned fund balance totaled \$3,705,283 as of year end.

There was an increase in governmental fund balance of \$578,660 over the prior year. The increase was primarily related to the increase in sales tax previously discussed. The City also had a combination of higher than budgeted revenues and less expenditures than planned.

# **City of Parker, Texas**

## ***MANAGEMENT'S DISCUSSION AND ANALYSIS, Continued***

### **September 30, 2013**

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

#### **GENERAL FUND BUDGETARY HIGHLIGHTS**

There was a total positive budget variance of \$630,597 in the general fund. This is a combination of positive revenue and expenditure variances of \$490,107 and \$140,490, respectively. All revenue sources received more revenue than anticipated with the exception of fines and forfeitures. All expenditures were less than budgeted with the exception of general government.

#### **CAPITAL ASSETS**

As of the end of the year, the City's governmental activities funds had invested \$36,651,089 in a variety of capital assets and infrastructure, net of accumulated depreciation. Depreciation is included with the governmental capital assets as required by GASB Statement No. 34. The City's business-type activities funds had invested \$12,968,552 in a variety of capital assets and infrastructure, net of accumulated depreciation.

Major capital asset events during the current year include the following:

- Purchase of two public works vehicles for a total of \$47,913
- Purchase of track loader in the amount of \$44,995
- Purchase of radio read water meter system for \$375,000

More detailed information about the City's capital assets is presented in note IV. C to the financial statements.

#### **LONG-TERM DEBT**

At the end of the current year, the City had total bonds outstanding of \$6,320,000. During the year, the City had a reduction in the long-term debt of \$545,000. More detailed information about the City's long-term liabilities is presented in note IV. D to the financial statements.

#### **ECONOMIC FACTORS AND NEXT YEAR'S BUDGET**

The Mayor and City Council are committed to maintaining and improving the overall wellbeing of the City of Parker and improving services provided to their public citizens. The City is budgeting for growth in the upcoming year.

# **City of Parker, Texas**

## ***MANAGEMENT'S DISCUSSION AND ANALYSIS, Continued***

**September 30, 2013**

### **CONTACTING THE CITY'S FINANCIAL MANAGEMENT**

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

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## *FINANCIAL STATEMENTS*

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**City of Parker, Texas**  
**STATEMENT OF NET POSITION**  
September 30, 2013

	<b>Primary Government</b>		
	<b>Governmental Activities</b>	<b>Business-Type Activities</b>	<b>Total</b>
<b>Assets</b>			
Current assets:			
Cash and cash equivalents	\$ 1,695,287	\$ 1,758,862	\$ 3,454,149
Investments	2,705,045	-	2,705,045
Receivables, net	73,772	317,724	391,496
Internal balances	(262,922)	262,922	-
	<b>Total Current Assets</b>	<b>4,211,182</b>	<b>2,339,508</b>
			<b>6,550,690</b>
Capital assets:			
Non-depreciable	843,484	107,417	950,901
Net depreciable capital assets	35,807,605	12,861,135	48,668,740
	<b>36,651,089</b>	<b>12,968,552</b>	<b>49,619,641</b>
	<b>Total Assets</b>	<b>40,862,271</b>	<b>15,308,060</b>
			<b>56,170,331</b>
<b>Deferred Outflows of Resources</b>			
Deferred charge on refunding	85,569	78,987	164,556
	<b>Total Deferred Outflows of Resources</b>	<b>85,569</b>	<b>78,987</b>
			<b>164,556</b>
<b>Liabilities</b>			
Current liabilities:			
Accounts payable and accrued liabilities	69,186	128,036	197,222
Customer deposits	33,000	-	33,000
Accrued interest payable	13,918	15,795	29,713
	<b>116,104</b>	<b>143,831</b>	<b>259,935</b>
Noncurrent liabilities:			
Due within one year	298,018	310,481	608,499
Due in more than one year	2,975,597	2,987,199	5,962,796
	<b>3,273,615</b>	<b>3,297,680</b>	<b>6,571,295</b>
	<b>Total Liabilities</b>	<b>3,389,719</b>	<b>3,441,511</b>
			<b>6,831,230</b>
<b>Net Position</b>			
Invested in capital assets,			
net of related debt	33,409,605	9,687,073	43,096,678
Restricted	283,076	-	283,076
Unrestricted	3,865,440	2,258,463	6,123,903
	<b>Total Net Position</b>	<b>\$ 37,558,121</b>	<b>\$ 11,945,536</b>
			<b>\$ 49,503,657</b>

See Notes to Financial Statements.

# City of Parker, Texas

## STATEMENT OF ACTIVITIES

For the Year Ended September 30, 2013

Functions/Programs	Expenses	Program Revenues			
		Charges for Services	Operating Grants and Contributions	Contributions	
<b>Primary Government</b>					
<b>Governmental Activities</b>					
General government	\$ 867,217	\$ 242,237	\$ 15,980		
Public safety	877,683	135,190	109,471		
Transportation	2,044,862	-	-		
Culture and recreation	14,331	-	-		
Interest and fiscal charges	101,695	-	-		
<b>Total Governmental Activities</b>	<b>3,905,788</b>	<b>377,427</b>	<b>125,451</b>		
<b>Business-Type Activities</b>					
Water, Sewer, & Sanitation	2,375,280	2,353,786		-	
<b>Total Business-Type Activities</b>	<b>2,375,280</b>	<b>2,353,786</b>		-	
<b>Total Primary Government</b>	<b>\$ 6,281,068</b>	<b>\$ 2,731,213</b>		<b>\$ 125,451</b>	

### General Revenues:

Taxes  
 Property taxes  
 Sales taxes  
 Franchise and local taxes  
 Investment income  
 Other revenues

### Total General Revenues

### Change in Net Position

Beginning Net Position

Ending Net Position

See Notes to Financial Statements.

**Net (Expense) Revenue and Changes in Net Position**

<b>Primary Government</b>			
<b>Governmental Activities</b>	<b>Business-Type Activities</b>	<b>Total</b>	
\$ (609,000)	\$ -	\$ (609,000)	
(633,022)	-	(633,022)	
(2,044,862)	-	(2,044,862)	
(14,331)	-	(14,331)	
(101,695)	-	(101,695)	
<u>(3,402,910)</u>	<u>-</u>	<u>(3,402,910)</u>	
 - (21,494)	 <u>(21,494)</u>	 <u>(21,494)</u>	
 - (21,494)	 <u>(21,494)</u>	 <u>(21,494)</u>	
 <u>(3,402,910)</u>	 <u>(21,494)</u>	 <u>(3,424,404)</u>	
  1,998,515	  -	  1,998,515	
518,256	-	518,256	
208,724	-	208,724	
37,367	1,151	38,518	
48,286	-	48,286	
<u>2,811,148</u>	<u>1,151</u>	<u>2,812,299</u>	
 (591,762)	 (20,343)	 (612,105)	
 38,149,883	 11,965,879	 50,115,762	
<u>\$ 37,558,121</u>	<u>\$ 11,945,536</u>	<u>\$ 49,503,657</u>	

# City of Parker, Texas

## BALANCE SHEET GOVERNMENTAL FUNDS September 30, 2013

	General	Debt Service	Nonmajor		Total Governmental Funds
			Parker	Volunteer Fire Department	
<b>Assets</b>					
Cash and cash equivalents	\$ 1,568,397	\$ 91,394	\$ 35,496	\$ 1,695,287	
Investments	2,582,466	-	122,579	2,705,045	
Receivables, net	68,769	5,003	-	73,772	
Due from other funds	-	1,536	-	1,536	
<b>Total Assets</b>	<b>\$ 4,219,632</b>	<b>\$ 97,933</b>	<b>\$ 158,075</b>	<b>\$ 4,475,640</b>	
<b>Liabilities</b>					
Accounts payable and accrued liabilities	\$ 69,186	\$ -	\$ -	\$ 69,186	
Customer deposits	33,000	-	-	33,000	
Due to other funds	264,458	-	-	264,458	
<b>Total Liabilities</b>	<b>366,644</b>	<b>-</b>	<b>-</b>	<b>366,644</b>	
<b>Deferred Inflows of Resources</b>					
Unavailable revenue - property taxes	21,689	5,003	-	26,692	
<b>Fund Balances</b>					
Restricted for:					
Municipal court	31,388	-	-	31,388	
Police seizures	683	-	-	683	
Debt service	-	92,930	-	92,930	
Fire department	-	-	158,075	158,075	
Committed for:					
Capital improvements	93,945	-	-	93,945	
Unassigned reported in:					
General fund	3,705,283	-	-	3,705,283	
<b>Total Fund Balances</b>	<b>3,831,299</b>	<b>92,930</b>	<b>158,075</b>	<b>4,082,304</b>	
<b>Total Liabilities and Fund Balances</b>	<b>\$ 4,219,632</b>	<b>\$ 97,933</b>	<b>\$ 158,075</b>	<b>\$ 4,422,256</b>	

See Notes to Financial Statements.

# City of Parker, Texas

## RECONCILIATION OF THE BALANCE SHEET TO THE STATEMENT OF NET POSITION GOVERNMENTAL FUNDS September 30, 2013

Fund Balances - Total Governmental Funds	\$ 4,082,304
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### Adjustments for the Statement of Net Position:

Capital assets used in governmental activities are not current financial resources and, therefore, not reported in the governmental funds.

Capital assets - non-depreciable	843,484
Capital assets - net depreciable	35,807,605

Other long-term assets are not available to pay for current-period expenditures and, therefore, are deferred in the governmental funds. 26,692

Deferred outflows of resources, represent a consumption of net position that applies to a future period(s) and is not recognized as an outflow of resources (expense/ expenditure) until then.

Deferred charge on refunding	85,569
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Some liabilities, including bonds payable and deferred charges, are not reported as liabilities in the governmental funds.

Accrued interest	(13,918)
Bond premium	(101,374)
Non-current liabilities due in one year	(298,018)
Non-current liabilities due in more than one year	(2,874,223)
<b>Net Position of Governmental Activities</b>	<b>\$ 37,558,121</b>

See Notes to Financial Statements.

# City of Parker, Texas

## STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE GOVERNMENTAL FUNDS

For the Year Ended September 30, 2013

	General	Debt Service	Parker Volunteer Fire Department	Total Governmental Funds
<b>Revenues</b>				
Property tax	\$ 1,615,367	\$ 373,364	\$ -	\$ 1,988,731
Sales tax	518,256	-	-	518,256
Franchise and local taxes	208,724	-	-	208,724
License and permits	242,237	-	-	242,237
Contributions and donations	3,119	-	106,352	109,471
Intergovernmental	11,360	-	4,620	15,980
Fines and forfeitures	135,190	-	-	135,190
Investment income	36,573	437	357	37,367
Other revenue	23,833	-	24,453	48,286
<b>Total Revenues</b>	<b>2,794,659</b>	<b>373,801</b>	<b>135,782</b>	<b>3,304,242</b>
<b>Expenditures</b>				
Current:				
General government	565,397	-	-	565,397
Police department	656,948	-	-	656,948
Municipal court	97,002	-	-	97,002
Fire department	203,686	-	132,207	335,893
Building and code enforcement	88,518	-	-	88,518
Parks and recreation	4,470	-	-	4,470
Public works	529,134	-	-	529,134
City property	56,988	-	-	56,988
Capital outlay	26,134	-	-	26,134
Debt Service:				
Principal	-	259,830	-	259,830
Interest and fiscal charges	-	105,268	-	105,268
<b>Total Expenditures</b>	<b>2,228,277</b>	<b>365,098</b>	<b>132,207</b>	<b>2,725,582</b>
<b>Net Change in Fund Balances</b>	<b>566,382</b>	<b>8,703</b>	<b>3,575</b>	<b>578,660</b>
Beginning fund balances	3,264,917	84,227	154,500	3,503,644
<b>Ending Fund Balances</b>	<b>\$ 3,831,299</b>	<b>\$ 92,930</b>	<b>\$ 158,075</b>	<b>\$ 4,082,304</b>

See Notes to Financial Statements.

# City of Parker, Texas

## RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES For the Year Ended September 30, 2013

Amounts reported for governmental activities in the statement of activities are different because:

Net changes in fund balances - total governmental funds	\$ 578,660
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Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.

Capital outlay	234,535
Depreciation expense	(1,667,973)

Revenues in the statement of activities that do not provide current financial resources are not reported as revenues in the funds. 9,784

Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.

Compensated absences	(10,171)
Accrued interest	967

The issuance of long-term debt (e.g., bonds, leases, certificates of obligation) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net position. Also, governmental funds report the effect of issuance costs, premiums, discounts, and similar items when they are first issued; whereas, these amounts are deferred and amortized in the statement of activities.

This amount is the net effect of these differences in the treatment of long-term debt and related items.

Amortization of deferred charges on refunding	(5,705)
Amortization of premium	8,311
Principal payments	<u>259,830</u>

<b>Change in Net Position of Governmental Activities</b>	<b>\$ (591,762)</b>
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See Notes to Financial Statements.

**City of Parker, Texas**  
**STATEMENT OF NET POSITION**  
**PROPRIETARY FUND**  
**September 30, 2013**

		<b>Water, Sewer &amp; Sanitation</b>
<b><u>Assets</u></b>		
<b><u>Current Assets</u></b>		
Cash and cash equivalents	\$ 1,758,862	
Receivables, net	317,724	
Due from other funds	262,922	
	<b>Total Current Assets</b>	<b>2,339,508</b>
<b><u>Noncurrent Assets</u></b>		
Capital assets:		
Non-depreciable	107,417	
Net depreciable capital assets	12,861,135	
	<b>Total Noncurrent Assets</b>	<b>12,968,552</b>
	<b>Total Assets</b>	<b>15,308,060</b>
<b><u>Deferred Outflows of Resources</u></b>		
Deferred charge on refunding	78,987	
	<b>Total Deferred Outflows of Resources</b>	<b>78,987</b>
<b><u>Liabilities</u></b>		
<b><u>Current Liabilities</u></b>		
Accounts payable and accrued liabilities	128,036	
Accrued interest	15,795	
	<b>Total Current Liabilities</b>	<b>143,831</b>
<b><u>Noncurrent Liabilities</u></b>		
Due within one year	310,481	
Due in more than one year	2,987,199	
	<b>Total Liabilities</b>	<b>3,441,511</b>
<b><u>Net Position</u></b>		
Invested in capital assets, net of related debt	9,687,073	
Unrestricted	2,258,463	
	<b>Total Net Position</b>	<b>\$ 11,945,536</b>

See Notes to Financial Statements.

# City of Parker, Texas

## *STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET POSITION PROPRIETARY FUNDS*

For the Year Ended September 30, 2013

	<b>Water, Sewer &amp; Sanitation</b>
<b><u>Operating Revenues</u></b>	
Water sales	\$ 1,795,944
Sewer revenue	156,788
Garbage collection	276,751
Meter installations	88,000
Other revenue	36,303
	<b>Total Operating Revenues</b>
	<b>2,353,786</b>
<b><u>Operating Expenses</u></b>	
Cost of water	1,459,851
Cost of sewer	149,230
Cost of garbage	264,338
Depreciation	397,438
	<b>Total Operating Expenses</b>
	<b>2,270,857</b>
	<b>Operating Income</b>
	<b>82,929</b>
<b><u>Nonoperating Revenues (Expenses)</u></b>	
Investment income	1,151
Interest expense	(104,423)
	<b>Total Nonoperating Revenues (Expenses)</b>
	<b>(103,272)</b>
	<b>Change in Net Position</b>
	<b>(20,343)</b>
Beginning net position	<b>11,965,879</b>
	<b>Ending Net Position</b>
	<b>\$ 11,945,536</b>

See Notes to Financial Statements.

**City of Parker, Texas**  
**STATEMENT OF CASH FLOWS**  
**PROPRIETARY FUNDS (Page 1 of 2)**  
**For the Year Ended September 30, 2013**

	<b>Water, Sewer &amp; Sanitation</b>
<b><u>Cash Flows from Operating Activities</u></b>	
Receipts from customers	\$ 2,277,279
Payments to suppliers and employees	(1,861,740)
<b>Net Cash Provided by Operating Activities</b>	<b>415,539</b>
<b><u>Cash Flows from Capital and Related Financing Activities</u></b>	
Capital purchases	(375,000)
Principal paid on debt	(285,170)
Interest paid on debt	(108,164)
<b>Net Cash (Used) by Capital and Related Financing Activities</b>	<b>(768,334)</b>
<b><u>Cash Flows from Investing Activities</u></b>	
Interest on investments	1,151
<b>Net Cash Provided by Investing Activities</b>	<b>1,151</b>
<b>Net (Decrease) in Cash and Cash Equivalents</b>	<b>(351,644)</b>
Beginning cash and cash equivalents	2,110,506
<b>Ending Cash and Cash Equivalents</b>	<b>\$ 1,758,862</b>

See Notes to Financial Statements.

**City of Parker, Texas**  
**STATEMENT OF CASH FLOWS**  
**PROPRIETARY FUNDS (Page 2 of 2)**  
**For the Year Ended September 30, 2013**

		<u>Water, Sewer &amp; Sanitation</u>
<b><u>Reconciliation of Operating Income</u></b>		
<b><u>to Net Cash Provided by Operating Activities</u></b>		
Operating Income		\$ 82,929
Adjustments to reconcile operating income to net cash provided:		
Depreciation		397,438
<b>Changes in Operating Assets and Liabilities:</b>		
<b>(Increase) Decrease in:</b>		
Accounts receivable		(76,507)
<b>Increase (Decrease) in:</b>		
Accounts payable and accrued liabilities		11,679
	<b>Net Cash Provided by Operating Activities</b>	<u>\$ 415,539</u>

See Notes to Financial Statements.

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# **City of Parker, Texas**

## **NOTES TO FINANCIAL STATEMENTS**

### **September 30, 2013**

#### **I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

##### **A. Description of Government-Wide Financial Statements**

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the nonfiduciary activities of the primary government and its component units. *Governmental activities*, which normally are supported by taxes, intergovernmental revenues, and other nonexchange transactions, are reported separately from *business-type activities*, which rely to a significant extent on fees and charges to external customers for support. Likewise, the *primary government* is reported separately from certain legally separate *component units* for which the primary government is financially accountable.

##### **B. Reporting Entity**

The City of Parker, Texas (the "City") was incorporated on March 22, 1969 and operates under a Council-Manager form of government. The City provides: police; fire; code enforcement; public works; street repair and maintenance; parks; general administrative services; water; wastewater; and sanitation.

The City is an independent political subdivision of the State of Texas governed by an elected council and a mayor and is considered a primary government. As required by generally accepted accounting principles, these basic financial statements have been prepared based on considerations regarding the potential for inclusion of other entities, organizations, or functions as part of the City's financial reporting entity. The Parker Volunteer Fire Department, although legally separate, is considered part of the reporting entity. No other entities have been included in the City's reporting entity. Additionally, as the City is considered a primary government for financial reporting purposes, its activities are not considered a part of any other governmental or other type of reporting entity.

Considerations regarding the potential for inclusion of other entities, organizations or functions in the City's financial reporting entity are based on criteria prescribed by generally accepted accounting principles. These same criteria are evaluated in considering whether the City is a part of any other governmental or other type of reporting entity. The overriding elements associated with prescribed criteria considered in determining that the City's financial reporting entity status is that of a primary government are that it has a separately elected governing body; it is legally separate; and is fiscally independent of other state and local governments. Additionally prescribed criteria under generally accepted accounting principles include considerations pertaining to organizations for which the primary government is financially accountable, and considerations pertaining to organizations for which the nature and significance of their relationship with the primary government are such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete.

# **City of Parker, Texas**

## **NOTES TO FINANCIAL STATEMENTS, *Continued***

**September 30, 2013**

### **Blended Component Unit**

#### **Parker Volunteer Fire Department**

The Parker Volunteer Fire Department (the “VFD”) was created by City ordinance on February 22, 1983. The purpose of the VFD is to provide fire protection to the citizens of the City. The Fire Chief is the executive officer of the department and is appointed by the Mayor of the City.

#### **C. Basis of Presentation Government-Wide and Fund Financial Statements**

While separate government-wide and fund financial statements are presented, they are interrelated. The governmental activities column incorporates data from governmental funds while business-type activities incorporate data from the government’s enterprise funds. Separate financial statements are provided for governmental funds and the proprietary funds.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements. Exceptions to this general rule are payments in lieu of taxes where the amounts are reasonably equivalent in value to the interfund services provided and other charges between the government’s water and transit functions and various other functions of the government. Elimination of these charges would distort the direct costs and program revenues reported for the various functions concerned.

The fund financial statements provide information about the government’s funds, including its blended component units. Separate statements for each fund category—governmental and proprietary are presented. The emphasis of fund financial statements is on major governmental and enterprise funds, each displayed in a separate column. All remaining governmental and enterprise funds are aggregated and reported as nonmajor funds. Major individual governmental and enterprise funds are reported as separate columns in the fund financial statements.

# **City of Parker, Texas**

## **NOTES TO FINANCIAL STATEMENTS, *Continued***

**September 30, 2013**

The government reports the following governmental funds:

### **Governmental Funds**

Governmental funds are those funds through which most governmental functions are typically financed.

#### **General Fund**

The general fund is used to account for all financial transactions not properly includable in other funds. The principal sources of revenues include local property taxes, sales and franchise taxes, licenses and permits, fines and forfeitures, and charges for services. Expenditures include general government and public safety. The general service fund is considered a major fund for reporting purposes.

#### **Debt Service Fund**

The debt service fund is used to account for the payment of interest and principal on all general obligation bonds and other long-term debt of governmental funds. The primary source of revenue for debt service is local property taxes. The City has elected to report the debt service fund as a major fund.

#### **Volunteer Fire Department Fund**

The volunteer fire department fund (the "VFD") is used to account for contributions and grants that are contributed to the VFD for fire protections. The VFD is considered nonmajor for reporting purposes.

### **Proprietary Fund Types**

Proprietary funds are used to account for activities that are similar to those often found in the private sector. All assets, liabilities, equities, revenues, expenses, and transfers relating to the government's business activities are accounted for through proprietary funds. The measurement focus is on determination of net income, financial position, and cash flows. Proprietary funds distinguish operating revenues and expenses from non-operating items. Operating revenues include charges for services. Operating expenses include costs of materials, contracts, personnel, and depreciation. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses. Proprietary fund types follow GAAP prescribed by the Governmental Accounting Standards Board (GASB) and all financial Accounting Standards Board's standards issued prior to November 30, 1989. Subsequent to this date, the City accounts for its enterprise funds as presented by GASB. The proprietary fund types used by the City include enterprise funds.

# **City of Parker, Texas**

## **NOTES TO FINANCIAL STATEMENTS, *Continued***

### **September 30, 2013**

The government reports the following major enterprise fund:

#### **Water, Sewer, & Sanitation Fund**

This fund is used to account for the provision of water, sewer & garbage services to the residents of the City. Activities of the fund include administration, operations and maintenance of the water production and distribution system, water collection and treatment systems, and contract garbage services. The fund also accounts for the accumulation of resources for and the payment of long-term debt. All costs are financed through charges to utility customers.

During the course of operations the government has activity between funds for various purposes. Any residual balances outstanding at year end are reported as due from/to other funds and advances to/from other funds. While these balances are reported in fund financial statements, certain eliminations are made in the preparation of the government-wide financial statements. Balances between the funds included in governmental activities (i.e., the governmental and internal service funds) are eliminated so that only the net amount is included as internal balances in the governmental activities column. Similarly, balances between the funds included in business-type activities (i.e., the enterprise funds) are eliminated so that only the net amount is included as internal balances in the business-type activities column.

Further, certain activity occurs during the year involving transfers of resources between funds. In fund financial statements these amounts are reported at gross amounts as transfers in/out. While reported in fund financial statements, certain eliminations are made in the preparation of the government-wide financial statements. Transfers between the funds included in governmental activities are eliminated so that only the net amount is included as transfers in the governmental activities column. Similarly, balances between the funds included in business-type activities are eliminated so that only the net amount is included as transfers in the business-type activities column.

#### **D. Measurement Focus and Basis of Accounting**

The accounting and financial reporting treatment is determined by the applicable measurement focus and basis of accounting. Measurement focus indicates the type of resources being measured such as *current financial resources* or *economic resources*. The basis of accounting indicates the timing of transactions or events for recognition in the financial statements.

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied.

# City of Parker, Texas

## *NOTES TO FINANCIAL STATEMENTS, Continued*

### September 30, 2013

Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

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

Property taxes, sales taxes, franchise taxes, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Entitlements are recorded as revenues when all eligibility requirements are met, including any time requirements, and the amount is received during the period or within the availability period for this revenue source (within 60 days of year end). Expenditure-driven grants are recognized as revenue when the qualifying expenditures have been incurred and all other eligibility requirements have been met, and the amount is received during the period or within the availability period for this revenue source (within 60 days of year end). All other revenue items are considered to be measurable and available only when cash is received by the government.

## **E. Assets, Liabilities, Deferred Outflows/Inflows of Resources and Net Position/Fund Balance**

### **1. Deposits and Investments**

The City's cash and cash equivalents are considered to be cash on hand, demand deposits and short term investments with original maturities of three months or less from the date of acquisition. For the purpose of the statement of cash flows, the proprietary fund types consider temporary investments with maturity of three months or less when purchased to be cash equivalents.

In accordance with GASB Statement No. 31, *Accounting and Reporting for Certain Investments and External Investment Pools*, the City reports all investments at fair value, except for "money market investments" and "2a7-like pools." Money market investments, which are short-term highly liquid debt instruments that may include U.S. Treasury and agency obligations, are reported at amortized costs. Investment positions in external investment

# **City of Parker, Texas**

## **NOTES TO FINANCIAL STATEMENTS, *Continued***

**September 30, 2013**

pools that are operated in a manner consistent with the SEC's Rule 2a7 of the Investment Company Act of 1940, such as TexSTAR, are reported using the pools' share price.

The City has adopted a written investment policy regarding the investment of its funds as defined in the Public Funds Investment Act, Chapter 2256, of the Texas Governmental Code. In summary, the City is authorized to invest in the following:

- Direct obligations of the U.S. Government
- Fully collateralized certificates of deposit and money market accounts
- Statewide investment pools

### **2. Receivables and Interfund Transactions**

Transactions between funds that are representative of lending/borrowing arrangements outstanding at the end of the year are referred to as either "interfund receivables/payables" (i.e., the current portion of interfund loans) or "advances to/from other funds" (i.e., the non-current portion of interfund loans). All other outstanding balances between funds are reported as "due to/from other funds" in the fund financial statements. If the transactions are between the primary government and its component unit, these receivables and payables are classified as "due to/from component unit/primary government." Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as "internal balances."

Advances between funds are offset by a fund balance reserve account in the applicable governmental fund to indicate they are not available for appropriation and are not expendable available financial resources.

All trade receivables are shown net of any allowance for uncollectible amounts.

### **3. Property Taxes**

Property taxes are levied by October 1 on the assessed value listed as of the prior January 1 for all real and business personal property in conformity with Subtitle E, Texas Property Tax Code. Taxes are due on receipt of the tax bill and are delinquent if not paid before February 1 of the year following the year in which imposed. Penalties are calculated after February 1 up to the date collected by the government at the rate of 6% for the first month and increased 1% per month up to a total of 12%. Interest is calculated after February 1 at the rate of 1% per month up to the date collected by the government. Under state law, property taxes levied on real property constitute a lien on the real property which cannot be forgiven without specific approval of the State Legislature. The lien expires at the end of twenty years. Taxes levied on personal property can be deemed uncollectible by the City.

# City of Parker, Texas

## *NOTES TO FINANCIAL STATEMENTS, Continued*

### September 30, 2013

#### **4. Inventories and Prepaid Items**

The costs of governmental fund type inventories are recorded as expenditures when the related liability is incurred, (i.e., the purchase method). The inventories are valued at the lower of cost or market using the first-in/first-out method. Certain payments to vendors reflect costs applicable to future accounting periods (prepaid expenditures) are recognized as expenditures when utilized.

#### **5. Capital Assets**

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items) are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the government, as assets with an initial individual cost of more than \$5,000 and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation. Major outlays for capital assets and improvements are capitalized as projects are constructed.

Interest costs incurred in connection with construction of enterprise fund capital assets are capitalized when the effects of capitalization materially impact the financial statements.

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

Property, plant, and equipment of the primary government, as well as the component units, are depreciated using the straight-line method over the following estimated useful years.

<u>Asset Description</u>	<u>Estimated Useful Life</u>
Vehicles	5 years
Furniture and equipment	5 to 10 years
Infrastructure	40 years
Water and sewer system	40 years
Buildings and improvements	40 years

#### **6. Deferred Outflows/Inflows of Resources**

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will *not* be recognized as an outflow of resources (expense/ expenditure) until then. An example is a deferred charge on refunding reported in the government-wide

# **City of Parker, Texas**

## **NOTES TO FINANCIAL STATEMENTS, *Continued***

**September 30, 2013**

statement of net position. A deferred charge on refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will *not* be recognized as an inflow of resources (revenue) until that time. The government has only one type of item, which arises only under a modified accrual basis of accounting, that qualifies for reporting in this category. Accordingly, the item, *unavailable revenue*, is reported only in the governmental funds balance sheet. The governmental funds report unavailable revenues from one source: property taxes. This amount is deferred and recognized as an inflow of resources in the period that the amounts become available.

### **7. Net Position Flow Assumption**

Sometimes the government will fund outlays for a particular purpose from both restricted (e.g., restricted bond or grant proceeds) and unrestricted resources. In order to calculate the amounts to report as restricted – net position and unrestricted – net position in the government-wide and proprietary fund financial statements, a flow assumption must be made about the order in which the resources are considered to be applied.

### **8. Fund Balance Flow Assumptions**

Sometimes the government will fund outlays for a particular purpose from both restricted and unrestricted resources (the total of committed, assigned, and unassigned fund balance). In order to calculate the amounts to report as restricted, committed, assigned, and unassigned fund balance in the governmental fund financial statements a flow assumption must be made about the order in which the resources are considered to be applied. It is the government's policy to consider restricted fund balance to have been depleted before using any of the components of unrestricted fund balance. Further, when the components of unrestricted fund balance can be used for the same purpose, committed fund balance is depleted first, followed by assigned fund balance. Unassigned fund balance is applied last.

### **9. Fund Balance Policies**

Fund balance of governmental funds is reported in various categories based on the nature of any limitations requiring the use of resources for specific purposes. The government itself can establish limitations on the use of resources through either a commitment (committed fund balance) or an assignment (assigned fund balance).

The committed fund balance classification includes amounts that can be used only for the specific purposes determined by a formal action of the government's highest level of

# **City of Parker, Texas**

## **NOTES TO FINANCIAL STATEMENTS, *Continued***

**September 30, 2013**

decision-making authority. The governing council is the highest level of decision-making authority for the government that can, by adoption of an ordinance prior to the end of the fiscal year, commit fund balance. Once adopted, the limitation imposed by the ordinance remains in place until a similar action is taken (the adoption of another ordinance) to remove or revise the limitation.

Amounts in the assigned fund balance classification are intended to be used by the government for specific purposes but do not meet the criteria to be classified as committed. The governing body (council) has by resolution authorized the finance director to assign fund balance. The council may also assign fund balance as it does when appropriating fund balance to cover a gap between estimated revenue and appropriations in the subsequent year's appropriated budget. Unlike commitments, assignments generally only exist temporarily. In other words, an additional action does not normally have to be taken for the removal of an assignment. Conversely, as discussed above, an additional action is essential to either remove or revise a commitment.

### **10. Compensated Absences**

The liability for compensated absences reported in the government-wide and proprietary fund statements consist of unpaid, accumulated vacation balances. The liability has been calculated using the vesting method, in which leave amounts for both employees who currently are eligible to receive termination payments and other employees who are expected to become eligible in the future to receive such payments upon termination are included. Vested or accumulated vacation leave and compensated leave of government-wide and proprietary funds are recognized as an expense and liability of those funds as the benefits accrue to employees.

It is the City's policy to liquidate compensated absences with future revenues rather than with currently available expendable resources. Accordingly, the City's governmental funds recognize accrued compensated absences when it is paid.

### **11. Long-Term Obligations**

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities statement of net position. The long-term debt consists primarily of bonds payable and accrued compensated absences.

Long-term debt for governmental funds is not reported as liabilities in the fund financial statements until due. The debt proceeds are reported as other financing sources, net of the applicable premium or discount and payments of principal and interest reported as expenditures. In the governmental fund types, issuance costs, even if withheld from the actual net proceeds received, are reported as debt service expenditures. However, claims

# City of Parker, Texas

## NOTES TO FINANCIAL STATEMENTS, *Continued* September 30, 2013

and judgments paid from governmental funds are reported as a liability in the fund financial statements only for the portion expected to be financed from expendable available financial resources.

Long-term debt and other obligations, financed by proprietary funds, are reported as liabilities in the appropriate funds. For proprietary fund types, bond premiums, and discounts are deferred and amortized over the life of the bonds using the effective interest method, if material. Bonds payable are reported net of the applicable bond premium or discount. Issuance costs are expensed as incurred in accordance with GASB statement no. 65.

Assets acquired under the terms of capital leases are recorded as liabilities and capitalized in the government-wide financial statements at the present value of net minimum lease payments at inception of the lease. In the year of acquisition, capital lease transactions are recorded as other financing sources and as capital outlay expenditures in the general fund. Lease payments representing both principal and interest are recorded as expenditures in the general fund upon payment with an appropriate reduction of principal recorded in the government-wide financial statements.

### **12. Estimates**

The preparation of financial statements, in conformity with generally accepted accounting principles, requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures/expenses during the reporting period. Actual results could differ from those estimates.

## **II. RECONCILIATION OF GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS**

### **A. Explanation of certain differences between the governmental fund balance sheet and the government-wide statement of net position.**

The governmental fund balance sheet includes reconciliation between *fund balance-total governmental funds* and *net position-governmental activities* as reported in the government-wide statement of net position. One element of that reconciliation explains that long-term liabilities, including bonds, are not due and payable in the current period and, therefore, are not reported in the funds.

# **City of Parker, Texas**

## **NOTES TO FINANCIAL STATEMENTS, *Continued***

**September 30, 2013**

**B. Explanation of certain differences between the governmental fund statement of revenues, expenditures, and changes in fund balances and the government-wide statement of activities.**

The governmental fund statement of revenues, expenditures, and changes in fund balances includes a reconciliation between net changes in fund balances – total governmental funds and changes in net position of governmental states that, “the issuance of long-term debt (e.g., bonds) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Also, governmental funds report the effect of premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities.”

### **III. STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY**

Annual budgets are adopted on a basis consistent with generally accepted accounting principles for the general fund, debt service fund, and water, sewer, & sanitation fund. Capital projects fund budgets are appropriated on a project-length basis.

The appropriated budget is prepared by fund, function, and department. The legal level of control as defined by the City Charter is the function level. No funds can be transferred or added to a budgeted item without Council approval. Appropriations lapse at the end of the year. Several supplemental budget appropriations were made during the year.

#### **1. Excess of Expenditures Over Appropriations:**

For the year ended, expenditures exceeded appropriations at the legal level of control and as follows:

General Fund:

General government	\$9,106
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**City of Parker, Texas**  
**NOTES TO FINANCIAL STATEMENTS, Continued**  
**September 30, 2013**

**IV. DETAILED NOTES ON ALL FUNDS**

**A. Deposits and Investments**

As of September 30, 2013, the primary government had the following investments:

<b>Investment Type</b>	<b>Fair Value</b>	<b>Average Maturity (Years)</b>
Certificates of deposit	\$ 2,705,045	1.51
External investment pools	1,291,209	0.0
Total fair value	<u><u>\$ 3,996,254</u></u>	
Portfolio weighted average maturity		1.51

*Interest rate risk* – In accordance with its investment policy, the City manages its exposure to declines in fair values by limiting the weighted average of maturity not to exceed five years; structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations; monitoring credit ratings of portfolio position to assure compliance with rating requirements imposed by the Public Funds Investment Act; and invest operating funds primarily in short-term securities or similar government investment pools.

*Credit risk* – The City's investment policy limits investments to obligations of the United States, State of Texas, or their agencies and instrumentalities with an investment quality rating of not less than "A" or its equivalent, by a nationally recognized investment rating firm. Other obligations must be unconditionally guaranteed (either express or implied) by the full faith and credit of the United States Government or the issuing U.S. agency and investment pools with an investment quality not less than AAA or AAA-m, or equivalent, by at least one nationally recognized rating service. As of September 30, 2013, the City's investment in TexSTAR was rated AAAm by Standard & Poor's.

*Custodial credit risk – deposits* In the case of deposits, this is the risk that in the event of a bank failure, the City's deposits may not be returned to it. State statutes require that all deposits in financial institutions be insured or fully collateralized by U.S. government obligations or its agencies and instrumentalities or direct obligations of Texas or its agencies and instrumentalities that have a market value of not less than the principal amount of the deposits. As of September 30, 2013, the market values of pledged securities and FDIC exceeded bank balances.

*Custodial credit risk – investments* For an investment, this is the risk that, in the event of the failure of the counterparty, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The City's investment policy requires that it will seek to safekeeping securities at financial institutions, avoiding physical possession. Further, all trades, where applicable, are executed by delivery versus

# City of Parker, Texas

## NOTES TO FINANCIAL STATEMENTS, *Continued* September 30, 2013

payment to ensure that securities are deposited in the City's safekeeping account prior to the release of funds.

### TexSTAR

The Texas Short Term Asset Reserve Fund ("TexSTAR") is a local government investment pool organized under the authority of the Interlocal Cooperation Act, Chapter 791, Texas Government Code, and the Public Funds Investment Act, Chapter 2256, Texas Government Code. TexSTAR was created in April 2002 by contract among its participating governmental units and is governed by a board of directors. JPMorgan Fleming Asset Management (USA), Inc. and First Southwest Asset Management, Inc. act as co-administrators, providing investment management services, participant services, and marketing, respectively. JPMorgan Chase Bank and/or its subsidiary, J.P. Morgan Investor Services, Inc., provide custodial, transfer agency, fund accounting, and depository services.

TexSTAR operate in a manner consistent with the SEC's Rule 2a7 of the Investment Company Act of 1940. TexSTAR use amortized cost rather than fair value to report net position to compute share prices. Accordingly, the fair value of the position in TexSTAR are the same as the value of TexSTAR shares.

### B. Receivables

The following comprise receivable balances of the primary government at year end:

	General	Debt Service	Water, Sewer & Sanitation	Total
Property taxes	\$ 21,689	\$ 5,003	\$ -	\$ 26,692
Sales tax	19,244	-	-	19,244
Franchise & local taxes	13,026	-	-	13,026
Accounts	-	-	317,724	317,724
Other	14,810	-	-	14,810
<b>Total</b>	<b>\$ 68,769</b>	<b>\$ 5,003</b>	<b>\$ 317,724</b>	<b>\$ 391,496</b>

**City of Parker, Texas**  
**NOTES TO FINANCIAL STATEMENTS, Continued**  
**September 30, 2013**

**C. Capital Assets**

A summary of changes in governmental activities capital assets for the year end was as follows:

	<b>Beginning Balances</b>	<b>Increases</b>	<b>Decreases/ Reclassifications</b>	<b>Ending Balances</b>
Capital assets, not being depreciated:				
Land	\$ 843,484	\$ -	\$ -	\$ 843,484
Total capital assets not being depreciated	<u>843,484</u>	<u>-</u>	<u>-</u>	<u>843,484</u>
Capital assets, being depreciated:				
Land improvements	189,647	22,720	-	212,367
Buildings and improvements	2,601,792	-	-	2,601,792
Vehicles and equipment	2,147,775	211,815	-	2,359,590
Infrastructure	41,421,393	-	-	41,421,393
Total capital assets being depreciated	<u>46,360,607</u>	<u>234,535</u>	<u>-</u>	<u>46,595,142</u>
Less accumulated depreciation				
Land improvements	9,222	9,861	-	19,083
Buildings and improvements	390,253	65,086	-	455,339
Vehicles and equipment	1,378,826	124,863	-	1,503,689
Infrastructure	7,341,262	1,468,163	-	8,809,425
Total accumulated depreciation	<u>9,119,563</u>	<u>1,667,973</u>	<u>-</u>	<u>10,787,536</u>
Net capital assets being depreciated	<u>37,241,043</u>	<u>(1,433,438)</u>	<u>-</u>	<u>35,807,605</u>
<b>Total Capital Assets</b>	<b><u>\$ 38,084,527</u></b>	<b><u>\$ (1,433,438)</u></b>	<b><u>\$ -</u></b>	<b><u>\$ 36,651,089</u></b>

Depreciation was charged to governmental functions as follows:

General government	\$ 20,485
Public safety	167,965
Public works	1,469,662
Culture and recreation	9,861
<b>Total Governmental Activities Depreciation Expense</b>	<b><u>\$ 1,667,973</u></b>

**City of Parker, Texas**  
**NOTES TO FINANCIAL STATEMENTS, Continued**  
**September 30, 2013**

A summary of changes in business-type activities capital assets for the year end was as follows:

	<u>Beginning Balances</u>	<u>Increases</u>	<u>Decreases/ Reclassifications</u>	<u>Ending Balances</u>
Capital assets, not being depreciated:				
Land	\$ 107,417	\$ -	\$ -	\$ 107,417
Total capital assets not being depreciated	<u>107,417</u>	<u>-</u>	<u>-</u>	<u>107,417</u>
Capital assets, being depreciated:				
Water and sewer system	15,582,474	375,000	-	15,957,474
Vehicles and equipment	258,312	-	-	258,312
Total capital assets being depreciated	<u>15,840,786</u>	<u>375,000</u>	<u>-</u>	<u>16,215,786</u>
Less accumulated depreciation				
Infrastructure	2,730,658	388,689	-	3,119,347
Buildings and improvements	226,555	8,749	-	235,304
Total accumulated depreciation	<u>2,957,213</u>	<u>397,438</u>	<u>-</u>	<u>3,354,651</u>
Net capital assets being depreciated	12,883,573	(22,438)	-	12,861,135
<b>Total Capital Assets</b>	<b><u>\$ 12,990,990</u></b>	<b><u>\$ (22,438)</u></b>	<b><u>\$ -</u></b>	<b><u>\$ 12,968,552</u></b>

Depreciation was charged to business-type activities as follows:

Water	\$ 392,022
Sewer	5,416
<b>Total Business-Type Activities Depreciation Expense</b>	<b><u>\$ 397,438</u></b>

# City of Parker, Texas

## NOTES TO FINANCIAL STATEMENTS, *Continued*

September 30, 2013

### D. Long-term Debt

The following is a summary of changes in the City's total governmental long-term liabilities for the year ended. In general, the City uses the debt service fund to liquidate governmental long-term liabilities.

	Beginning Balance	Additions	Reductions	Ending Balance	Amounts Due within One Year
<b>Governmental Activities:</b>					
Bonds, notes and other payables:					
General Obligation Refunding Bonds	\$ 3,399,940	\$ -	\$ (259,830)	\$ 3,140,110	\$ 269,100
Premium	109,685	-	(8,311)	101,374	-
Other liabilities:					
Compensated Absences	21,960	32,131	(21,960)	32,131	28,918
<b>Total Governmental Activities</b>	<b><u>\$ 3,531,585</u></b>	<b><u>\$ 32,131</u></b>	<b><u>\$ (290,101)</u></b>	<b><u>\$ 3,273,615</u></b>	<b><u>\$ 298,018</u></b>
<b>Long-term liabilities due in more than one year</b>				<b><u>\$ 2,975,597</u></b>	
<b>Business-Type Activities:</b>					
Bonds, notes and other payables:					
General Obligation Refunding Bonds	\$ 3,465,060	\$ -	\$ (285,170)	\$ 3,179,890	\$ 295,900
Premium	110,597	-	(9,008)	101,589	-
Other liabilities:					
Compensated Absences	16,201	16,201	(16,201)	16,201	14,581
<b>Total Business-Type Activities</b>	<b><u>\$ 3,591,858</u></b>	<b><u>\$ 16,201</u></b>	<b><u>\$ (310,379)</u></b>	<b><u>\$ 3,297,680</u></b>	<b><u>\$ 310,481</u></b>
<b>Long-term liabilities due in more than one year</b>				<b><u>\$ 2,987,199</u></b>	

Long-term liabilities applicable to the City's governmental activities are not due and payable in the current period and accordingly, are not reported as fund liabilities in the governmental funds. Interest on long-term debt is not accrued in governmental funds, but rather is recognized as an expenditure when due.

**City of Parker, Texas**  
**NOTES TO FINANCIAL STATEMENTS, Continued**  
**September 30, 2013**

Long-term debt at year end was comprised of the following debt issues:

<b>Description</b>	<b>Interest Rates</b>	<b>Original Balance</b>	<b>Current Balance</b>
<b>Governmental Activities:</b>			
2010 General obligation refunding bonds (41%)	2.00 - 3.5%	\$ 735,950	\$ 487,900
2011 General obligation refunding bonds (52%)	2.00 - 4.00%	<u>2,959,825</u>	<u>2,652,210</u>
<b>Total Governmental Activities</b>	<b>\$ 3,695,775</b>	<b>\$ 3,140,110</b>	
<b>Business-type Activities:</b>			
2010 General obligation refunding bonds (59%)	2.00 - 3.5%	\$ 1,059,050	\$ 702,100
2011 General obligation refunding bonds (48%)	2.00 - 4.00%	<u>2,765,175</u>	<u>2,477,790</u>
<b>Total Business-Type Activities</b>	<b>\$ 3,824,225</b>	<b>\$ 3,179,890</b>	
<b>Total Long-Term Debt</b>			
2010 General obligation refunding bonds	2.00 - 3.5%	\$ 1,795,000	\$ 1,190,000
2011 General obligation refunding bonds	2.00 - 4.00%	<u>5,725,000</u>	<u>5,130,000</u>
<b>Total</b>	<b>\$ 7,520,000</b>	<b>\$ 6,320,000</b>	

# City of Parker, Texas

## *NOTES TO FINANCIAL STATEMENTS, Continued* *September 30, 2013*

The annual requirements to amortize governmental activities debt issues outstanding at year ending were as follows:

Year ending September 30,	Governmental Activities			
	2010 G.O. Bonds		2011 G.O. Bonds	
	Principal	Interest	Principal	Interest
2014	\$ 88,150	\$ 15,365	\$ 180,950	\$ 83,815
2015	90,200	12,720	188,705	80,118
2016	94,300	10,014	191,290	75,840
2017	69,700	7,185	193,875	71,025
2018	71,750	5,094	199,045	65,616
2019	73,800	2,583	204,215	59,567
2020	-	-	211,970	53,325
2021	-	-	217,140	45,802
2022	-	-	224,895	36,962
2023	-	-	237,820	27,707
2024	-	-	155,100	19,849
2025	-	-	134,420	14,294
2026	-	-	100,815	10,001
2027	-	-	103,400	6,170
2028	-	-	108,570	2,090
	<hr/> \$ 487,900	<hr/> \$ 52,962	<hr/> \$ 2,652,210	<hr/> \$ 652,182

2010 general obligation refunding bonds issued February 11, 2010, due in annual installments through July 15, 2019, bearing interest ranging from 2.0% to 3.5% payable January 15 and July 15. The governmental activities portion is 41% or \$735,950 of the total \$1,795,000 issue.

2011 general obligation refunding bonds issued July 13, 2011, due in annual installments through February 15, 2028, bearing interest ranging from 2.0% to 4.0% payable February 15 and August 15. The governmental activities portion is 52% or \$2,959,825 of the total \$5,725,000 issue.

# City of Parker, Texas

## **NOTES TO FINANCIAL STATEMENTS, *Continued***

September 30, 2013

The annual requirements to amortize business-type activities debt issues outstanding at year ending were as follows:

Year ending September 30,	Business-Type Activities			
	2010 G.O. Bonds		2011 G.O. Bonds	
	Principal	Interest	Principal	Interest
2014	\$ 126,850	\$ 22,110	\$ 169,050	\$ 78,303
2015	129,800	18,305	176,295	74,849
2016	135,700	14,411	178,710	70,852
2017	100,300	10,340	181,125	66,355
2018	103,250	7,331	185,955	61,301
2019	106,200	3,717	190,785	55,650
2020	-	-	198,030	49,818
2021	-	-	202,860	42,790
2022	-	-	210,105	34,531
2023	-	-	222,180	25,885
2024	-	-	144,900	18,544
2025	-	-	125,580	13,354
2026	-	-	94,185	9,343
2027	-	-	96,600	5,765
2028	-	-	101,430	1,953
	\$ 702,100	\$ 76,213	\$ 2,477,790	\$ 609,292

2010 general obligation refunding bonds issued February 11, 2010, due in annual installments through July 15, 2019, bearing interest ranging from 2.0% to 3.5% payable January 15 and July 15. The business-type activities portion is 59% or \$1,059,050 of the total \$1,795,000 issue.

2011 general obligation refunding bonds issued July 13, 2011, due in annual installments through February 15, 2028, bearing interest ranging from 2.0% to 4.0% payable February 15 and August 15. The business-type activities portion is 48% or \$2,765,175 of the total \$5,725,000 issue.

**City of Parker, Texas**  
**NOTES TO FINANCIAL STATEMENTS, Continued**  
**September 30, 2013**

The annual requirements to amortize total government-wide debt issues outstanding at year ending were as follows:

Year ending September 30,	2010 G.O. Bonds		2011 G.O. Bonds		Total	
	Principal	Interest	Principal	Interest	Principal	Interest
2014	\$ 215,000	\$ 37,475	\$ 350,000	\$ 162,118	\$ 565,000	\$ 199,593
2015	220,000	31,025	365,000	154,968	585,000	185,993
2016	230,000	24,425	370,000	146,693	600,000	171,118
2017	170,000	17,525	375,000	137,380	545,000	154,905
2018	175,000	12,425	385,000	126,918	560,000	139,343
2019	180,000	6,300	395,000	115,218	575,000	121,518
2020	-	-	410,000	103,143	410,000	103,143
2021	-	-	420,000	88,593	420,000	88,593
2022	-	-	435,000	71,493	435,000	71,493
2023	-	-	460,000	53,593	460,000	53,593
2024	-	-	300,000	38,393	300,000	38,393
2025	-	-	260,000	27,648	260,000	27,648
2026	-	-	195,000	19,344	195,000	19,344
2027	-	-	200,000	11,935	200,000	11,935
2028	-	-	210,000	4,043	210,000	4,043
	<b>\$ 1,190,000</b>	<b>\$ 129,175</b>	<b>\$ 5,130,000</b>	<b>\$ 1,261,474</b>	<b>\$ 6,320,000</b>	<b>\$ 1,390,649</b>

General obligation bonds are direct obligations of the City for which its full faith and credit are pledged. Repayment of general obligation bonds are from taxes levied on all taxable property located within the City. The City is not obligated in any manner for special assessment debt.

**E. Deferred Charge on Refunding**

A deferred charge resulting from the issuance of the 2010 and 2011 general obligation refunding bonds has been recorded as a deferred outflow of resources and is being amortized to interest expense over the term of the refunded debt. Current year balances for governmental and business-type activities totaled \$85,569 and \$78,987, respectively. Current year amortization expense for governmental and business-type activities totaled \$5,705 and \$5,266, respectively.

**City of Parker, Texas**  
**NOTES TO FINANCIAL STATEMENTS, Continued**  
**September 30, 2013**

**F. Customer Deposits**

The City had customer deposits of \$33,000 in the general fund as of year end. The City requires a \$1,000 refundable deposit for all new home building permits. This amount will be refunded upon completion of the project and by meeting certain criteria set by the City.

**G. Interfund Transactions**

The compositions of interfund balances as of year end were as follows:

<b>Funds</b>	<b>Due from</b>	<b>Due to</b>
General:		
Debt Service	\$ -	\$ 1,536
Water, Sewer & Sanitation	-	262,922
Debt Service:		
General	1,536	-
Water, Sewer & Sanitation:		
General	262,922	-
	<hr/> <hr/> <hr/>	<hr/> <hr/> <hr/>
	\$ 264,458	\$ 264,458

Amounts recorded as "due to/from" are considered to be temporary loans and will be repaid during the following year.

**H. Fund Equity**

The City records fund balance restrictions on the fund level to indicate that a portion of the fund balance is legally restricted for a specific future use or to indicate that a portion of the fund balance is not available for expenditures.

The following is a list of fund balances restricted/committed by the City:

	<b>Restricted</b>	<b>Committed</b>
Municipal Court	* \$ 31,388	\$ -
Police Seizures	683	-
Debt Service	92,930	-
Fire Safety	158,075	-
Capital Improvements	-	93,945
<b>Total</b>	<hr/> <hr/> <hr/> <hr/> <hr/>	<hr/> <hr/> <hr/> <hr/> <hr/>
	\$ 283,076	\$ 93,945

\*Restricted by enabling legislation.

# **City of Parker, Texas**

## **NOTES TO FINANCIAL STATEMENTS, *Continued***

### **September 30, 2013**

#### **V. OTHER INFORMATION**

##### **A. Risk Management**

The City is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets, errors and omissions; and natural disasters for which the City participates along with 2,617 other entities in the Texas Municipal League's Intergovernmental Risk Pools. The Pool purchases commercial insurance at group rates for participants in the Pool. The City has no additional risk or responsibility to the Pool outside of the payment of insurance premiums. The City has not significantly reduced insurance coverage or had settlements which exceeded coverage amounts for the past three years.

##### **B. Contingent Liabilities**

Amounts received or receivable from granting agencies are subject to audit and adjustment by grantor agencies, principally the federal government. Any disallowed claims, including amounts already collected, may constitute a liability of the applicable funds. The amounts of expenditures which may be disallowed by the grantor cannot be determined at this time although the City expects such amounts, if any, to be immaterial.

Liabilities are reported when it is probable that a loss has occurred and the amount of the loss can be reasonably estimated. Liabilities include an amount for claims that have been incurred but not reported. Claim liabilities are calculated considering the effects of inflation, recent claim settlement trends, including frequency and amount of payouts, and other economic and social factors.

##### **C. Arbitrage**

The Tax Reform Act of 1986 instituted certain arbitrage consisting of complex regulations with respect to issuance of tax-exempt bonds after August 31, 1986. Arbitrage regulations deal with the investment of tax-exempt bond proceeds at an interest yield greater than the interest yield paid to bondholders. Generally, all interest paid to bondholders can be retroactively rendered taxable if applicable rebates are not reported and paid to the Internal Revenue Service at least every five years for applicable bond issues. Accordingly, there is the risk that if such calculations are not performed correctly, a substantial liability to the City could result. The City does anticipate that it will have an arbitrage liability and performs annual calculations to estimate this potential liability. The City will also engage an arbitrage consultant to perform the calculations in accordance with Internal Revenue Service's rules and regulations if indicated.

# City of Parker, Texas

## NOTES TO FINANCIAL STATEMENTS, *Continued* September 30, 2013

### D. Pension Plans

#### 1. Texas Municipal Retirement Systems

##### Plan Description

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

TMRS issues a publicly available comprehensive annual financial report that includes financial statements and required supplementary information (RSI) for TMRS; the report also provides detailed explanations of the contributions, benefits and actuarial methods and assumptions used by the System. This report may be obtained by writing to TMRS, P.O. Box 149153, Austin, TX 78714-9153 or by calling 800-924-8677; in addition, the report is available on TMRS' website at [www.TMRS.com](http://www.TMRS.com).

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

	<u>Plan Year 2012</u>	<u>Plan Year 2013</u>
Employee deposit rate	6.0%	6.0%
Matching ratio (city to employee)	2 to 1	2 to 1
Years required for vesting	5	5
Service retirement eligibility (expressed as age / years of service)	60/5, 0/25	60/5, 0/25
Updated service credit	100% Repeating Transfers	100% Repeating Transfers
Annuity increase (to retirees)	0% of CPI	0% of CPI

##### Contributions

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

# City of Parker, Texas

## NOTES TO FINANCIAL STATEMENTS, *Continued*

September 30, 2013

service contribution rates include recognition of the projected impact of annually repeating benefits, such as Updated Service Credits and Annuity Increases.

The City contributes to the TMRS Plan at an actuarially determined rate. Both the employees and the City make contributions monthly. Since the City needs to know its contribution rate in advance for budgetary purposes, there is a one-year delay between the actuarial valuation that serves as the basis for the rate and the calendar year when the rate goes into effect. The annual pension cost and net pension obligation/(asset) are as follows:

### Three-Year Contribution Information

	<b>2013</b>	<b>2012</b>	<b>2011</b>
Annual Pension Cost (ARC)	\$ 96,111	\$ 99,630	\$ 111,241
Actual Contributions Made	\$ 96,111	\$ 99,630	\$ 111,241
Percentage of APC Contributed	100%	100%	100%
Net Pension Obligation/Asset	-	-	-
<b>NPO at the End of Period</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

The required contribution rates for fiscal year 2013 were determined as part of the December 31, 2010 and 2011 actuarial valuations. Additional information as of the latest actuarial valuation, December 31, 2012, also follows:

	<u><b>12/31/2010</b></u>	<u><b>12/31/2011</b></u>	<u><b>12/31/2012</b></u>
Valuation Date			
Actuarial Cost Method	Projected Unit Credit	Projected Unit Credit	Projected Unit Credit
Amortization Method	Level Percent of Payroll	Level Percent of Payroll	Level Percent of Payroll
GASB 25 Equivalent Single Amortization Period	22.5 years; closed period	21.5 years; closed period	20.5 years; closed period
Amortization Period for new Gains/Losses	24 years	22 years	23 years
Asset Valuation Method	10-year Smoothed Market	10-year Smoothed Market	10-year Smoothed Market
Actuarial Assumptions:			
Investment Rate of Return *	7.0%	7.0%	7.0%
Projected Salary Increases *	Varies by age and service	Varies by age and service	Varies by age and service
* Includes Inflation at Cost-of-Living Adjustments	3.00%	3.00%	3.00%
	0.0%	0.0%	0.0%

# City of Parker, Texas

## *NOTES TO FINANCIAL STATEMENTS, Continued*

### September 30, 2013

The funded status as of December 31, 2012, the most recent actuarial valuation date, is as follows:

Fiscal Year	<b>2013</b>
Actuarial Valuation Date	12/31/2012
Actuarial Value of Assets	\$ 1,792,803
Actuarial Accrued Liability	\$ 2,390,209
Percentage Funded	75%
Annual Covered Payroll	\$ 968,690
Unfunded Actuarial Accrued Liability	\$ (597,406)
(UAAL) % of Covered Payroll	(61.7)%

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

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

#### Supplemental Death Benefits Plan

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

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

The City contributes to the SDBF at a contractually required rate as determined by an annual actuarial valuation. The rate is equal to the cost of providing one-year term life

# **City of Parker, Texas**

## **NOTES TO FINANCIAL STATEMENTS, *Continued***

**September 30, 2013**

insurance. The funding policy for the SDBF program is to assure that adequate resources are available to meet all death benefit payments for the upcoming year; the intent is not to pre-fund retiree term life insurance during employees' entire careers.

The City's retiree contribution rates to the TMRS SDBF for the years ended 2013, 2012 and 2011 are as follows:

<b>Plan/ Calendar Year</b>	<b>Annual Required Contribution (Rate)</b>	<b>Actual Contribution Made (Rate)</b>	<b>Percentage of ARC Contributed</b>
2011	0.01%	0.01%	100.0%
2012	0.01%	0.01%	100.0%
2013	0.01%	0.01%	100.0%

### **E. Deferred Compensation Plan**

The City offers its employees a deferred compensation plan created in accordance with Internal Revenue Service Code, Section 457. The plan permits employees to defer a portion of their salary until future years. The deferred compensation is not available to employees until retirement, termination, death, or unforeseeable emergencies.

Federal law requires all assets and income of Section 457 plans to be held in trust, custodial accounts, or annuity contracts for the exclusive benefit of the participants and their beneficiaries. The City's deferred compensation plan is administered by a private corporation under contract with the City. Total participant contributions were approximately \$1,835 for the year ended September 30, 2013. The City does not contribute to the plan.

**City of Parker, Texas**  
**NOTES TO FINANCIAL STATEMENTS, Continued**  
**September 30, 2013**

**F. Restatement**

The City has restated beginning fund balance/net position within governmental activities, Business-type activities, general, and water/sewer/sanitation funds due to a change in the reporting of deposits and a change in accounting principal due to the implementation of GASB 63 & 65. The restatement of beginning net position/fund balance is as follows:

	<b>Governmental Activities</b>	<b>General Fund</b>
Prior year ending net position fund balance as reported	\$ 38,220,905	\$ 3,271,917
Change in accounting principal	(64,022)	-
Change in reporting of refundable deposits	(7,000)	(7,000)
Restated beginning net position/fund balance	<u><u>\$ 38,149,883</u></u>	<u><u>\$ 3,264,917</u></u>
	<b>Business-Type Activities</b>	<b>Water, Sewer &amp; Sanitation</b>
Prior year ending net position as reported	\$ 12,027,181	\$ 12,027,181
Change in accounting principal	(61,302)	(61,302)
Restated beginning net position	<u><u>\$ 11,965,879</u></u>	<u><u>\$ 11,965,879</u></u>

**G. Subsequent Events**

There were no material subsequent events through November 08, 2013, the date the financial statements were issued.

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## ***REQUIRED SUPPLEMENTARY INFORMATION***

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# City of Parker, Texas

## SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL GENERAL FUND

For the Year Ended September 30, 2013

	Original Budget	Final Budget	Actual	Variance with Final Budget Positive (Negative)
<b>Revenues</b>				
Property tax	\$ 1,598,552	\$ 1,598,552	\$ 1,615,367	\$ 16,815
Sales tax	100,000	100,000	518,256	418,256
Franchise and local taxes	202,500	202,500	208,724	6,224
License and permits	171,000	171,000	242,237	71,237
Contributions and donations	-	-	3,119	3,119
Fines and forfeitures	180,000	180,000	135,190	(44,810)
Investment income	30,000	30,000	36,573	6,573
Other revenue	10,000	10,000	23,833	13,833
<b>Total Revenues</b>	<b>2,304,552</b>	<b>2,304,552</b>	<b>2,794,659</b>	<b>490,107</b>
<b>Expenditures</b>				
Current:				
General government	598,641	556,291	565,397	(9,106) *
Police department	705,783	711,783	656,948	54,835
Municipal court	133,400	124,750	97,002	27,748
Fire department	223,750	223,750	203,686	20,064
Building and code enforcement	93,975	93,975	88,518	5,457
Parks and recreation	9,100	9,100	4,470	4,630
Public works	502,118	547,118	529,134	17,984
City property	63,000	63,000	56,988	6,012
Capital outlay	39,000	39,000	26,134	12,866
<b>Total Expenditures</b>	<b>2,368,767</b>	<b>2,368,767</b>	<b>2,228,277</b>	<b>140,490</b>
<b>Revenues Over (Under)</b>	<b>(64,215)</b>	<b>(64,215)</b>	<b>566,382</b>	<b>630,597</b>
<b>Net Change in Fund Balance</b>	<b>\$ (64,215)</b>	<b>\$ (64,215)</b>	<b>566,382</b>	<b>\$ 630,597</b>
Beginning fund balance			3,264,917	
<b>Ending Fund Balance</b>			<b>\$ 3,831,299</b>	

### Notes to Required Supplementary Information

1. Annual budgets are adopted on a basis consistent with generally accepted accounting principles (GAAP).
- \* 2. Expenditures exceeded appropriations at the legal level of control.

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**City of Parker, Texas**  
***SCHEDULE OF FUNDING PROGRESS-***  
***TEXAS MUNICIPAL RETIREMENT SYSTEM***

The City's annual covered payroll and pension costs are actuarially valued on a calendar year basis. Because the City makes all the annually required contributions, no net pension obligation (NPO) exists. The information presented below represents the City's Schedule of Funding Progress.

Actuarial Valuation Date	<b>12/31/2012</b>	<b>12/31/2011</b>	<b>12/31/2010</b>
Actuarial Value of Assets	\$ 1,792,803	\$ 1,676,155	\$ 1,550,249
Actuarial Accrued Liability	\$ 2,390,209	\$ 2,267,887	\$ 2,167,433
Percentage Funded	75.0%	73.9%	71.5%
Unfunded Actuarial			
Accrued Liability	\$ 597,406	\$ 591,732	\$ 617,184
Annual Covered Payroll	\$ 968,690	\$ 983,609	\$ 1,023,346
Unfunded Actuarial Accrued Liability (UAAC) % of Covered Payroll	61.7%	60.2%	60.3%
Net Pension Obligation (NPO)			
at the Beginning of Period	\$ -	\$ -	\$ -
Annual Req. Contrib. (ARC)	\$ 96,111	\$ 99,630	\$ 111,241
Contributions Made	<u>\$ 96,111</u>	<u>\$ 99,630</u>	<u>\$ 111,241</u>
<b>NPO at the End of Period</b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>

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## Council Agenda Item

Budget Account Code:	Meeting Date: January 7, 2014
Budgeted Amount:	Department/ Requestor:
Fund Balance-before expenditure:	Prepared by: Flanigan
Estimated Cost:	Date Prepared: December 31, 2013
Exhibits:	<ul style="list-style-type: none"><li>1) Zoning Ordinance #546 September 23, 2003</li><li>2) Minutes June 22, 2004</li><li>3) Minutes October 26, 2004</li><li>4) Subdivision Regulations on plats expiring</li><li>5) Proposed Plat</li><li>6) Review letter from Birkhoff, Hendricks, &amp; Carter, L.L.P.</li></ul>

### AGENDA SUBJECT

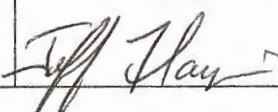
CONSIDERAION AND/OR ANY APPROPRIATE ACTION ON PARKER RANCH  
ESTATES PRELIMINARY PLAT. [FLANIGAN]

### SUMMARY

Item tabled from the December 3, 2013 per the developers request.

### POSSIBLE ACTION

Approve, Deny, Table

Inter - Office Use			
Approved by:			
Department Head:		Date:	
City Attorney:		Date:	
City Administrator:		Date:	1/2/14

**ORDINANCE NO. 546**

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 PARCEL OF LAND OF APPROXIMATELY 399.7 ACRES OF LAND, AND ADDITIONAL LAND OF APPROXIMATELY 43 ACRES, EACH, IN COLLIN COUNTY, TEXAS, FOR A TOTAL OF APPROXIMATELY 443.309 ACRES, SAID PARCEL OF LAND BEING ZONED IN ITS NORTHERN PORTION SINGLE FAMILY TRANSITIONAL (SFT), AND ITS SOUTHERN PORTION SINGLE FAMILY (SF), AS SET FORTH SPECIFICALLY HEREIN, PROVIDING FOR SPECIAL CONDITIONS; 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. 518, the City of Parker did annex approximately 399.7 acres of land in the John Snyder Survey, Abstract 848, Collin County, Texas, portions of which were owned by the Hall families, and the Bolin families; and

**WHEREAS**, Douglas Properties, Inc. has requested zoning of those properties as set forth in this Ordinance, together with an additional parcel of land of approximately 43 acres; and

**WHEREAS**, the total of approximately 443.309 acres is to be zoned by this Ordinance in its northern portion, Single Family Transitional (SFT), and its southern portion, Single Family (SF), as more particularly described below:

**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 483, as heretofore amended, be, and the same is hereby amended by zoning the 443.309 acre tract (the "Subdivision" or the "443.309 acre tract") submitted by Douglas Properties, Inc. (the "Developer"), more particularly described by metes and bounds as shown on the attached Exhibit A, to zone the property in its northern portion as Single Family Transitional (SFT), and in its Southern portion as Single Family (SF). The areas of SFT (the "SFT tract"), and SF (the "SF tract"), are each specifically described by Exhibit B. The zoning and special conditions of the SFT and the SF tracts are as follows:

## SPECIAL CONDITIONS

1. The southern thirty (30%) percent of the Subdivision shall be zoned Single Family (SF). The metes and bounds description of the SF portion of the Subdivision is as shown in the attached Exhibit B. The Developer will submit to the City a survey of the property showing the dividing line between the SF and SFT tracts, with an additional copy reduced in size and appropriate for attaching to this Ordinance as Exhibit B2. The line dividing the SF and SFT tracts (the "SF/SFT boundary line") may be placed by the Developer to include an area of the Subdivision which is greater than 30%, should the Developer desire to do so. The area of the Subdivision north of the SF/SFT boundary line shall be SFT, and the area of the Subdivision south of said line shall be SF. All of the Subdivision south of the right of way dedicated for Chaparral Road shall be zoned SF.
2. Any platted lot whose area is crossed by the SF/SFT boundary line shall conform to whichever zoning classification in which more than half of the lot lies. In the event the lot is divided 50/50 by the SF/SFT boundary line, the lot shall be SF.
3. All lots in the Subdivision which are adjacent to, and have a contiguous lot line with a developed Parker Residential lot must be two acres net. A "Parker Residential lot" is defined as a lot contiguous to the Subdivision which is developed and utilized as a residential lot on or before the date of preliminary plat approval of the Subdivision. The preliminary plat shall include all of the Subdivision.
4. No more than 246 single family residential lots shall be platted or permitted on the 443.309 acre tract, notwithstanding any other provision of this Ordinance, or lot density which might otherwise be permitted in the SF and/or SFT tracts.
5. No home shall face, nor shall any home have a driveway which shall access Chaparral Road, Allen Heights Drive, Springhill Estates Drive, or any other right-of-way in the Subdivision, or adjacent thereto, planned for construction as a four lane road, divided or undivided, and/or which includes a 105 foot wide right of way dedication (M4D-S).
6. The Developer shall provide an access road leading from the southern portion of the Subdivision (SF) in a southerly direction towards Parker Road. The location is to be approved by the City Council, on the recommendation of the City Engineer, and in compliance with the City's Master Thoroughfare Plan, at the time of review of the preliminary plat of the Subdivision. The Developer will submit with the preliminary plat a location for a 2 lane access road in the northwestern section of the Subdivision, to Allen Heights Drive.
7. The Developer shall construct a landscaped boulevard entrance to the Subdivision at the intersection of Chaparral Drive and Allen Heights/Springhill Estates Drive, in accordance with the landscape plan submitted by the Developer for approval by the City, and a construction plan approved by the City Engineer. The Chaparral intersection is in addition to the two lane access road described above in No. 6.

8. Chaparral Road will be constructed in the Subdivision by the developer, and dedicated to the public vehicular use. The specific construction schedule and specifications for Chaparral Road are as shown in Exhibit C, and as required in the Subdivision regulations.

(a) The road is to be designed with a one hundred-five (105) foot right of way, in accordance with the city's four-lane divided thoroughfare specifications designated as M4D-S. The initial construction of the road will be a two-lane road, with a fully developed landscaped and irrigated median between the lanes. Construction will be performed in such a way that the addition of two (2) additional lanes of traffic may be added to the two (2) initial lanes. The construction of Chaparral Road will begin on the western side of the Subdivision, where Chaparral Road intersects with Allen Heights Road/Springhill Drive, and shall continue in an easterly direction as the phases of the Subdivision are developed. The eastern end of Chaparral Road shall be placed as approved by the City Council upon approval of the preliminary plat. The eastern end point shall be at the eastern city limits of the City of Parker, at Malone Drive, north of the Easy Acres Subdivision. Chaparral Road shall be completed, and open for public use, at the request of the City, regardless of the stage of the Subdivision development, or upon the final plat approval for that phase of the Subdivision's development, whichever shall first occur. The developer's obligation to construct the entire length of Chaparral Road from the City's western boundary to the City's eastern boundary is required by this ordinance, and is not contingent on the development of the Subdivision.

(b) The landscape plan for Chaparral Road's entrance into the Subdivision at Allen Heights road shall be submitted by the developer for approval to the City Council on or before the date of preliminary plat approval.

9. The Developer is required to use all commercially reasonable good faith efforts to direct the traffic resulting from construction in the Subdivision to Allen Heights Road and Bethany Drive. All reasonable means are to be employed to reduce construction traffic on Springhill Drive and Parker Road.

10. The Developer will dedicate to the City an area of four (4) acres of land in the Subdivision for public purposes, including but not limited to ground or elevated water utility facilities, and/or fire, police and EMS services. The location of the tract will be determined by the City and the Developer prior to preliminary plat approval. The decision on the location of the public tract will not be unreasonably withheld, conditioned, or delayed by any party.

11. All trail systems within the Subdivision shall be available for use by the general public. All maintenance and repair of the trails system shall be provided and paid for by the Developer, the required and mandatory homeowners association, and/or the individual property owners whose land is encumbered by the trail, as the case may be. The trails system will be constructed by the Developer in accordance with the plans and specifications to be agreed upon by the City staff and the Developer, with input from the Conservancy of Parker. Such agreements are not to be unreasonably withheld, conditioned, or delayed, by the City, or the Developer.

12. The Developer agrees not to remove the existing treed areas in the Subdivision except to the absolute minimum amount of tree removal necessary for development. The tree removal, if any, will be done with the approval of the City staff with the advice of the Conservancy of Parker.

13. The Developer will submit a landscape plan, trail plan, and a tree plan, to the City for approval on or before the date of filing of the preliminary plat.

14. All onsite infrastructure, including roads and utilities, is to be constructed and paid for by the Developer. Any offsite required development will be governed by the City's Pro-Rata Ordinance, as limited by any State or Federal law.

15. The Developer and/or builder is to provide each residential structure with a septic system for each individual home. The septic system shall comply with all requirements of the City of Parker, Collin County, and the Texas Commission on Environmental Quality. No public sanitary sewer system will be constructed for the Subdivision.

16. The Developer will dedicate all additional right-of-way required by the City of Parker Subdivision Ordinance and the City of Parker Settlement Agreement of the annexation litigation with the City of Allen for that portion of Allen Heights Road adjacent to the Subdivision. The required right-of-way for Allen Heights Road will be dedicated, irrigated and landscaped. Landscape plans will be submitted with the preliminary plat. Maintenance and irrigation of all of Allen Heights right-of-way, as with all other common areas and landscaping in the Subdivision will be maintained and paid by the Developer and/or the Homeowner's Association.

**SECTION 2.** That the property shall be used only in the manner and for the purposes as required in the SFT and SF 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.** That should any sentence, paragraph, 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 the Comprehensive Zoning Ordinance as a whole.

**SECTION 4.** That all provisions of the ordinances of the City of Parker in conflict with the provisions of this Ordinance be, 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.** 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.** 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.

ADOPTED this 23rd day of September, 2003, by the Parker City Council.

APPROVED:

David Hammel  
David Hammel, Mayor

ATTEST:

Betty McMenamy  
Betty McMenamy, City Secretary

Exhibits:

- A. Subdivision Metes and Bounds
- B. SF & SFT Metes and Bounds
- C. Chaparral Road Specifications

**EXHIBIT A**  
Subdivision Metes and Bounds

LEGAL DESCRIPTION

4286 LEG

BEING a tract of land situated in the City of Parker, Collin County, Texas and in the J. Snider Survey, Abstract No. 848, and being part of a tract of land described in a deed to Luther Bolin recorded in Volume 378, Page 48 of the Deed Records of Collin County, Texas and being part of a tract of land described in a deed to Emajean Haggard Hall recorded in Volume 646, Page 647 of the Deed Records of Collin County, Texas and being more particularly described as follows;

COMMENCING at a 3/8" iron rod found on the east line of Allen Heights Drive (variable right of way) being the northwest corner of said Bolin tract;

THENCE, S 00° 25' 18" E, with said east right of way line a distance of 966.00 feet to the POINT OF BEGINNING;

THENCE, S 89° 33' 23" E, leaving said right of way line a distance of 1085.36 feet to a point for corner;

THENCE, N 00° 25' 37" E, a distance of 965.99 feet to a point on the south line of Bethany Ridge Estates, an addition to Collin County, Texas recorded in Cabinet J, Slide 692, of the Deed Records of Collin County, Texas;

THENCE, S 89° 33' 22" E, along the said south line of Bethany Ridge Estates a distance of 971.20 feet to the northwest corner of a tract of land described in deed to Allen ISD recorded in Clerks File Number 97-0039110 of the Deed Records of Collin County, Texas;

THENCE, S 00° 26' 37" W, along the west line of said Allen ISD tract a distance of 680.00 feet to a 3/8" iron rod found with cap stamped "CORWIN ENGR. INC.",

THENCE, S 89° 33' 23" E, along the south line of said Allen ISD tract a distance of 803.32 feet to a 3/8" iron rod found with cap stamped "CORWIN ENGR. INC." being the southeast corner of said Allen ISD tract;

THENCE, N 00° 26' 37" E, with the east line of said Allen ISD tract a distance of 680.00 feet to a 5/8" iron rod found on the north line of said Bolin tract and on the south line of Bethany Ridge 3, an addition to Collin County, Texas recorded in Cabinet J, Slide 800 of the Deed Records of Collin County, Texas;

THENCE, S 89° 33' 23" E, with the common line of said Bolin tract and said Bethany Ridge 3, passing at a distance of 1002.10 feet, a 1/2" iron rod found being the southeast corner of said Bethany Ridge 3 and being the southwest corner of Bethany Ridge 3, Phase B, an addition to Collin County, Texas recorded in Cabinet K, Slide 704 of the Map Records of Collin County, Texas passing at a distance of 1507.45 feet, a 1/2" iron

EXHIBIT A

rod found being the southeast corner of said Bethany Ridge 3, Phase B and being the southwest corner of Bethany Ridge IV, an addition to Collin County, Texas recorded in Cabinet L, Slide 894 of the Map Records of Collin County, Texas, passing at a distance of 2313.79 feet a 1/2" iron rod found being the southwest corner of a tract of land described in a deed to North Texas Municipal water District recorded in Volume 2882, Page 480 of the Deed Records of Collin County, Texas, passing at a distance of 2413.66 feet a 1/2" iron rod found at the west corner of the south terminus of Malone Road being the southeast corner of said North Texas Municipal Water District tract, continuing with the north line of said Bolin tract a total distance of 2449.23 feet to a 1/2" iron rod set with cap stamped "Precise Land Surv." in Malone Road being the northeast corner of said Bolin tract;

THENCE, S 00° 46' 29" W, along said Malone Road and with the east line of said Bolin tract passing at a distance of 1320.72 feet to a 1/2" iron rod set with cap stamped "Precise Land Surv." being the southwest corner of said Bolin tract and being the northeast corner of a tract of land described in a deed to Emajean Haggard, Hall recorded in Volume 646, Page 647 of the Deed Records of Dallas County, Texas continuing for a total distance of 2982.11 feet to a 1/2" iron rod found being the original southwest corner of a tract of land described in a deed to Dawaell Shelley recorded in Volume 3841, Page 480 of the Deed Records of Collin County, Texas and being the original northwest corner of Easy Acres Addition, an addition to Collin County, Texas recorded in Volume 6, Page 87 of the Map Records of Collin County, Texas;

THENCE, S 01° 27' 51" W, with the east line of said Hall tract and along said road a distance of 959.49 feet to a 1/2" iron rod wet with cap stamped "Precise Land Surv.,"

THENCE, N 89° 33' 23" W, leaving said road a distance of 3003.79 feet to a 1/2" iron rod set with cap stamped "Precise Lan Surv." being the northeast corner of Lot 7, Block A of Sycamore Estates, an addition to the City of Parker, Collin County, Texas recorded in Volume 11, Page 39 of the Map Records of Collin County, Texas;

THENCE, N 89° 49' 07" W, with the common line of said Hall tract and said Lots 7 and 8, a distance of 773.66 feet to a 1/2" iron rod found;

THENCE, S 89° 49' 10" W, with the common line of said Hall tract and said Lot 8 and Lot 19 of Replat of Sycamore Estates, an addition to the City of Parker, Collin County, Texas recorded in Cabinet C, Slide 415 of the Map Records of Collin County, Texas a distance of 1501.83 feet to a 1/2" iron rod found on the east line of said Allen Heights Drive (variable width right of way) being the southwest corner of said Hall tract;

THENCE, N 00° 28' 36" E, with the east line of said Allen Heights Drive, a distance of 2995.30 feet to the POINT OF BEGINNING containing 19,310,549 square feet or 443.309 acres of land.

## EXHIBIT B

**EXHIBIT B-1** SF Tract (Tract B)

**EXHIBIT B-2** SFT Tract (Tract A)

**EXHIBIT B-3** Zoning Exhibit

LEGAL DESCRIPTION

4286LEG3

BEING a tract of land situated in the City of Parker, Collin County, Texas and in the J. Snider Survey, Abstract No. 848, and being part of a tract of land described in a deed to Emajean Haggard Hall recorded in Volume 646, Page 647 of the Deed Records of Collin County, Texas and being more particularly described as follows;

COMMENCING at a 3/8" iron rod found on the east line of Allen Heights Drive (variable right of way) being the northwest corner of said Bolin tract;

THENCE, S 00° 25' 18" E, with said east right of way line a distance of 3135.86 feet to the POINT OF BEGINNING;

THENCE, N 84° 48' 03" E, leaving said right of way line a distance of 5323.95 feet to a point in Malone Road;

THENCE, S 00° 46' 29" W, along said Malone Road and with the east line of said Hall tract for a distance of 369.66 feet to a 1/2" iron rod found being the original southwest corner of a tract of land described in a deed to Dawnell Shelley recorded in Volume 3841, Page 480 of the Deed Records of Collin County, Texas and being the original northwest corner of Easy Acres Addition, an addition to Collin County, Texas recorded in Volume 6, Page 87 of the Map Records of Collin County, Texas;

THENCE, S 01° 27' 51" W, with the east line of said Hall tract and along said road a distance of 959.49 feet to a 1/2" iron rod wet with cap stamped "Precise Land Surv.:";

THENCE, N 89° 33' 23" W, leaving said road a distance of 3003.79 feet to a 1/2" iron rod set with cap stamped "Precise Lan Surv." being the northeast corner of Lot 7, Block A of Sycamore Estates, an addition to the City of Parker, Collin County, Texas recorded in Volume 11, Page 39 of the Map Records of Collin County, Texas;

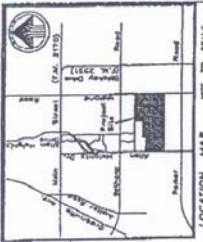
THENCE, N 89° 49' 07" W, with the common line of said Hall tract and said Lots 7 and 8, a distance of 773.66 feet to a 1/2" iron rod found;

THENCE, S 89° 49' 10" W, with the common line of said Hall tract and said Lot 8 and Lot 19 of Replat of Sycamore Estates, an addition to the City of Parker, Collin County, Texas recorded in Cabinet C, Slide 415 of the Map Records of Collin County, Texas a distance of 1501.83 feet to a 1/2" iron rod found on the east line of said Allen Heights Drive (variable width right of way) being the southwest corner of said Hall tract;

THENCE, N 00° 28' 36" E, with the east line of said Allen Heights Drive, a distance of 825.43 feet to the POINT OF BEGINNING containing 5,662.800 square feet or 130.00 acres of land.

**EXHIBIT B-2**  
SFT Zoning Tract

The SFT Tract is a 313.309 acre tract, which is that portion of the Subdivision described in Exhibit A, save and except that SF portion of the Subdivision shown in the attached Zoning Exhibit as Tract B (130 acres) described in Exhibit B-1. The SFT tract is shown in Exhibit B-3 as Tract A.



LIVES AT HARWELL

E. M. 2551

DOC. ZONING EXHIBIT 443 . 309 ACR E S  
COT OR REC.  
JOHN SNIDER SURVEY. ABSTRACT NO. 848  
CITY PARKER, COLLIN COUNTY, TEXAS

PLASTER SETTLEMENT ASSOC

SINGAPORE ESTATES

BETHANY DRIVE.

ROAD MALONE  
1716 Pg. 450, 5th. I.A.L. ALLEN

TRACT A  
PROPOSED S F - T ZONING  
313.309 ACRES

TRACT B  
PROPOSED S F ZONING  
120.00 ACRES

NAME \_\_\_\_\_

SCOP 5  
TTONOMIJS JO 677001 211

**EXHIBIT B-3**

**EXHIBIT C**  
Chaparral Road Specifications

Chaparral Road will be constructed in accordance with this zoning ordinance, and the City Subdivision Regulations. Unless otherwise stated, the road will be two lanes eighteen (18) feet wide separated by a median. The median and parkways will be irrigated and landscaped. The landscape plans will be submitted with the preliminary plat for approval. Chaparral Road will be constructed of concrete.

## MINUTES – CITY OF PARKER COUNCIL MEETING

June 22, 2004

### CALL TO ORDER:

The Parker City Council met in a Regular Meeting on the above date at the Parker City Hall. Mayor Doug Garber called the meeting to order at 7:30 P.M. with Council Members Joe Cordina, Lynn Guffee, Ramon Suarez and Jerry Tartaglino present. Also present was City Attorney Jim Shepherd.

### PLEDGE OF ALLEGIANCE:

Councilman Ramon Suarez led the Pledge of Allegiance.

### ANNOUNCEMENTS BY CITY COUNCIL/STAFF:

Mayor Garber commented that he had reviewed the drainage after the heavy rain this past Saturday and advised there had been a structure fire on Ascot Ct. in Parker Lakes. Mayor Garber acknowledged the Parker Fire Department and complimented them on a great job in saving the structure.

Joe Cordina requested an update on the planned improvements to the trash/recycle service being provided. Betty McMenamy reported this would be on an Agenda in late July for Council's consideration to consider the service upgrades.

### CITIZENS COMMENTS:

Ling Shurtz, 4004 Dublin Road, expressed her appreciation to the Fire Department and presented a handmade kaleidoscope to Chief McMenamy, as a donation to the annual Fundraiser planned for September 11, 2004.

### APPROVAL OF MINUTES – JUNE 15 WORK SESSION:

Copies of the Minutes of the June 15<sup>th</sup> Work Session had been previously provided to Council Members. Councilman Joe Cordina made a motion to approve the Minutes as presented. The motion was seconded by Councilman Ramon Suarez and passed unanimously with Cordina, Guffee, Suarez and Tartaglino voting FOR.

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Minutes  
June ~~15~~<sup>32</sup>, 2004

APPROVAL OF MINUTES – JUNE 15 MEETING:

Copies of the Minutes of the June 15 Meeting had been previously provided to Council Members. Betty McMenamy requested one revision. Councilman Ramon Suarez made a motion to approve the Minutes as revised. The motion was seconded by Councilman Joe Cordina and passed unanimously with Council Members Cordina, Guffee, Suarez and Tartaglino voting FOR.

CONSIDERATION AND APPROPRIATE ACTION ON REQUEST FOR A  
WAIVER FROM CERTAIN REQUIREMENTS OF FIRE SPRINKLER  
ORDINANCE FOR PROPERTY LOCATED AT 2607 DUBLIN ROAD:

Betty McMenamy reported the applicant had requested consideration of this request be deferred until the July 13<sup>th</sup>.

Councilman Ramon Suarez requested a recess to Executive Session in accordance with the posted Agenda, to discuss items 7, 8, and 9. Mayor Garber declared the regular meeting in recess to an Executive Session at 7:45 PM.

RECALL TO ORDER REGULAR MEETING:

Mayor Garber recalled the regular meeting to order at 8:44 PM.

CONSIDERATION AND APPROPRIATE ACTION ON REQUEST FOR A  
WAIVER FROM CERTAIN REQUIREMENTS IN SUBDIVISION RULES AND  
REGULATIONS FOR SUBDIVISION TO BE KNOWN AS PARKER RANCH  
ESTATES:

Jim Douglas addressed the Council, requesting that he be granted a waiver from the Subdivision Ordinance (Section 3) which requires a "preliminary plat" shall include *all* of the subdivision, including detailed construction plans. Mr. Douglas stated his plan is to develop the subdivision in phases over a period of possibly ten years and that he will submit with the Preliminary an overall layout of the total subdivision, including lots, streets, etc.

Council discussion ensued concerning phasing of the development, construction of Chaparral Road and the dedication of four-acre site to the City for a future Fire Station and/or Water Tower.

Jim Douglas stated the Council will not relinquish any control authorized in the Subdivision Ordinance and that the maximum lot count and lot sizes has been tied down in Ordinance No. 546 which approved the zoning of the subdivision.

Councilman Ramon Suarez made a motion to grant Mr. Douglas' request for a waiver from certain requirements in the Subdivision Rules and Regulations, including the two-year effective date for a Preliminary Plat, subject to the following conditions:

- Submittal of an overall Thoroughfare Plan, for all phases, for approval by the City Engineer
- Conformance with the City's Master Water Plan for sizes of proposed water lines throughout the entire tract
- Submittal of a Drainage Plan for total tract, for approval by the City Engineer
- Submittal of a Trails Map for entire tract, that adheres to the detail of the Concept Plan previously approved by the City Council
- Compliance with all the conditions such as maximum lot count, lot sizes and other requirements of Ordinance 546 including the developer's construction of all required roads in the subdivision
- Overall Phase Plan shall include all lots, by phase and zoning, to include the four acre tract to be dedicated to the City for a future Fire Station and Elevated Water Tower, upon the City's request

The motion was seconded by Councilman Lynn Guffee and passed unanimously with Council Members Cordina, Guffee, Suarez and Tartaglino voting FOR.

**CONSIDERATION AND APPROPRIATE ACTION ON REQUEST FOR  
PERMISSION TO UTILIZE CITY RIGHT-OF-WAY FOR RESIDENTIAL  
DRIVEWAY, FOR LOT 13, PHASE II, DUBLIN ROAD ESTATES:**

Council Members reviewed a request submitted by Dale Johnston, 1802 Parrent Ct. seeking permission to use land owned by the City of Parker as right-of-way, for purposes of constructing a driveway.

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Minutes  
June 22, 2004

Jerry Henninger stated he lives across the street and to the west of the property and cited the previous effort by the applicant to have this right-of-way removed. Mr. Henninger advised the Council of his opposition to the use of the road right-of-way for driveway purposes. He stated he had been denied 12 years ago for the same request, and felt the same conditions should apply in this request.

Mr. Johnston advised the request is based on aesthetics and functionality of the property and the driveway could be improved by allowing use of the right-of-way.

Council discussion ensued and Councilman Joe Cordina suggested other options that could be made very attractive and that he does not feel this has to be an invasion on the city's right-of-way and requested Mr. Johnston to try to keep the driveway on his property.

Councilman Ramon Suarez stated he did not see an issue; but based on what has been done previously, agrees there is another way to make it work.

Councilman Lynn Guffee stated his agreement with what has been done previously.

Councilman Jerry Tartaglino stated concurrence with the applicant; that the City Council has to take responsibility for the decision it makes and believes it could be made to work nicely without getting in the city's property.

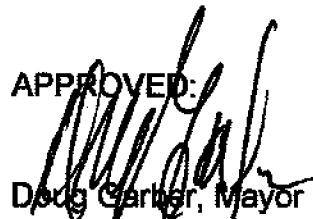
Councilman Cordina made a motion that the request for a waiver as requested from Dale and Paula Johnston be denied. The motion was seconded by Councilman Tartaglino and passed unanimously with Council Members Cordina, Guffee, Suarez and Tartaglino voting FOR.

ADJOURN:

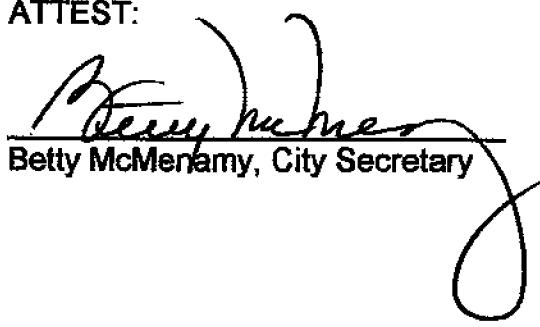
There being no further business to come before the Council, Mayor Garber declared the meeting adjourned at 9:15 P.M.

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Minutes  
June 22, 2004

APPROVED:

  
Doug Clark, Mayor

ATTEST:

  
Betty McMenamy, City Secretary

## MINUTES – CITY OF PARKER COUNCIL MEETING

October 26, 2004

### CALL TO ORDER:

The Parker City Council met in a Regular Meeting on the above date at the Parker City Hall. Mayor Doug Garber called the meeting to order at 7:30 P.M. with Council Members Leon Barbee, Lynn Guffee, Ramon Suarez, and Jerry Tartaglino present. Council Member Joe Cordina was absent. City Attorney Jim Shepherd was also present.

### PLEDGE OF ALLEGIANCE:

Councilman Jerry Tartaglino led the Pledge of Allegiance

### CITIZENS COMMENTS:

Mayor Garber recognized County Commissioner Jerry Hoagland who made a presentation regarding the new Collin County Adventure Camp, expected to be completed in the fall of 2005.

Commissioner Hoagland announced the Parker Road construction was under the management of TxDOT, and not Collin County; that some delay had occurred due to change orders that had been put in place and there is a lull in construction at the present time.

### ANNOUNCEMENTS BY CITY COUNCIL/CITY STAFF:

Councilman Lynn Guffee announced that Parker Lake Estates had been selected as a 2004 National Night Out All Star Award Winner.

Mayor Garber announced the Town Hall Meeting will be on November 6, 2004 from 10:00 A.M. until 1:00 P.M. and City Council and City Staff will be making presentations on the "State of the City".

Police Chief Ray Simmons provided an update on theft of items left in vehicles and reminded residents to not leave anything of value in vehicles. Mayor Garber requested a step up in patrol within the neighborhoods.

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Minutes  
October 26, 2004

**APPROVAL OF MINUTES – OCTOBER 12 MEETING:**

Copies of the Minutes of the October 12 meeting had been previously provided to Council Members. Councilman Leon Barbee made a motion to approve the Minutes as presented. The motion was seconded by Councilman Ramon Suarez and passed with Council Members Barbee, Suarez and Tartaglino voting FOR. Councilman Guffee abstained from voting due to his absence at the October 12 meeting.

**APPROVAL OF MINUTES – OCTOBER 19 MEETING:**

Copies of the Minutes of the October 19 meeting had been previously provided to Council Members. Councilman Leon Barbee made a motion to approve the Minutes as presented. The motion was seconded by Councilman Jerry Tartaglino and passed with Council Members Barbee, Suarez and Tartaglino voting FOR. Councilman Guffee abstained from voting due to his absence at the October 19<sup>th</sup> meeting.

**CONSIDERATION AND APPROPRIATE ACTION ON RESOLUTION 10-2604  
AWARDING BID FOR PURCHASE OF BRUSH TRUCK FOR FIRE  
DEPARTMENT:**

Council Members reviewed Resolution 10-2604 approving and ratifying the advertisement for bids for a replacement Brush Truck for the Fire Department and authorizing the purchase from Unruh Fire at a bid price of \$80,000.00. Councilman Ramon Suarez stated funds for the purchase of this replacement vehicle had been authorized in the 2004-05 Operating Budget, and made a motion to approve resolution 10-2604 awarding the bid for purchase of a Brush Truck from Unruh Fire. The motion was seconded by Councilman Leon Barbee and passed with Council Members Barbee, Guffee, Suarez and Tartaglino voting FOR.

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**CONSIDERATION AND APPROPRIATE ACTION ON RESOLUTION 10-2604**  
**(A) ACCEPTING ANNEXATION PETITION FOR APPROXIMATELY 36.476**  
**ACRES OF LAND IN THE A. J. TUCKER SURVEY, ABSTRACT NO. 910 OF**  
**COLLIN COUNTY, TEXAS AND SETTING OF HEARING DATES:**

Resolution 10-2604(A) accepting an Annexation Petition for approximately 36.476 acres of land, and setting hearing dates for November 9<sup>th</sup> and November 16<sup>th</sup> was reviewed by the Council. Mayor Garber reviewed with the Council the Calendar for the annexation, zoning, and platting process. Discussion followed and City Attorney Jim Shepherd briefed the Council on the process for annexing and zoning of the property.

Councilman Ramon Suarez made a motion to approve Resolution 10-2604 (A) accepting an Annexation Petition for approximately 36.476 acres of land and setting hearing dates of November 9<sup>th</sup> and November 16<sup>th</sup>, 2004. The motion was seconded by Councilman Lynn Guffee and passed with Council Members Barbee, Guffee, Suarez and Tartaglino voting FOR.

**CONSIDERATION AND REVIEW OF REVISED ANIMAL CONTROL**  
**ORDINANCE AND ANY ACTION AS REQUIRED:**

Proposed Ordinance 560 providing modifications to Ordinance 414, regarding specific prohibitions of Rottweilers and Pitt Bulls within the City of Parker was reviewed by Council Members and discussion followed with City Attorney Jim Shepherd. Mr. Shepherd recommended the Council review the ordinance on a yearly basis.

Council Members expressed general agreement with the intent of the Ordinance as a preventive measure in Parker. Councilman Jerry Tartaglino made a motion to approve Ordinance 560 providing modifications to Ordinance 414, regarding specific prohibitions of Rottweilers and Pitt Bulls. The motion was seconded by Councilman Leon Barbee and passed with Council Members Barbee, Guffee, Suarez and Tartaglino voting FOR.

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Minutes  
October 26, 2004

**CONSIDERATION AND APPROPRIATE ACTION ON PRELIMINARY PLAT  
FOR PARKER RANCH ESTATES:**

Jim Douglas addressed the Council requesting approval of a Preliminary Plat for Phase I of Parker Ranch Estates, and presented a layout of the overall plan for the development. Mr. Douglas reviewed comments by Parker's City Engineer, and Council discussion followed. Councilman Lynn Guffee expressed concerns regarding the effect this development will have on water pressure in other areas of the City. Jeff Flanigan, Public Works Superintendent stated the water pressure will meet the State requirements and explained the water pressure differences due to elevation; that the City Staff will be looking at options on how best to resolve this problem; that one temporary option is a booster pump near Curtis Road and FM 2551 at the time of Preliminary Plat for the second phase; but the permanent solution is another elevated tank in the north portion of town with the water distribution divided into two pressure planes. He concluded, stating an additional elevated tower will be of no benefit until there is a second pump station.

Jim Shepherd referenced the Compromise Settlement Agreement and certain provisions contained in the agreement and the court-ordered functions with which Parker must comply.

Councilman Ramon Suarez made a motion to recess to closed executive session in accordance with the posted Agenda. The motion was seconded by Councilman Lynn Guffee and passed with Council Members Barbee, Guffee, Suarez and Tartaglino voting FOR. Mayor Garber declared the meeting in recess at 9:05 P.M.

Mayor Garber recalled to order the regular meeting at 9:40 P.M.

Council Members reviewed and discussed the City Engineer's report regarding the Preliminary Plat, and several items which would require a waiver of the Subdivision Regulations, specifically:

- (1) Length of Tennyson Ct. is 800 ft. rather than the maximum 600 ft.

Council Members were in general agreement with the proposed 800 ft.

- (2) Construction of Allen Heights Dr. along the frontage of Parker Ranch Estates

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October 26, 2004

Council Members expressed agreement that Allen Heights Drive should be constructed as part of the construction of Parker Ranch Estates.

- (3) Width of Chaparral Dr. proposed for two 18 ft. width lanes rather than 22 ft. width as specified in the Thoroughfare Plan

Council Members stated no disagreement with the proposed width of two lanes of 18 ft. width.

- (4) Construction of left-turn lanes for Chaparral Dr.

In the interest of health, safety and welfare, Council Members requested construction of the left turn lanes for Chaparral Dr.

- (5) Construction of Chaparral Dr. to the end of Phase I instead of 60 ft. short of the phase line

Council agreed Chaparral Dr. should be constructed to the end of Phase I.

- (6) Submittal of Trail Plan

Council Members requested a Trail Plan eight ft. in width, to serve as a multi-purpose trail that would resemble a wide sidewalk with 4 ft. of concrete and 4 ft. soft surface.

Mayor Garber requested the developer to provide a Landscape Plan to the City Staff for approval and invited comments from the audience.

Joe Sterk expressed concerns about the widening of Allen Heights Dr.

Councilman Ramon Suarez made a motion to approve the Preliminary Plat of Parker Ranch Estates, with the following stipulations:

- (1) Tennyson Court being 800 ft. in length;
- (2) Two lanes of Allen Heights Dr., including storm drains, shall be constructed along the frontage of PRE.

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- (3) The construction of two lanes on Chaparral Drive, separated by a median
- (4) The construction of left turn lanes off Chaparral at Berwick and Norwick
- (5) The construction of Chaparral shall extend to the end of Phase I
- (6) The submittal of a Trail Plan, 8 ft. in width with half the trail being a soft surface
- (7) The submittal of a Landscape Plan to the City Staff for approval

The motion was seconded by Councilman Leon Barbee and passed with Council Members Barbee, Guffee, Suarez and Tartaglino voting FOR.

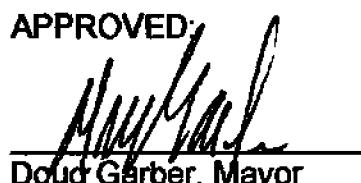
CITY COUNCIL/STAFF COMMENTS:

Councilman Guffee expressed concerns regarding an oversized garage permitted by the City in Parker Lake Estates, 3-B.

ADJOURN:

Mayor Garber adjourned the meeting at 10:10 P.M.

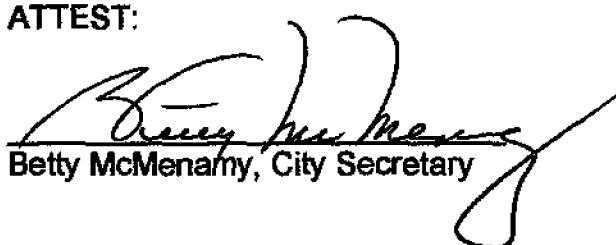
APPROVED:



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Doug Garber, Mayor

ATTEST:



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Betty McMenamy, City Secretary

## PRELIMINARY PLAT

(5) *Lapse of preliminary plat approval.* The approval of a preliminary plat shall be effective for a period of 2 years from the date that the preliminary plat is approved by the Council, at the end of which time the applicant must have submitted and received approval for a final plat. If a final plat is not submitted and approved within 2 years, the preliminary plat approval shall be null and void, and the applicant shall be required to submit a new plat subject to the then existing zoning and subdivision regulations.

See § [155.029](#) concerning extensions and reinstatement of approval.

### § 155.029 EXTENSION OR REINSTATEMENT OF PRELIMINARY PLAT APPROVAL.

(A) Sixty days prior to or following the lapse of approval for a preliminary plat, as provided in this chapter, the developer may petition the Council to extend or reinstate the approval. This petition shall be considered at a public meeting of the Council.

(B) In determining whether to grant such a request, the Council shall take into account the reasons for the lapse, the ability of developer to comply with any conditions attached to the original approval, and the extent to which newly adopted subdivision regulations shall apply to the plat or study. The Council may extend or reinstate the plat, or deny the request, in which instance the developer must submit a new application for approval.

(C) The Council may extend or reinstate the approval subject to additional conditions based upon newly enacted regulations or as are necessary to ensure compliance with the original conditions of approval. The Council may also specify a shorter time for lapse of the extended or reinstated plat or study than is applicable to original approvals.

(Ord. 487, passed 7-18-2000)

RECEIVED

OCT 09 2013

CITY OF PARKER

## DEVELOPMENT APPLICATION

City of Parker, Texas

Proposed Name of Subdivision: PARKER RANCH PHASE ONE

Plat Approval Requested Filing Fee Filing Fee

<input checked="" type="checkbox"/> Preliminary Plat	<u>\$800.00 + \$30/acre</u>	<input type="checkbox"/> Final Plat	<u>\$800.00 + \$30/acre</u>
<input type="checkbox"/> Site Plan	<u>\$300.00 + \$25/acre</u>	<input type="checkbox"/> Minor Plat (5 acres or less)	<u>\$500.00 + \$100/lot</u>
<input type="checkbox"/> Replat/Amended	<u>\$500.00 plus \$15/lot</u>	<input type="checkbox"/> Development Plat	<u>\$300.00 + \$30/acre</u>

Physical Location of Property: Northeast Corner of Allen Heights Drive & Chaparral Drive \_\_\_\_\_  
(Address and General Location – Approximate distance to the nearest existing street corner)

Brief Legal description of Property (must attach accurate metes and bound description to application):  
J.S. Bradley Survey, Abstract No. 89 & J. Snider Survey, Abstract No. 848

Acreage: 121.5421 Ac. Existing # of Lots/Tracts: 81 Lots Existing Zoning: PD Ordinance 546  
(If a PD, include the Ordinance with application)

**GRAHAM MORTGAGE CORP**

Property Owner's Name: Dean Castelhano, President Phone Number: 214-522-6400

Applicant/Contact Person: JIM DOUGLAS Title: \_\_\_\_\_

Company Name: DOUGLAS PROPERTIES INC.

Street/Mailing Address: 2309 Avenue K, Suite 100 City: Plano State: Tx. Zip: 75074

Phone: 214-422-1658 Fax: \_\_\_\_\_ Email Address: jim.douglasproperties@gmail.com

Engineering Company: Tipton Engineering a division of Westwood

Contact Person: Richard Hovas Title: \_\_\_\_\_

Street/Mailing Address: 5605 North MacArthur Blvd. Suite 500 City: Irving State: Tx. Zip: 75038

Phone: 792-793-0300 Fax: \_\_\_\_\_ Email Address: Richard.hovas@westwoodps.com

**\*\* READ BEFORE SIGNING BELOW:** If there is more than one property owner, complete a separate sheet with the same wording as below. The City requires all Original Signatures. If applicant is other than the property owner, a "Power of Attorney" with original, notarized signatures is required.

STATE OF TEXAS ) (

COUNTY OF COLLIN ) (

BEFORE ME, a Notary Public, on this day personally appeared Dean Castelhano, President  
the undersigned applicant, who, under oath, stated the following "I hereby certify that I am the owner, or duly  
authorized agent of the owner, (Proof must be attached, e.g. "Power of Attorney") for the purposes of this  
application; that all information submitted herein is true and correct. I understand that submitting this  
application does not constitute approval, and incomplete applications will result in delays and possible denial."

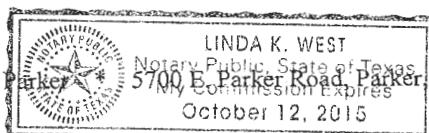
**GRAHAM MORTGAGE CORPORATION**

Owner / Agent (circle one)

Dean Castelhano, President

SUBSCRIBED AND SWORN TO before me, this the 17<sup>th</sup> day of October, 2013.

Notary Public in and for the State of Texas:



Over

City of Parker, No. 5700 E Parker Road, Parker, Texas 75002 972-442-6811 Fax 972-442-2894 www.parkertexas.us

**GRAHAM MORTGAGE CORPORATION**

**CONSENT OF SOLE DIRECTOR  
IN LIEU OF DIRECTORS MEETING**

January 7, 2013

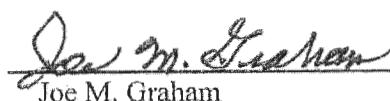
Pursuant to the provisions of Article 9.10B of the Texas Business Corporation Act, the undersigned, being the sole person entitled to vote at a meeting of the directors of Graham Mortgage Corporation (the "Corporation") for the following described action, authorizes by his signature below the following:

RESOLVED, that the following persons are hereby elected to the office or offices set forth below his name, to serve until the next annual meeting of the Board of Directors or until his successor is elected and qualified or until his earlier death, resignation, retirement, disqualification or removal from office:

<u>Name</u>	<u>Office</u>
Joe M. Graham	Chairman of the Board
Dean Castelhano	President, Treasurer
Sheri Kuykendall	Vice President
Grant Morrow	Vice President
Linda K. West	Vice President, Secretary

RESOLVED FURTHER, that all acts, transactions or agreements undertaken by, and all documents and instruments executed by, an officer of the Company in the Company's name and for the Company's accounts during the preceding year are hereby ratified, approved, confirmed and adopted in all respects by the Board of Directors.

As attestation of the accuracy of the foregoing and of his consent to the adoption of the resolution set forth above, the undersigned, being the sole director of the Company, has hereunto subscribed his name

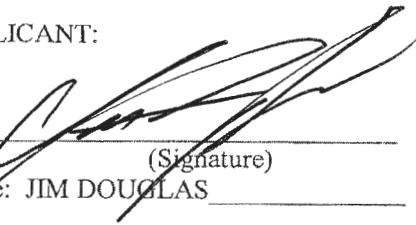
  
\_\_\_\_\_  
Joe M. Graham

## WAIVER OF EXPEDITION

I HEREBY WAIVE MY RIGHTS TO APPROVAL THROUGH LACK OF CITY ACTION ON THE ABOVE REFERENCED PLAT WITHIN THE TIME FRAMES SET FORTH IN 212.009, TEXAS LOCAL GOVERNMENT CODE AND I AGREE THE PLAT SUBMITTED WILL BE APPROVED ONLY BY AFFIRMATIVE COUNCIL ACTION.

Project Name/Proposed Subdivision Name: PARKER RANCH PHASE ONE

APPLICANT:

  
(Signature)

Name: JIM DOUGLAS

Title: \_\_\_\_\_

Phone: 972-422-1658

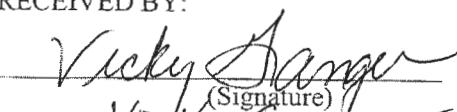
Address: 2309 Avenue K, Suite 100

Plano, Texas 75074

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

Corporation;  Partnership;  
 Individual; or  
 Other (description) \_\_\_\_\_

CITY OF PARKER:  
RECEIVED BY:

  
(Signature)

Name: Vicky Granger

Title: Administrative Assistant

Date: 10/9/13

## THE KNOTS OF SPRINGHILL

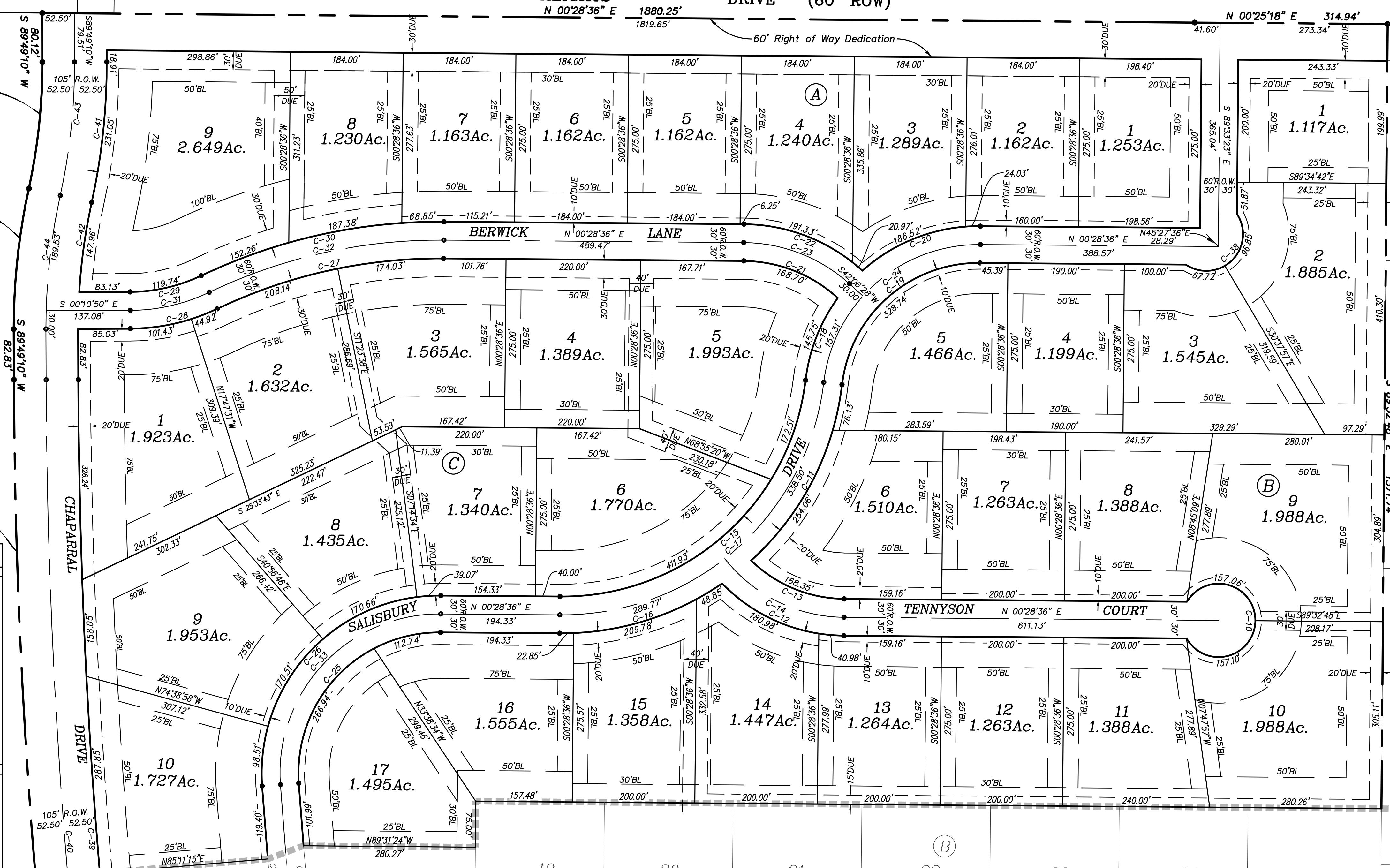
S 4073

## BROOKSIDE #2

S 4065

CENTEX DEVELOPMENT  
91-72545

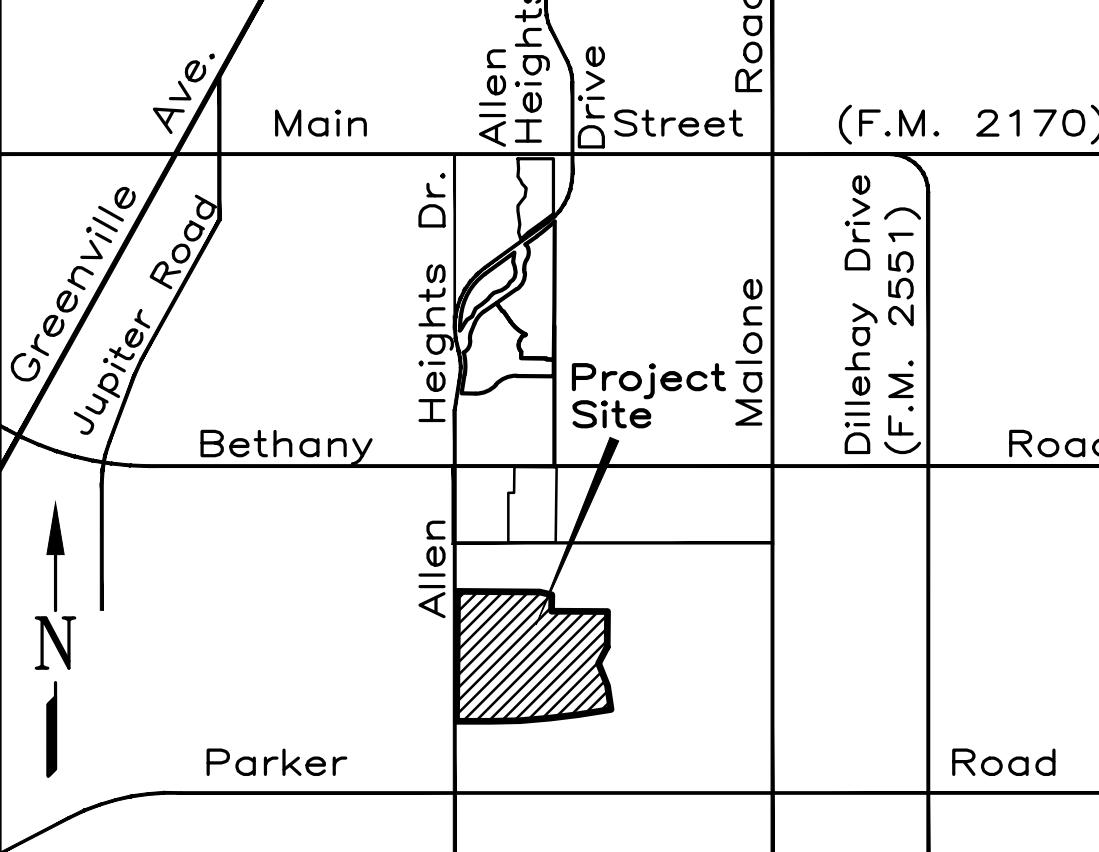
ALLEN HEIGHTS DRIVE (60' ROW)

GRAHAM MORTGAGE CORPORATION  
Instr. #20100803000798510

AVERAGE LOT AREA ~ 1.500 ACRES

## LOCATION MAP

NOT TO SCALE

GRAHAM MORTGAGE CORPORATION  
Instr. #20100803000798510

NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinance and state law and is subject to fines and withholding of utilities and building permits.

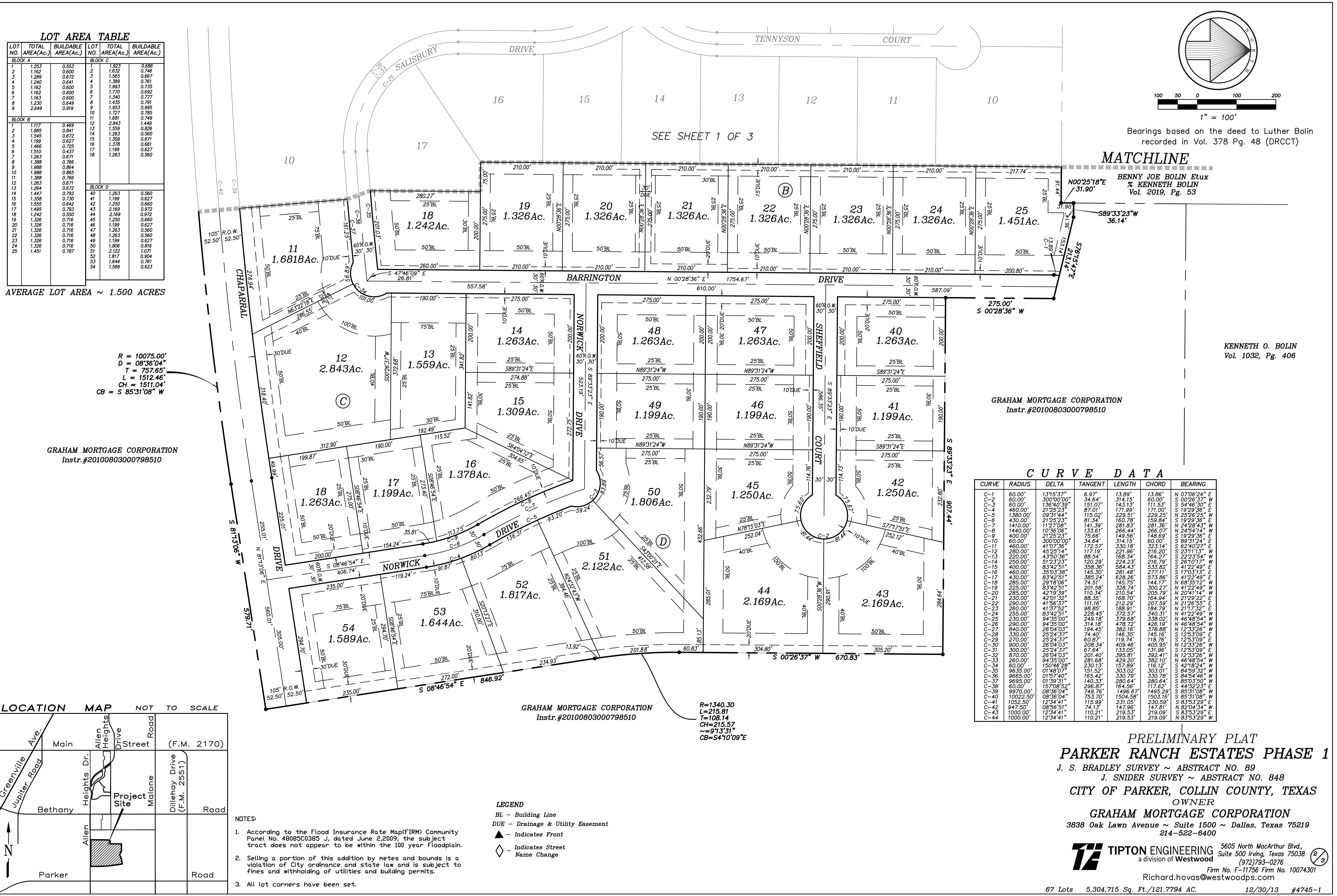
NOTICE: All lot corners have been set

SEE SHEET 2 OF 3

**LEGEND**  
 BL - Building Line  
 DUE - Drainage & Utility Easement  
 ▲ - Indicates Front  
 ◇ - Indicates Street Name Change

PRELIMINARY PLAT  
PARKER RANCH ESTATES PHASE 1J. S. BRADLEY SURVEY ~ ABSTRACT NO. 89  
J. SNIDER SURVEY ~ ABSTRACT NO. 848CITY OF PARKER, COLLIN COUNTY, TEXAS  
OWNERGRAHAM MORTGAGE CORPORATION  
3838 Oak Lawn Avenue ~ Suite 1500 ~ Dallas, Texas 75219  
214-522-6400

**TIPTON ENGINEERING**  
a division of **Westwood**  
5605 North MacArthur Blvd.,  
Suite 500 Irving, Texas 75038  
(972) 793-0276  
Firm No. F-117560 Firm No. 10074301  
Richard.hovas@westwoodps.com



STATE OF TEXAS      )(  
COUNTY OF COLLIN      )(

RECOMMENDED FOR APPROVAL

Chairman, Planning and Zoning Commission  
City of Parker, Texas

Date

APPROVED AND ACCEPTED

Mayor, City of Parker, Texas

Date

The undersigned, the City Secretary of the City of Parker, hereby certifies that the foregoing preliminary map or plat of PARKER RANCH ESTATES PHASE 1, a subdivision or addition to the City of Parker was submitted to the City Council on this \_\_\_\_\_ day of \_\_\_\_\_, 2014, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the approval thereof by signing his name herein above subscribed.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

City Secretary  
City of Parker, Texas

WHEREAS, Graham Mortgage Corporation is the owner of a tract of land situated in the City of Parker, Collin County, Texas and in the J.S. Bradley Survey, Abstract No. 89 and the J. Snider Survey, Abstract No. 848, and being part of a tract of land according to the Special Warranty Deed recorded in Doc. #20100803000798510 of the Deed Records of Collin County, Texas (DRCCT) and being more particularly described as follows;

BEGINNING at a point on the east line of Allen Heights Drive (a 60' ROW) said point being the northwest corner of the subject tract, said point also being the southeast corner of a tract of land conveyed to Kenneth O. Bolin according to the deed recorded in Volume 1032, Page 406 (DRCCT);

THENCE, S 89° 32' 48" E, along the south line of said Kenneth O. Bolin tract a distance of 1371.74 feet;

THENCE, N 00° 25' 18" E, a distance of 31.90 feet;

THENCE, S 89° 33' 23" W, a distance of 36.14 feet;

THENCE, S 76° 15' 47" E, a distance of 213.14 feet;

THENCE, S 00° 28' 36" W, a distance of 275.00 feet;

THENCE, S 89° 33' 23" E, a distance of 907.44 feet;

THENCE, S 00° 26' 37" W, a distance of 670.83 feet;

THENCE, around a tangent curve to the left having a central angle of 09° 13' 31", a radius of 1340.30 feet, and a chord of S 04° 10' 09" E - 215.57 feet, an arc distance of 215.81 feet;

THENCE, S 08° 46' 54" E, a distance of 846.92 feet;

THENCE, S 81° 13' 06" W, a distance of 579.71 feet;

THENCE, around a tangent curve to the right having a central angle of 08° 36' 04", a radius of 10075.00 feet, and a chord of S 85° 31' 08" W - 1511.04 feet, an arc distance of 1512.46 feet;

THENCE, S 89° 49' 10" W, a distance of 82.83 feet;

THENCE, around a tangent curve to the right having a central angle of 12° 34' 41", a radius of 1052.50', and a chord of N 83° 53' 29" E - 230.59 feet, an arc distance of 231.05 feet;

THENCE, around a reverse curve to the left having a central angle of 12° 34'41", a radius of 947.50 feet, and a chord of N 83° 53' 29" W - 207.57 feet, an arc distance of 208.00 feet;

THENCE, S 89° 49' 10" W, a distance of 80.12 feet;

THENCE, N 00° 28' 36" E, along the east line of said Allen Heights Drive (a 60' ROW) a distance of 1880.25 feet;

THENCE, N 00° 25' 18" E, along the east line of said Allen Heights Drive (a 60' ROW) a distance of 314.94 feet to the POINT OF BEGINNING containing 5,304.715 square feet or 121.7794 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, GRAHAM MORTGAGE CORPORATION, acting herein by and through its duly authorized officer, do hereby adopt this plat designating the herein above described property as PARKER RANCH ESTATES PHASE 1, an addition to the City of Parker, Texas and do hereby dedicate, in fee simple, to the public use forever, the streets, alleys, and public use areas shown thereon. The easements, as shown, are hereby dedicated for the purposes as indicated. The Utility and Drainage Easements being hereby dedicated for the mutual use and accommodation of the City of Parker and all public utilities desiring to use or using same. All and any public utility and the City of Parker shall have the right to remove and keep removed all or parts of any building, fences, shrubs, trees, or other improvements or growths, which in anyway endanger or interfere with the construction, maintenance or efficiency of its respective systems on said Easements, and the City of Parker and all public utilities shall, at all times, have the full Right of Ingress and Egress to or from and upon said Easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its' respective systems, without the necessity, at any time or procuring the permission of anyone.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Parker, Texas.

WITNESS MY HAND AT \_\_\_\_\_, TEXAS this the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

GRAHAM MORTGAGE CORPORATION

By: \_\_\_\_\_

STATE OF TEXAS      )(  
COUNTY OF DALLAS      )(

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, 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 DOUGLAS PROPERTIES, INC., 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This \_\_\_\_\_ day of \_\_\_\_\_, 2014.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYORS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS;  
I, Harry, L. Dickens, Registered Professional Land Surveyor for Westwood, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made in February, 2013, under my direction and supervision, and further certify that all corners are as shown thereon, and that said plat has been prepared in accordance with the platting rules and regulations of the City of Anna, Texas;

Date: This the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Released for review only: 10-9-13  
In accordance with Texas Board of Professional Land Surveying Rule 663.18(c),  
29 T.A.C. 663.18(c) this is a preliminary document, and shall not be signed or sealed.  
"Preliminary, this document shall not be recorded for any purpose."

Harry L. Dickens  
Registered Professional Land Surveyor  
No. 5939

THE STATE OF TEXAS      )(  
COUNTY OF DALLAS      )(

BEFORE ME, the undersigned authority, on this day personally appeared Harry L. Dickens, whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said WESTWOOD, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,  
this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Notary Public in and for the State of Texas

PRELIMINARY PLAT  
PARKER RANCH ESTATES PHASE 1

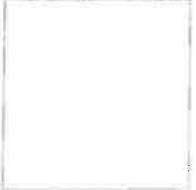
J. S. BRADLEY SURVEY ~ ABSTRACT NO. 89  
J. SNIDER SURVEY ~ ABSTRACT NO. 848

CITY OF PARKER, COLLIN COUNTY, TEXAS  
OWNER

GRAHAM MORTGAGE CORPORATION  
3838 Oak Lawn Avenue ~ Suite 1500 ~ Dallas, Texas 75219  
214-522-6400

TIPTON ENGINEERING  
a division of Westwood  
(972)793-0276  
Firm No. F-11756 Firm No. 10074301  
Richard.hovas@westwoodps.com





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

## PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Fax (214) 461-8390

Phone (214) 361-7900

JOHN W. BIRKHOFF, P.E.

GARY C. HENDRICKS, P.E.

JOE R. CARTER, P.E.

MATT HICKEY, P.E.

ANDREW MATA, JR., P.E.

JOSEPH T. GRAJEWSKI, III, P.E.

DEREK B. CHANEY, P.E.

December 31, 2013

Mr. Jeff Flanigan  
Public Works Director  
City of Parker  
5700 E. Parker Rd.  
Parker, Texas 75002

Re: Parker Ranch Estates  
Engineering Plans

Dear Mr. Flanigan:

As you requested, we have reviewed the Engineering Plans for the Parker Ranch Estates development, dated December 14, 2013. We received these plans from you on December 23, 2013.

Our review of the Engineering Plans is for general compliance with the City of Parker's development requirements and good engineering practice, and does not relieve the engineer of record of his responsibilities under the Texas Engineering Practice Act. Listed below are the comments regarding the enclosed plans:

### **General Comments**

1. All sheets shall be signed and sealed by a Professional Engineer licensed to practice in the State of Texas.

### **Preliminary Plat Comments**

2. Lot sizes have been revised with the Preliminary Plat. The table included on the Plat in the plan set does not match the lots shown on the plan. A revised Preliminary Plat was sent to us separately via email from Tipton Engineering on December 30, 2013, and shall be incorporated into the plan set.
3. Detention pond easements shown on the drainage plans are not shown on the Preliminary Plat.

### **Paving Plan Comments**

4. The typical paving section for Chaparral Drive is shown on Sheet 4. The proposed plans show the inside 2 lanes of an ultimate 4 lane divided roadway to be constructed with this project. This configuration needs to be confirmed by the City. The proposed configuration allows for wide parkways and a narrow median. Construction of the outside lanes will provide for a wide median. Typically, we see outside lands constructed with inside lanes for the future.
5. Concrete strength shall be 3600 psi at 28 days including the street connections.

Mr. Jeff Flanigan  
City of Parker  
December 31, 2013  
Page 2 of 2

6. Sheets 5 and 6 state that a hike and bike trail is to be constructed on the north side of Chapparal Drive. The stations identifying the end of the trail do not match between the two sheets. Also, show the trail on the plan.

#### **Drainage Area Map and Ditch Plan Comments**

7. Lot to lot drainage is not allowed. As stated in the previous response letter, grading plans were not provided as the developer intends to use natural grades with drainage swales. It appears in some areas that storm drainage will be conveyed across property lines and lots without an easement.
8. Several point discharges are being created in the drainage design. It is not clear how this storm water will be conveyed through adjacent property or where it is being conveyed to. It appears each location will require offsite drainage easements to allow conveyance of concentrated flows. Detention ponds, with easements, have been shown on the plans. However, detention calculations, outlet calculations, and off-site drainage channels, with cross-sections and calculations, were not provided.
9. Off-site drainage easements will be required for proposed off-site storm drainage and water line. Provide easements to the City for review.

#### **Allen Heights Drive Plan Comments**

10. Cross-sections for portions of the drainage channel along Allen Heights Drive were provided on the Ditch Plan. Clearly show on the cross-sections every 100-ft the drainage easement limits, ROW lines, and back of curb.
11. It is unclear how the storm drainage is being collected and conveyed at either end of the proposed roadway.
12. 2-foot cover is required over all storm pipes, and the HGL shall be a minimum of 1-foot under the pavement surface.

#### **Storm Water Pollution Prevention Plan Comments**

13. Not reviewed.

The plans provided for our review have been marked-up to represent the comments above and are enclosed with this letter. Additional review time is required for a complete review to take place. We are available to discuss this project and our review comments further at your convenience.

Sincerely,



Craig M. Kerkhoff, P.E.

Enclosures

cc: Mr. Richard Hovas, P.E.



## Council Agenda Item

Budget Account Code:	Meeting Date:	January 7, 2014
Budgeted Amount:	Department/ Requestor:	Pettle
Fund Balance-before expenditure:	Prepared by:	Shepherd
Estimated Cost:	Date Prepared:	12/30/2013
Exhibits:		

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A PROCESS FOR FILLING A COUNCIL SEAT VACANCY. [PETTLE]

### SUMMARY

**The statutory qualifications from the Election Code and the Local Government Code to be elected or appointed to the city council, or as Mayor, in a Type A General Law city are set forth below:**

#### “PUBLIC OFFICE QUALIFICATIONS

To run for office in Parker, you must:

- be a citizen of the United States;
- be at least 18 years old on the date of the election; and
- have lived in the State of Texas for at least 12 consecutive months prior to the filing date for the election.
- have lived in Parker for at least 6 months prior to the filing date for the election if running for city council, and 12 months if running for Mayor.
- be a registered voter and reside in the city on election day
- have not been determined by a final judgment of a court exercising probate jurisdiction to be:
  - (A) totally mentally incapacitated; or
  - (B) partially mentally incapacitated without the right to vote;
- have not been finally convicted of a felony from which you have not been pardoned or otherwise released from the resulting disabilities;

The qualifications for being appointed to a council position are the same, except the time periods for residency are measured from the date of appointment. An appointment may be made in the event a vacancy occurs during a councilmember's or Mayor's term of office.

#### FILING FOR A PLACE ON THE BALLOT

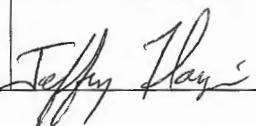
To run for city office, you must file an application with the city clerk or secretary. The application includes information required by the Texas Election Code and must be filed according to deadlines set by that code. A candidate may either file for a place on the ballot or as a write-in candidate, but an application must be filed in either case. The City Secretary can inform you of the rules and deadlines. "

**The information above would normally be provided to potential candidates or applicants as a part of their election (or appointment) information. In the event a vacancy occurs in the office of a council member or the Mayor, the majority of cities leave it to the remaining council members to determine who the best applicant is for the vacant position. That is generally a review of the applications filed for the position, confirmation they meet the statutory requirements above, and a selection by public vote of the remaining council members. The Mayor may vote to break a tie.**

**Parker is subject to the statutory requirements as a general law city. It need not pass a resolution or an ordinance to be subject to the requirements, nor is the City authorized to modify the requirements.**

#### POSSIBLE ACTION

Approve, Deny, Table

Inter-Office Use			
Approved by:		Date:	
Department Head:	Councilmember Pettle By email	Date:	Tue 12/31/2013 4:26 AM
City Attorney:	By email	Date:	Mon 12/30/2013 3:58 PM
City Administrator:		Date:	1/2/13

**CITY COUNCIL  
FUTURE AGENDA ITEMS**

AGENDA DATE	ITEM DESCRIPTION	CONTACT	Notes
TBD	Interlocal with Wylie on Creekside Development	Shepherd	Quick claim deed for park land, trail and bridge maintenance.
TBD	Contract process and procedures	Pettle	Tabled from 11/18
<b>January 21, 2014</b>	<b>Backup due to the City Secretary by January 13, 2014</b>		
January 21, 2014	Recognition of Scout Kade Johnson	Parks and Rec	Certificate of Achievement - Eagle scout project, games at ParkerFest.
January 21, 2014	P&R quarterly report	Parks and Rec	REQUIRED - DO NOT REMOVE FROM THIS AGENDA PER JEFF.
January 21, 2014	Allied Report		REQUIRED PER ORDINANCE AND AGREEMENT. Brenda will be in attendance
January 21, 2014	PRESENTATION AND DISCUSSION ON A LAND CONCEPT PLAN FOR 48 ACRES IN THE ETJ, GENERALLY LOCATED AT CURTIS RD AND LEWIS LN. [P&Z]	Flanigan/P&Z	Ron Haynes, Developer Need proper language from Jim.
January 21, 2014	Department Reports	Various Departments	
January 21, 2014	Estate Lane Drainage	Taylor	Council action 11/18
January 21, 2014	Election - Contract with Collin County for full service or rental only	Smith	
<b>February 4, 2014</b>	<b>Backup due to the City Secretary by January 27, 2014</b>		

AGENDA DATE	ITEM DESCRIPTION	CONTACT	Notes
<b>February 18, 2014</b>	<b>Backup due to the City Secretary by February 10, 2014</b>		
February 18, 2014	Call General Election	City Secretary	Mayor and two council seats <b>Statutory Deadline is February 28, 2014.</b>
February 18, 2014	Fee Schedule Review	Flanigan	
February 18, 2014	Department Reports	Various Departments	
February 18, 2014	Newsletter Process	Smith	review of resolution 2012-377
<b>March 4, 2014</b>	<b>Backup due to the City Secretary by February 24, 2014</b>		
<b>March 18, 2014</b>	<b>Backup due to the City Secretary by March 10, 2014</b>		
March 18, 2014	Atmos Cities Steering Coalition	Council	
March 18, 2014	Collin County Election Contract	City Secretary	Annual
March 18, 2014	Department Reports	Various Departments	
<b>April 1, 2014</b>	<b>Backup due to the City Secretary by March 24, 2014</b>		