

MINUTES

CITY COUNCIL MEETING

July 7, 2009

CALL TO ORDER – Roll Call and Determination of a Quorum

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

Mayor Cordina called the meeting to order at 7:00 p.m. with Councilmember's, Sumrow, Threadgill, Evans and Levine present. Councilmember Marshall was absent. A quorum was present.

Staff present: City Attorney Jim Shepherd, City Administrator Dena Daniel, Assistant City Administrator Jeff Flanigan, City Secretary Carrie Smith, Fire Chief Mike Sheff and Police Chief Tony Fragoso.

PLEDGE OF ALLEGIANCE

Resident Ed Standridge led the Pledge.

PUBLIC COMMENTS The City Council invites any person with business before the Council not scheduled on the agenda to speak to the Council. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

No comments.

INDIVIDUAL CONSIDERATION ITEMS

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR JUNE 16, 2009.

Councilmember Sumrow motioned to approve the minutes as amended. Councilmember Evans seconded with Councilmember's Sumrow, Threadgill, Evans and Levine voting for. Motion carried 4-0.

2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON AN ACCESS ROAD FOR THE NEW FIRE STATION.

Assistant City Administrator Flanigan reviewed the drawings prepared by City Engineer Birkhoff. (See Exhibit 2A.) Section 1, estimated cost \$13,000, is from the City Hall parking lot to the 12" culvert. Section 2, estimated cost \$38,000, is from the 12" culvert to the Public Safety Building rear parking lot. Additional parking is available at City Hall and in the field. The concrete thickness for the parking spaces can be 6 inches rather than the required 8 inches for the access road. Council requested the parking spaces

to be moved to the south side of the access to leave room for future expansion of the building.

MOTION: Councilmember Sumrow motioned to authorize staff to request official quotes for the project; move forward if quotes come in under \$49,000; and moving the parking spaces to the south side of the access road. Mayor Pro-tem Threadgill seconded with Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 4-0.

3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON SOLID WASTE BID REQUEST FOR PROPOSALS.

City Attorney Shepherd explained the City would be seeking proposals from contractors (RFP) rather than typical bids. The base cost is the same service we have today. There are a number of alternates for additional services. A committee consisting of Assistant City Administrator Flanigan, City Attorney Shepherd, Mayor Pro-tem Threadgill and Mayor Cordina that approved the final changes on the document.

Mr. Shepherd expressed concerns with the recycle bank alternate. If the recycle bank is not profitable to the vendor they will add cost to the base bid to make up the cost. Council requested Mr. Shepherd to add additional language to the alternate for the recycle bank.

The processes we will follow is 1) submit RFP to the obvious vendors, 2) publish notice in the paper and on the website, and 3) hold a mandatory pre-bid meeting for all interested vendors. We can expect 2 to 3 vendors to respond.

MOTION: Mayor Pro-tem Threadgill motioned to modify the solid waste request for proposal subject to modifying the language for the recycle bank alternate. Councilmember Sumrow seconded with Councilmember's Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 4-0.

4. CONSIDERATION AND ACTION ON ADOPTION OF ORDINANCE NUMBER 642, REGARDING COMPLIANCE AND IMPLEMENTATION OF THE FEDERAL FAIR AND ACCURATE CREDIT TRANSACTIONS ACT BY ADOPTION OF AN IDENTITY THEFT PREVENTION PROGRAM.

Federal regulations require adoption of an anti identity theft program by a variety of creditors, including municipal utility systems. Exhibit 4B is one form of the program Mr. Shepherd feels would be adequate for Parker's needs. He does not expect any significant staff time to implement or operate the program.

Councilmember Sumrow requested the staff audit the current procedures used to protect customer's identity.

Councilmember Sumrow requested the wording be amended by adding a comma after companies, "WHEREAS, the Red Flags Rule defines creditor to include all utility companies, and the City owns and provides utility services and/or accepts payments for municipal utility services and is therefore classified as a creditor; and".

MOTION: Mayor Pro-tem Threadgill motioned to approve Ordinance 642 as amended. Councilmember Evans seconded with Councilmember's Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 4-0.

5. **CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2009-265 A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, PROVIDING FOR THE EXECUTION OF CONTRACT AMENDMENT NO. 5 JAIL SERVICES AGREEMENT BETWEEN THE CITY OF PARKER AND COLLIN COUNTY.**

Chief Fragoso stated this was the annual renewal of the original agreement. He anticipates 80 arrests this year. Call volume is 4000 and lowers the arrest rate. The base rate is approximately \$72.00 per day; \$3000.00 has been budgeted for Fiscal Year 2009-2010.

MOTION: Councilmember Levine motioned to approve Resolution 2009-265 as written. Councilmember Sumrow seconded with Councilmember's Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 4-0.

6. **CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2009-266 A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, PROVIDING FOR THE EXECUTION OF INTERLOCAL AGREEMENT CHILD ABUSE INVESTIGATION SERVICES BETWEEN THE CITY OF PARKER AND COLLIN COUNTY.**

There was discussion and concern about Section 6.

SECTION 6. CIVIL LIABILITY

Any civil liability relating to the furnishing of services under this Agreement shall be the responsibility of the City. The parties agree that the CCSO shall be acting as agent for the City in performing the services contemplated by this Agreement.

The City shall hold the County free and harmless from any obligation, costs, claims, judgments, attorneys' fees, attachments, and other such liabilities arising from or growing out of the services rendered to the City pursuant to the terms of this Agreement or in any way connected with the rendering of said services, except when the same shall arise because of the willful misconduct or culpable negligence of the County, and the County is adjudged to be guilty of willful misconduct or culpable negligence by a court of competent jurisdiction.

Staff is to check with the City insurance carrier to make certain there is enough coverage.

This contract has not changed from the previous other than it is for a 5-year term.

MOTION: Councilmember Levine motioned to table this item to a future agenda. Councilmember Sumrow seconded with Councilmember's Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 4-0.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON IRRIGATION ON MCCREARY ROAD.

Assistant City Administrator Flanigan stated the Council had expressed an interest in irrigation and trees along McCreary Road. This was an option in the bid that was removed to lower costs. Collin County Engineer Ruben Delgado said the County may be able to pay ½ the cost if approved by the Commissioner's Court.

Mr. Flanigan asked Contractor Ed Bell to provide him with an estimate for the addition of a 2-inch median waterline. The estimated cost is \$46,861.78.

Mr. Flanigan will prepare a plan and get a cost estimate. Scott Levine was appointed council liaison.

ROUTINE ITEMS

8. FUTURE AGENDA ITEM REQUESTS

- Irrigation of McCreary Road – Budget Session
- Schedule Public hearings on Tax Rate – Budget Session
- Presentation by Girl Scout Lindsey Sutton – August 4
- Animal Control Report – September
- Report from Building Official on Zoning Changes – September
- Remodel for police station – Budget Session
- Award annual street maintenance contract – Budget Session
- Concrete issue on Springhill Estate

9. UPDATES

- a. Report on recent Southfork events
 - i. KLTY and Texas Tea Party had a few heat related incidents and vehicle accidents other than that it was uneventful.
 - ii. Fire Marshall Reinke had questions for Council regarding the Ordinance on Fireworks. Mayor Cordina stated in the future pre-planning meetings will include city hall staff.
- b. Progress Report – Fire Station and McCreary Road Projects
 - i. Proceeding
- c. Water Quality Report
 - i. We received a good report and reports have been mailed in accordance with State Law.
- d. Staff Report - May 2009 Fire Department
 - i. 25 acres burned on Springhill Estate Road. No homes were lost. Mutual aid was received from Lucas, Wylie, Fairview and Allen Fire Departments.

- ii. Received 6 new radios at a value of \$26K.
- e. Update on New Police Vehicle
 - i. The new Charger has been purchased and will be put into service in the next two weeks. Unit 500 will be ready for auction in the next two weeks.

10. ADJOURN

Mayor Cordina adjourned the meeting at 9:10 p.m.



APPROVED:


Joe Cordina
Mayor

ATTESTED:



Carrie L. Smith, TRMC
City Secretary

APPROVED on the 7th day of
July 2009.