

MINUTES
CITY COUNCIL MEETING
OCTOBER 18, 2016

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 Z Marshall called the meeting to order at 5:30 p.m. Council members Lee Pettle, Cleburne Raney, Ed Standridge, and Patrick Taylor were present. Mayor Pro Tem Scott Levine arrived at 7:00 p.m. Mayor Marshall noted Mr. Levine was not part of the executive session.

Staff Present: City Administrator Jeff Flanigan, Finance/H.R. Manager Johnna Boyd, City Secretary Patti Scott Grey, City Attorney Brandon Shelby, Fire Chief Mike Sheff, Assistant Fire Chief Mark Barnaby, and Police Chief Richard Brooks

EXECUTIVE SESSION 5:30 P.M. TO 7:00 P.M. – Pursuant to the provisions of Chapter 551, Texas Government Code the City Council may hold a closed meeting

- 1. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:**
 - a. Government Code Section 551.074 Personnel—Review of individual staff member roles, to deliberate the appointment, employment, evaluation, duties of a public officer or employee- All City employees and officers of the City.**
 - b. Government Code Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation**

Mayor Marshall recessed the regular meeting at 5:32 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: Kelley Stalder led the pledge.

TEXAS PLEDGE: Hugh Lewis led the pledge.

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

Bill Barron, 6707 Overbrook Drive, spoke about Parker Storage and urged City Council to adhere to the Municipal Code, specifically its City's drainage and engineering standards. He stated Parker residents should not pay for developers' mistakes.

Iris Arias, 3605 Hogge Drive, spoke about loud music and noise from Southfork Ranch. Specifically, loud monotonous music played late, after 10 p.m.

Trudy Jackson, 3607 Hogge Drive, spoke about loud music and noise from Southfork Ranch. Specifically, the volume of the music and how late the music continued into the night. Ms. Jackson volunteered to serve on a committee to review and determine appropriate decibel levels.

PRESENTATION

4. ISO PRESENTATION BY KELLEY STALDER, P.E., CFEI

Mr. Kelley Stalder, Engineer with the State Fire Marshal's Office, Austin, Texas, spoke briefly about the City of Parker's Insurance Services Office (ISO) rating and extended Texas State Fire Marshall Jess Williams' congratulations on achieving an ISO Class 2 rating. Mr. Stalder also read a letter and presented the City with a plaque. (See Exhibit 1 – Deputy State Fire Marshal PPC Oversight Officer Jess Williams' AWARD OF ACHIEVEMENT letter, dated July 6, 2016, and plaque presented to the City of Parker.)

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

5. APPROVAL OF MEETING MINUTES FOR AUGUST 23, 2016. [SCOTT GREY]
6. APPROVAL OF MEETING MINUTES FOR AUGUST 30, 2016. [SCOTT GREY]
7. APPROVAL OF MEETING MINUTES FOR SEPTEMBER 6, 2016. [SCOTT GREY]
8. APPROVAL OF MEETING MINUTES FOR SEPTEMBER 20, 2016. [SCOTT GREY]
9. DEPARTMENT REPORTS-ANIMAL CONTROL, BUILDING, COURT, POLICE AND WEBSITE; REPUBLIC WASTE QUARTERLY REPORT. [BERNAS]

MOTION: Councilmember Standridge moved to approve the consent agenda. Councilmember Pettle seconded. Mayor Marshall asked that one correction be made to the August 23, 2016, City Council Meeting minutes. He requested the next to last

sentence of page 4, paragraph 2, "If the development did not do well, the City would not pay the money." be removed. Councilmembers Levine, Pettle, Raney, Standridge, and Taylor voted for the motion. Motion carried 5-0.

INDIVIDUAL CONSIDERATION ITEMS

10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2016-524 APPOINTING MR. BRANDON S. SHELBY, AN ATTORNEY WITH THE LAW FIRM OF SHELBY LAW, PLLC AS THE CITY ATTORNEY OF THE CITY OF PARKER. [SHELBY]

MOTION: Councilmember Pettle moved to approve Resolution No. 2016-524, appointing Mr. Brandon S. Shelby, an attorney with the Law Firm of Shelby Law, PLLC, as the City Attorney of the City of Parker. Councilmember Standridge seconded with Councilmembers Levine, Pettle, Raney, Standridge, and Taylor voting for the motion. Motion carried 5-0.

Mayor Marshall asked that item #14 be moved forward.

14. DISCUSSION OF PARKERFEST / HOUSEHOLD HAZARDOUS WASTE EVENT BY RICK BERNAS

Mr. Rick Bernas, Municipal Marketing Manager with Republic Services, Inc., Plano, Texas, spoke briefly about the City of Parker's Home Hazardous Waste (HHW) Collection Event to be held October 29 from 11 a.m. to 4 p.m., in conjunction with Parkerfest and early voting. Mr. Bernas said Republic Waste would be collecting home hazardous waste materials on City Hall Drive and provided a list of acceptable and unacceptable items for collection, as follows:

Acceptable:
Aerosols
Cylinders
Pesticides and Herbicides
Flammables
Pool Chemicals
Universal waste oil based paints
Latex paint
Household cleaners
Tires
Acid
Caustic
Batteries including lead acid
Used Oil
Gasoline
Antifreeze
Mercury containing items

Not Acceptable:
E-waste
Radioactive compounds
Smoke detectors
Ammunition
Explosives
PCBs polychlorinated biphenyls
Pharmaceuticals
Controlled Substances
Biological or infectious material
Trash
Appliances

Mr. Bernas also reminded Parker residents to please bring a driver's license or water bill for proof of Parker residence.

Mayor Marshall noted City Council would resume with item #11.

11. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON PARKER STORAGE FACILITY DEVELOPMENT PLAT AND PRELIMINARY ENGINEERING PLANS. [FLANIGAN]

Mayor Marshall recognized Mr. Collin Meyer. Mr. Meyer stated he was one of the Parker Storage, LLC, owners, 5551 Glenwick Lane, Dallas, Texas, and spoke in regard to Parker Storage and his engineer, James DeOtte, P.E., RPLS', response to the City Engineers concerns. He said he and Mr. DeOtte felt all the issues were addressed, as noted in Mr. DeOtte's September 20, 2016 letter. He said his engineer, Mr. DeOtte was present and could respond to any specific questions, such as drainage. Mr. Meyer asked City Council to approve the development plat and engineering plans.

Mayor Marshall asked City Engineer Craig Kerkhoff to come forward. Mr. Kerkhoff stated his name, firm, and address, Birkhoff, Hendricks & Carter, LLP, 11910 Greenville Avenue, Dallas, Texas, for the record. Mr. Kerkhoff mentioned two (2) letters, a review letter and flood study letter, and stated Parker Storage Facility's response stated the revisions were made, as agreed upon after the last meeting. The City Engineers took no exception to the response provided; however, Parker Storage Facility did not submit the existing flood study with that response. Therefore, the City Engineers could not verify the answers. A complete flood study was needed to verify the responses and this was communicated to Mr. DeOtte. Mr. Kerkhoff explained the existing flood study, which was what was out there today and the proposed flood study, which was what Parker Storage was proposing to do, were needed to complete a comparison. In other words, a comparison of existing versus the impact of what was proposed. Mayor Pro Tem Levine clarified that they submitted the proposed information, but they had not submitted the existing information. Mr. Kerkhoff said that was correct.

Mayor Pro Tem Levine reviewed the items that needed to be submitted to the City Engineers, listed in the Mr. Kerkhoff's letter, dated October 13, 2016, and Mr. Carter's letter, dated October 14, 2016 (See Exhibit 2 – City Engineer Craig Kerkhoff, P.E., C.F.M., letter, dated October 13, 2016 and City Engineer Joe R. Carter, P.E., C.F.M., letter, dated October 14, 2016). Mr. DeOtte agreed with those items. Mr. Kerkhoff explained although the *existing* flood study was submitted previously, when the City Engineers respond to the applicant those items were returned. Each submittal from the applicant needed to be a complete packet, so they were not pulling information from various submittals. Mayor Pro Tem Levine suggested recessing into execution session to discuss the matter with Counsel. The Mayor and City Council agreed.

Mayor Marshall recessed the regular meeting at 7:45 p.m.

Mayor Marshall reconvened the regular meeting at 8:05 p.m.

Mayor Pro Tem Levine had City Engineer Kerkhoff review the three (3) items Mr. DeOtte needed to provide on behalf of the Parker Storage Facility to complete the packet. Mr. DeOtte agreed those items needed to be provided and they were not in the current packet. Mr. Levine asked if City Engineer Kerkhoff would recommend approval of the item from an engineering prospective without the necessary

information to verify the responses and/or calculations. Mr. Kerkhoff said he could not verify the responses without the information; therefore, he could not recommend approval at this time. Mayor Pro Tem Levine said he understood Mr. Meyer requested this item be placed on tonight's agenda and he would suspect Mr. Meyer would rather City Council table the item until his engineer provided the information to our City Engineers. Mr. Meyer agreed.

MOTION: Councilmember Levine moved to table the item until the next City Council meeting on November 15, 2016, with the understanding that the information would be provided in a timely manner to prepare for that meeting or Mr. Meyer and/or Mr. DeOtte would contact City Staff to let them know the item was not ready. Otherwise, City Council would not be in a position to approve the plat. Mr. Meyer said he understood. Councilmember Taylor seconded with Councilmembers Levine, Pettle, Raney, Standridge, and Taylor voting for the motion. Motion carried 5-0.

12. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2016-525 AN ENGINEERING SERVICE AGREEMENT ON PARKER ROAD WATER LINE RELOCATION. [FLANIGAN]

City Administrator Flanigan stated Birkhoff, Hendricks & Carter, LLP, was the City's Civil Engineer; however, in the contract, anytime there was a special project an additional agreement was required. This particular item was one of those instances where an engineering service agreement, to redo the waterline from Hogge Drive to Farm to Market Road 1378 (FM 1378) or Country Club Road for a portion of that waterline, was required. The City has a funding agreement approved through Collin County. Most, if not one hundred percent (100%), of this project would be reimbursable through TxDot. Part of the agreement, with Birkhoff, Hendricks & Carter, LLP, was the negotiation of an agreement with TxDot prior to bidding and/or construction.

The Mayor asked Engineer Craig Kerkhoff if he had any additional comments. Mr. Kerkhoff said no, but he would be happy to respond to any questions.

City Attorney Shelby said he and Mr. Birkhoff reviewed and discussed the agreement via email and the agreement in City Council's packet was the product of that discussion.

Mayor Marshall clarified with City Administrator Flanigan the City needed a special or separate agreement on any special projects. Mr. Flanigan said that was correct. The City had an Interlocal agreement with Collin County to fund this project that would be reimbursed by TxDot. Prior to any construction, the City would have an agreement with TxDot that the project would be one hundred percent (100%) reimbursable.

MOTION: Councilmember Levine moved to approve Resolution No. 2016-525, an engineering service agreement for Parker Road water line relocation. Councilmember Taylor seconded with Councilmembers Levine, Pettle, Raney, Standridge, and Taylor voting for the motion. Motion carried 5-0.

13. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A POPULATION CENSUS FOR THE CITY OF PARKER. [LEVINE]

Mayor Pro Tem Levine said he asked that this item be placed on the agenda. Mr. Levine wanted to make sure he had City Council support before moving forward. Based on information annual estimate of the resident population April 1, 2010 to July 1, 2015, the City of Parker population was estimated at 4,300-4,400 residents (See Exhibit 3 – U.S. Census Bureau). Due to the larger homes, our population per home was larger than the national average. With the developments the City of Parker had and have going on, this was important because the City may have enough residents to consider moving toward home rule. The City would create a charter, which would allow us, as a home rule city, certain rights from an annexation standpoint and allow the City to do some different things. By placing the item on the agenda, Mr. Levine said he wanted to see whether it would be alright with City Council, with City Administrator Flanigan and City Attorney Shelby's help, to explore and see what would be required, cost- and population-wise, to go home rule. Before he started the process, he wanted to make sure everyone was comfortable with him moving forward.

Mayor Marshall asked if there was a state mandate or number of residents per household used. City Administrator Flanigan said he would answer that questions in this way, engineering standards, generally, used three (3) people per household.

Mayor Pro Tem Levine said the City would have population findings, which would be subject to challenge. He wanted to explore what the undertaking would include to determine the cost associated with the process.

MOTION: Councilmember Levine moved to authorize himself, Mayor Pro Tem Levine, along with City Attorney Shelby and other City Staff, to investigate requirements and costs associated with home rule and then report back to City Council with those findings. Councilmember Standridge seconded with Councilmembers Levine, Pettle, Raney, Standridge, and Taylor voting for the motion. Motion carried 5-0.

Mayor Marshall reminded everyone item #14 was considered earlier in the meeting and the next item would be item #15.

15. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE PARKER CONTRACTS REVIEW COMMITTEE AND/OR POLICY. [SHELBY]

City Attorney Shelby commented at the August 10, 2016, City Council meeting this item was tabled until it was determined whether City Council wanted to abandon the Contracts Committee and/or eliminate Resolution No. 440 (2014 Contracts Policy). There were three (3) proposed resolutions provided in the City Council packets. Mayor Marshall inquired about the revised contracts policy. City Attorney Shelby said there were several changes. Only one (1) substantive change was made, which would be to eliminate the Contracts Committee, but keep the policy in place.

Councilmember Pettle asked if the policy was kept who would administer it. City Attorney Shelby said he would review city contracts and then City Council would review the contracts before approval. There would still be a review process in place, although there was no contracts committee. Councilmember Pettle voiced her

concern that expiring contracts would be overlooked and/or forgotten as in the past. She asked for a master list. Councilmember Standridge asked if that was something that came out of the contracts committee process. If so, it was just a matter of the City Attorney reviewing those contracts. Councilmember Pettle said a list did not come out of that process. She said there needed to be someone responsible to make sure 30 days prior to a certain renewal date any contract or license was reviewed, so those dates were not missed. Councilmember Standridge said the City Attorney said he would manage that and bring the items for City Council review. City Attorney Shelby said each department would be responsible for tracking their contract/license contracts and due dates, and then they would send those contract to his office for review.

Mayor Pro Tem Levine said the Contracts Committee was put into place for a couple of reasons, 1) make sure we were getting the best services for the city, so we needed to go out for bid or qualifications on a regular basis, and 2) monitoring performance. That was accomplished. He wanted to give the City Attorney and City Staff an opportunity to setup calendars and master lists that will work for them.

MOTION: Councilmember Levine moved to approve Resolution No. 2016-530, abandoning the Contracts Committee and Policy and direct the City Attorney to work with City Staff to make sure the right checks and balances were in place. Councilmember Taylor seconded.

Councilmember Pettle voiced concern that City Attorney Shelby indicated City Council should abandon the Contracts Committee, but keep the policy. Mayor Pro Tem said he would like to abandon both and have the City Attorney and City Staff bring back a new policy that works for them. The current policy was setup for the Committee and took a different perspective. Mr. Levine said he wanted to give City Staff an opportunity to create a policy that worked for them and report back. Councilmembers Levine, Pettle, Raney, Standridge, and Taylor voting for the motion. Motion carried 5-0.

16. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2016-526 ON INVESTMENT POLICY. [BOYD]

Mayor Marshall said this item addressed the Investment Policy and he had pride of ownership. He wrote the policy many years ago and apparently the policy was still good. He said neither he nor City Staff recommend any changes to our current Investment Policy.

MOTION: Councilmember Taylor moved to approve Resolution No. 2016-526, the 2016-2017 Investment Policy. Councilmember Standridge seconded with Councilmembers Levine, Pettle, Raney, Standridge, and Taylor voting for the motion. Motion carried 5-0.

ITEMS 17-19. Items 17-19 were combined and tabled.

Mayor Marshall said there had been a request to table the next three (3) items, 17-19, for a reposting.

17. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2016-527 APPOINTING A CHIEF INVESTMENT OFFICER AND MEMBERS TO SERVE ON THE INVESTMENT COMMITTEE. [BOYD]

18. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2016-528 MAKING APPOINTMENTS TO THE PLANNING AND ZONING (P&Z) COMMISSION. [FLANIGAN]

19. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2016-529 MAKING APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENTS. [FLANIGAN]

MOTION: Councilmember Pettle moved to table items 17-19 for reposting until the next City Council Meeting on November 15, 2016. Councilmember Raney seconded with Councilmembers Levine, Pettle, and Raney voting for the motion and Standridge and Taylor against the motion. Motion carried 3-2.

20. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RELEASING FUNDS FOR THE PARKER VOLUNTEER FIRE DEPARTMENT FOR PERSONNEL COSTS. [PETTLE]

Mayor Marshall recognized Councilmember Pettle. Ms. Pettle said after receiving a legal ruling from City Attorney Shelby, Human Resource information from Finance/H.R. Manager Boyd and Fire Chief Sheff, and reviewing the policy and procedures in place, she felt her issues and concerns were satisfied. Councilmember Pettle said she now felt comfortable releasing the funds, allowing the Fire Department to hire and pay the weekend part time fire personnel.

Mayor Marshall recapped by stating the Fire Department satisfied Councilmember Pettle and Council's concerns and issues, primarily relating to the weekend part time personnel for the fire department, in the 2016-2017 budget. Councilmember Pettle agreed.

MOTION: Councilmember Pettle moved to allow the Fire Department to expend or release the funds in the 2016-2017 Budget for their weekend fire personnel. Councilmember Standridge seconded with Councilmembers Levine, Pettle, Raney, Standridge, and Taylor voting for the motion. Motion carried 5-0.

ROUTINE ITEMS

21. FUTURE AGENDA ITEMS

Mayor Marshall asked if there were any items to be added to the future agenda. He noted the following items:

- Noise at Southfork Ranch
- Parker Storage Facility Development Plat and Preliminary Engineering Plans
- Items 17-19 – Investment Committee, Planning and Zoning (P&Z) Commission, and Zoning Board of Adjustments (ZBA) Appointments
- Preserve Usage Policy

Mayor Marshall reminded everyone the P&Z Commission and City Engineers were reviewing the Impact fees and work was in progress. The first November City Council meeting, Tuesday, November 1, 2016, coincided with November General Election Early Voting, 7a.m. – 7 p.m. and had been canceled. The next regularly scheduled meeting would be Tuesday, November 15, 2016. The Mayor also asked that the ISO and HHW information being added to the City's website, with a reminder on the HHW to please bring a driver's license or water bill for proof of Parker residence.

22. ADJOURN

Mayor Marshall adjourned the meeting at 8:37 p.m.



ATTESTED:


Patti Scott Grey, City Secretary

APPROVED:



Mayor Z. Marshall

Approved on the 15th day
of November, 2016.



Texas Department of Insurance State Fire Marshal's Office

Mail Code 112-FM, 333 Guadalupe • P.O. Box 149221, Austin, Texas 78714-9104
512-676-6800 telephone • 512-490-1063 fax • www.tdi.texas.gov

July 6, 2015

AWARD OF ACHIEVEMENT

Dear Chief;

Texas Department of Insurance, and the Texas State Fire Marshal's Office, we would like to extend our congratulations on your achieving an ISO Class 2 rating. You are among the select few to achieve a Class 2 rating in Texas. The community has achieved one of the highest Public Protection Classification ratings awarded by the Insurance Services Office and approved by the Texas Department of Insurance and are among the nation's best.

An improved PPC rating can effectively lower the cost of property insurance rates for residential and commercial properties within the community. The citizens should be proud of the overall services that make the community a safer place to live and work. As a result of better fire protection, you will see lower insurance rates.

This award is presented to the City/Fire Department in official recognition of outstanding dedication in providing exemplary fire protection services to the community. We would like to recognize that this could not have been accomplished without the support and dedicated staff from the 911 Communication Center, the Fire Department, and the Water Departments.

Whereas we are only able to provide one plaque, additional plaques may be ordered by contacting Trey at Bat City Awards. The email is trey@batcityawards.com or by phone at (512) 302-1212.

On behalf of the Commissioner of Insurance, David Mattax and the State Fire Marshal, Chris Connealy, please accept this award for recognition of achieving your goal.

Please make sure all community officials and residents within your district are notified of the new Public Protection Classification rating for your community, and the effective date.

Sincerely,

Jesse James Williams
Deputy State Fire Marshal
PPC Oversight Officer



AWARD OF ACHIEVEMENT

presented to

CITY OF PARKER

in official recognition of outstanding dedication in
providing exemplary fire protection services to
the community

The Texas State Fire Marshal's Office is pleased to award a

CLASS 2

Chris Connally
State Fire Marshal

MSO

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

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Phone (214) 361-7900

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JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E.
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.
CRAIG M. KERKHOFF, P.E.

October 13, 2016

Exhibit 2

Mr. Jeff Flanigan
City Administrator
City of Parker
5700 E. Parker Rd.
Parker, Texas 75002

**Re: Parker Storage Facility
Development Plat & Engineering Plans**

Dear Mr. Flanigan:

As requested, we have reviewed the Development Plat and Engineering Plans for the Parker Storage Facility, dated September 20, 2016. We received the plans electronically from DeOtto Engineering on October 4, 2016.

Our review of the Development Plat and 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 and Texas Surveyor's Act. Listed below are the comments regarding the enclosed plans:

Engineering Plan Comments

1. Flood study under separate review letter.
2. 1-foot freeboard above the 100-year WSEL is required within the detention pond. As shown, the 100-year WSEL will be at the edge of the pavement where the flumes are shown and there is no freeboard provided.
3. Show the WSEL on the profile and the cross-sections provided for the drainage channel adjacent to the north property line. The plans show a proposed channel to capture and convey the flow, however it is not shown if there is enough capacity and freeboard within the channel.

We are available to discuss this project and our review comments further at your convenience.

Sincerely,



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

Enclosures

**BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
TEXAS FIRM 526**

11910 Greenville Avenue, Suite 600

Dallas, Texas 75243

Fax (214) 461-8390

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MEMORANDUM

To: Jeff Flanigan
From: Joe R. Carter, P.E., C.F.M. (#64008) & (#1698-09N)
Date: October 14, 2016
Subject: Storage Facility Flood Study – Sixth Review



This memorandum summarizes our recommendations from the sixth review of a Flood Study submitted for the Parker Storage LLC prepared by James DeOtte Engineering Inc. This memorandum only focuses on the comments and recommendations that were outstanding from the fifth review on August 2, 2016. All previous comments that appear to have been adequately addressed were removed.

The outstanding comments, questions and recommendations are shown in regular font with a number. Comments, questions and recommendations from the fourth review are shown with a solid diamond bullet point in regular font. Responses to the fourth review are shown with an open diamond bullet point. Outstanding comments questions and recommendations from the fifth review are shown with a solid circle bullet point in italic font. The proposed responses are shown in an open bullet point. Outstanding comments are shown with a solid square bullet point in bold italic type.

1. We cannot evaluate the water surface elevations or limits shown on the drawing without the input/output reports from the water surface elevation models. We recommend using the HEC-RAS computer model. We recommend the HEC-RAS model reports be printed in landscape format with small margins (0.4") and small font to eliminate text wrapping on the summary tables. We recommend the reports include Standard Summary Tables and summaries of contraction/expansion coefficients, Manning's "n" values and reach lengths to aid in the review of these variables.
 - ◆ The existing conditions model uses a Manning's "n" value of 0.125 for the channel and the overbank areas throughout the entire studied reach. This Manning's "n" value is probably too high. The normal maximum Manning's "n" value for a Minor Natural Stream with an irregular channel, with pools and meanders and weeds with dense willows on the banks is 0.090. The high "n" value results in higher existing water surface elevations.
 - ◊ The response states that the Manning's "n" value was changed to 0.090 in the existing conditions model.
 - *We were not retained to participate in the design process and were not recommending using an "n" value of 0.090 in the channel and overbanks for this study. We were providing a description of an extreme example. The engineer of record should visit the site and determine the appropriate "n" values for both the channel and the overbank areas specific to this studied reach. The engineer should not be performing this type of work if they are not capable making a reasonable determination of the "n" values. The proposed model uses a Manning's "n" value of 0.013 on the left overbank. This "n" value is for smooth concrete and the normal "n" value for concrete is 0.015. It appears the "n" value of 0.013 is applied not*

only in the paved area but all the way to the top of bank and it appears the paved area is short of the top of bank station. Using the lower "n" value in areas where it does not apply will result in lower proposed water surface elevations.

- The response states that an "n" value of 0.090 was used outside the pavement and the engineer feels this is appropriate based on comparison between site conditions and "Open Channel Hydraulics" by Ven T. Chow. Also the "n" value for pavement was revised to 0.015.
- *The plan view showing the section locations was not included with this submittal, but it appears the left overbank "n" value of 0.015 applies to a new valley gutter that has been extended from the buildings from Section 1546.1 (upstream) to Section 1049.06 (downstream). This valley gutter could possibly be available for valley storage but does not appear to be effective for channelflow.*
- *The response letter dated September 20, 2016 does not address this comment.*

2. Please include cross section plots for both existing and proposed conditions.

- *The report was not resubmitted.*

3. The response letter states that the rise in water surface elevation of 0.06' or less (as predicted in the past development model) is acceptable to all affected property owners (according to Mr. Rick Meyer) and is not considered an adverse impact.

- *The revised report was not provided and therefore we cannot verify that the revisions have been made or that the increased water surface elevation was not changed due to the revisions.*

We recommend the City of Parker Floodplain Administrator deny approval of this Floodplain Study until all the comments and recommendations contained in this memorandum and any from necessary subsequent reviews are resolved to the City of Parker's satisfaction.

2015 Population Estimates

Entity	2010 Census Population	2010 Census Population Estimate (as of July 1, 2010)	2010 Census Population Estimate (as of July 1, 2015)	2010 Census Population Estimate (as of July 1, 2015)	2010 Census Population Estimate (as of July 1, 2015)
Entire city, Texas	3,811	3,700	3,731	3,873	4,007
Entire city, Texas	4,261	4,352	4,352	4,352	4,081

Notes:

The estimates are based on the 2010 Census and reflect changes to the April 1, 2010 population due to the Count Question Resolution program and geographic program revisions. See Geographic Terms and Definitions at <http://www.census.gov/population/about/geo/ham.html> for a list of the states that are included in each region and division. All geographic boundaries for the 2015 population estimates series except statistical area definitions are as of January 1, 2015. The Office of Management and Budget's statistical area definitions for metropolitan, micropolitan, and combined Census field. Independent a locality that was formed or incorporated after the 2010 Census. Additional information on these localities can be found in the Geographic Boundary Change Notice (see <http://www.census.gov/geo/reference/boundary-changes.html>). For population estimate methodology statements, see <http://www.census.gov/population/methodology/index.htm>.

The 6,222 people in Bedford city, Virginia, which was an independent city as of the 2010 Census, are not included in the April 1, 2010 Census enumerated population presented in the county estimates. In July 2013, the legal status of Bedford changed from a city to a town and it became dependent within (or part of) Bedford County, Virginia. This population of Bedford town is now included in the April 1, 2010 estimates base and all July 1 estimates for Bedford County. Because it is no longer an independent city, Bedford town is not listed in this table. As a result, the sum of the April 1, 2010 census values for Virginia counties and independent cities does not equal the 2010 Census count for Virginia, and the sum of April 1, 2010 census values for all counties and independent cities in the United States does not equal the 2010 Census count for the United States. Substantial geographic changes to counties can be found on the Census Bureau website at <http://www.census.gov/geo/reference/boundary-changes.html>.

Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015

Source: U.S. Census Bureau, Population Division

Release Dates: For the United States, regions, divisions, states, and Puerto Rico Commonwealth, December 2015. For counties, municipalities, metropolitan statistical areas, micropolitan statistical areas, metropolitan divisions, and combined statistical areas, March 2016. For Cities and Towns (Incorporated Places and Minor Civil Divisions), May 2016.