

# City Council Photos

\* Staff would like to take group and individual City Council photos.

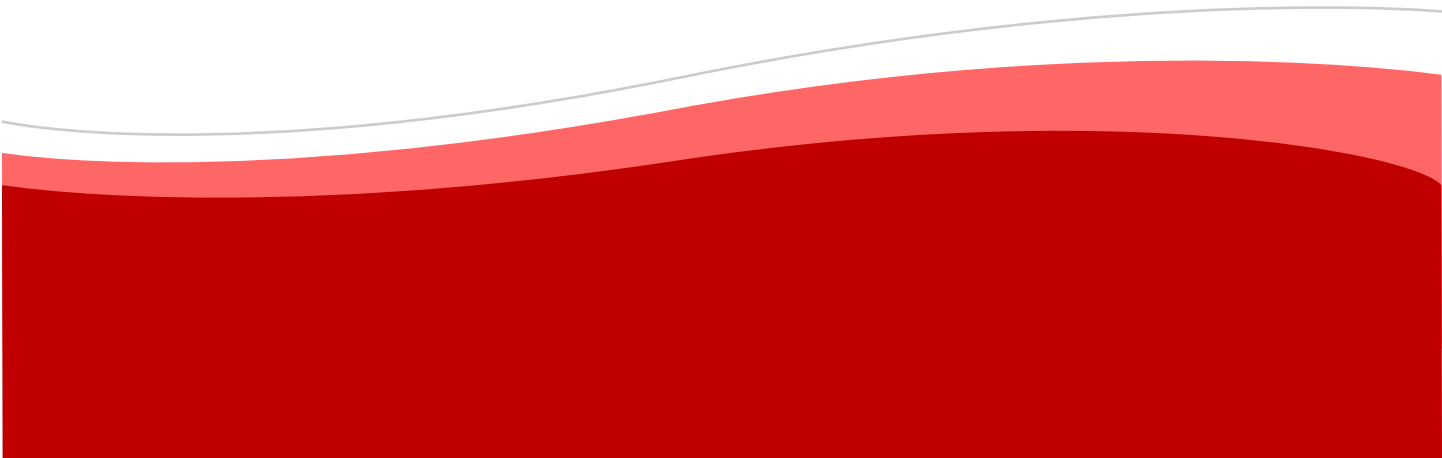
**Tuesday, November 17th, 2020, 6:30 p.m.**

## **Parker City Hall**

Yes, it is that time again . . . We need updated City Council photos for the City's website.

Thanks!

Staff





## AGENDA CITY COUNCIL MEETING

NOVEMBER 10, 2020 @ 7:00 P.M.

Notice is hereby given the City Council for the City of Parker will meet in a Special Meeting on Tuesday, November 10, 2020 at 7:00 P.M. at the Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002.

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

### PLEDGE OF ALLEGIANCE

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

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

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

### INDIVIDUAL CONSIDERATION ITEMS

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION OF RESOLUTION NO. 2020-646 CANVASSING THE ELECTION RETURNS AND DECLARATION OF RESULTS OF AN ELECTION HELD IN THE CITY OF PARKER, TEXAS ON NOVEMBER 3, 2020. [SHELBY/SCOTT GREY]
2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION OF ORDINANCE NO. 797, CANVASSING THE RETURNS OF A BOND ELECTION HELD IN THE CITY ON NOVEMBER 3, 2020. [SHELBY/BOND COUNSEL]
3. ADMINISTER OATH OF OFFICE TO NEWLY ELECTED OFFICIALS MAYOR LEE PETTLE, COUNCILMEMBER MICHAEL SLAUGHTER, AND COUNCILMEMBER TERRY LYNCH. [SCOTT GREY]
  - City Secretary – Mayor
  - Mayor – Councilmembers
4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2020-647, APPOINTING THE 2020-2021 MAYOR PRO TEM. [PETTLE]
5. PRESENTATION RECOGNIZING FORMER COUNCILMEMBER PATRICK TAYLOR AND COUNCILMEMBER EDWIN SMITH FOR THEIR SERVICE FOR THE CITY OF PARKER. [PETTLE]

### ROUTINE ITEMS

6. ADJOURN TO RECEPTION WELCOMING OUR NEW COUNCILMEMBERS AND SAYING GOODBYE TO THOSE LEAVING US AT THIS TIME.

RECEPTION FOR THE  
OUTGOING ELECTED OFFICIALS  
AND  
WELCOMING THE NEW COUNCILMEMBERS

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 November 6, 2020 by 5:00 p.m. at the Parker City Hall, and as a courtesy, this Agenda is also posted to the City of Parker Website at [www.parkertexas.us](http://www.parkertexas.us).

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Date Notice Removed

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Patti Scott Grey  
City Secretary

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



# Council Agenda Item

Item   1    
C'Sec Use Only

Budget Account Code:	Meeting Date: November 10, 2020
Budgeted Amount:	Department/ Requestor: Council
Fund Balance-before expenditure:	Prepared by: Asst. City Administrator/CS Scott Grey
Estimated Cost:	Date Prepared: October 22, 2020
Exhibits:	<ul style="list-style-type: none"> <li><a href="#">Proposed Resolution</a></li> </ul>

## AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION OF RESOLUTION NO. 2020-646 CANVASSING THE ELECTION RETURNS AND DECLARATION OF RESULTS OF AN ELECTION HELD IN THE CITY OF PARKER, TEXAS ON NOVEMBER 3, 2020. [SCOTT GREY]

## SUMMARY

The canvass is the official tabulation of the election results. The canvass must be conducted at an open meeting of the governing body between Friday, November 6 and Tuesday, November 17, 2020. Pursuant to the Texas Election Code, only two officers are needed for a quorum for a canvassing meeting. Section 67.004(a) of the Code.

The canvassing authority shall prepare a tabulation stating the following:

1. Each candidate
  - a. Total number of votes received in each precinct
  - b. Sum of precinct totals tabulated
2. Votes FOR and AGAINST each measure
  - a. Total number of votes received in each precinct
  - b. Sum of precinct totals tabulated
3. Total number of voters in each precinct who cast a ballot for a candidate or for or against a measure in the election

*We should have the canvass documents from Collin County Elections Administrator Bruce Sherbet by close of business Friday, November 6, 2020 and those documents will be provided Tuesday at the meeting.*

*Resource Director of Elections Keith Ingram's Memo Post-Election Procedures and TMCA Election Manual*

## POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

<b>Approved by:</b>	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	11/05/2020
City Attorney:	<i>Brandon S. Shelby</i>	Date:	11/05/2020
City Administrator:	<i>Luke B. Olson</i>	Date:	11/06/2020

**RESOLUTION NO. 2020-646**

*(Canvass November 3, 2020 General Election)*

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS;  
CANVASSING THE ELECTION RETURNS AND DECLARATION OF RESULTS OF  
AN ELECTION HELD IN THE CITY OF PARKER, TEXAS ON NOVEMBER 3, 2020.**

**WHEREAS**, the City Council of the City of Parker, Texas called an election to be held in the City on November 3, 2020 for the purpose of electing a Mayor and Two City Councilmembers, and caused notice thereof to be given in the manner and time provided for by law; and

**WHEREAS**, The Order of the City Council calling the election, together with the notice issued thereon, is recorded in the Minutes of the City Council, and is hereby referred to and made a part hereof for all purposes, and

**WHEREAS**, the Presiding Judge and other officials holding the election made their returns of the results thereof to the Canvassing Board, composed of the City Council, and said returns of the results being made according to law, and duly authenticated, and it being shown that proper notice of said election the time and in the time and in the manner provided by law, and all other proceedings pertaining to said election have been shown to have done and performed at and within the time and in the manner provided by law, and all papers pertaining hereto having been returned and duly certified by the Presiding Election Judge:

**NOW THEREFORE BE IT RESOLVED** by the Canvassing Board of the City Council of the City of Parker, Texas after examining said returns and opening and canvassing the votes of said election that are as follows:

**FOR CITY COUNCIL:**

Terry Lynch	1470
Michael Slaughter	1564
Edwin Smith	935

**FOR MAYOR:**

Lee Pettle	2241
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Michael Slaughter and Terry Lynch received the highest number of votes of the three candidates for the two contested offices of City Councilmember.

Therefore, Michael Slaughter and Terry Lynch are hereby each declared as elected as City Councilmembers. All are to serve immediately after qualifying for the two year term expiring May 2022.

Lee Pettle received all the votes for the office of Mayor; therefore, Lee Pettle is declared as elected as Mayor. She is to serve immediately after qualifying for the two year term expiring May 2022.

**IT IS FURTHER RESOLVED** that this Canvass and Declaration of results of said election be entered in the Minutes of the Said Canvassing Board of the City Council and that said Officers after they have qualified and taken their oaths, shall serve the term of office for which they were elected commencing immediately and ending when their successors are duly elected and qualified.

This Resolution declaring the results of the election becomes effective immediately upon its passage.

**RESOLVED** this   10th   day of November, 2020.

APPROVED:

\_\_\_\_\_  
Mayor Lee Pettle

ATTEST:

\_\_\_\_\_  
City Secretary Patti Scott Grey

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney Brandon Shelby

Insert official canvass certification from Collin County Elections Office

Proposed



# Council Agenda Item

Item   2    
C'Sec Use Only

Budget Account Code:	Meeting Date: November 10, 2020
Budgeted Amount:	Department/ Requestor: Council
Fund Balance-before expenditure:	Prepared by: Asst. City Administrator/CS Scott Grey
Estimated Cost:	Date Prepared: November 5, 2020
Exhibits:	<ul style="list-style-type: none"> <li><a href="#">Proposed Ordinance</a></li> </ul>

## AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION OF ORDINANCE NO. 797, CANVASSING THE RETURNS OF A BOND ELECTION HELD IN THE CITY ON NOVEMBER 3, 2020. [SHELBY/BOND COUNSEL]

## SUMMARY

The canvass is the official tabulation of the election results. The canvass must be conducted at an open meeting of the governing body between Friday, November 6 and Tuesday, November 17, 2020. Pursuant to the Texas Election Code, only two officers are needed for a quorum for a canvassing meeting. Section 67.004(a) of the Code.

The canvassing authority shall prepare a tabulation stating the following:

1. Each candidate
  - a. Total number of votes received in each precinct
  - b. Sum of precinct totals tabulated
2. Votes FOR and AGAINST each measure
  - a. Total number of votes received in each precinct
  - b. Sum of precinct totals tabulated
3. Total number of voters in each precinct who cast a ballot for a candidate or for or against a measure in the election

*We should have the canvass documents from Collin County Elections Administrator Bruce Sherbet by close of business Friday, November 6, 2020 and those documents will be provided Tuesday at the meeting.*

*Resource Director of Elections Keith Ingram's Memo Post-Election Procedures and TMCA Election Manual*

## POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

<b>Approved by:</b>	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	11/05/2020
City Attorney:	<i>Brandon S. Shelby</i>	Date:	11/05/2020
City Administrator:	<i>Luke B. Olson</i>	Date:	11/06/2020



**CERTIFICATE FOR ORDINANCE CANVASSING ELECTION RETURNS**

THE STATE OF TEXAS  
COUNTY OF COLLIN  
CITY OF PARKER

We, the undersigned officers of the City of Parker, Texas (the "City"), hereby certify as follows:

1. The City Council (the "Council") of the City convened in a special meeting on November 10, 2020, at the designated meeting place, and the roll was called of the duly constituted officers and members of the Council, to wit:

Lee Pettle, Mayor  
Ed Standridge, Mayor Pro Tem  
Diana Abraham

Edwin Smith  
Cindy Meyer  
Patrick Taylor

Patti Scott Grey, City Secretary

and all of said persons were present except \_\_\_\_\_, thus constituting a quorum. Whereupon, among other business the following was transacted at said meeting: a written

**ORDINANCE CANVASSING ELECTION RETURNS**

was duly introduced for the consideration of the Council. It was then duly moved and seconded that said Ordinance be passed; and, after due discussion, said motion, carrying with it the passage of said Ordinance, prevailed and carried, with all members of the Council shown present above voting "Aye," except as noted below:

NAYS: \_\_\_\_\_ ABSTENTIONS: \_\_\_\_\_

2. A true, full and correct copy of the aforesaid Ordinance passed at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said Ordinance has been duly recorded in the Council's minutes of said meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Council's minutes of said meeting pertaining to the passage of said Ordinance; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Council as indicated therein; that each of the officers and members of the Council was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the aforesaid meeting, and that said Ordinance would be introduced and considered for passage at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; and that said meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given all as required by the Texas Government Code, Chapter 551.

3. The Council has approved the Ordinance, and the Mayor and City Secretary of the City hereby declare that their signing of this certificate shall constitute the signing of the attached and following copy of said Ordinance for all purposes.

SIGNED AND SEALED ON NOVEMBER 10, 2020.

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Mayor

(City Seal)

Proposed

**ORDINANCE CANVASSING ELECTION RETURNS**

THE STATE OF TEXAS  
COUNTY OF COLLIN  
CITY OF PARKER

WHEREAS, this City Council (the "Council") ordered an election to be held in the City of Parker, Texas (the "City") on November 3, 2020, on the proposition hereinafter stated, and has authorized all matters pertaining to said election, including the ordering, giving notice, officers, holding and making returns of said election; and

WHEREAS, the election officers who held said election have duly made the returns of the result thereof, and said returns have been duly delivered to the Council; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code;

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

1. The Council officially finds and determines that said election was duly ordered, that proper notice of said election was duly given, that proper election officers were duly appointed prior to said election, that said election was duly held, that the City has complied with the Federal Voting Rights Act and the Texas Election Code, that due returns of the result of said election have been made and delivered, and that the Council has duly canvassed said returns, all in accordance with law and the ordinance calling said election.

2. The Council officially finds and determines that the following votes were cast at said election, on the submitted proposition by the resident, qualified electors of the City, who voted at the election:

CITY OF PARKER, TEXAS SPECIAL ELECTION  
CITY OF PARKER, TEXAS PROPOSITION A

\_\_\_\_\_ VOTES FOR

Shall the City Council of the City of Parker, Texas, be authorized to issue and sell the bonds of said City, in one or more series or issues, in the aggregate principal amount of \$9,500,000, for the public purpose of constructing, improving and equipping a new municipal administration facility and annex facility and related parking facilities; with said bonds to be issued in one or more series or issues, to mature, bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the City Council in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said City in an amount sufficient, within the limits prescribed by law, to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

\_\_\_\_\_ VOTES AGAINST

3. The Council officially finds, determines and declares the result of said election to be that the aforesaid proposition has not received a favorable majority vote, and that such proposition therefore has

not passed, and that the aforesaid bonds may not be issued, and the aforesaid bond tax may not be levied, assessed and collected annually.

Proposed



# Council Agenda Item

Item 3  
C'Sec Use Only

Budget Account Code:	Meeting Date: November 10, 2020
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: Asst. City Administrator/CS Scott Grey
Estimated Cost:	Date Prepared: October 23, 2020
Exhibits:	<ul style="list-style-type: none"> <li>• <a href="#">Oath</a></li> </ul>

## AGENDA SUBJECT

ADMINISTER OATH OF OFFICE TO NEWLY ELECTED OFFICIALS MAYOR LEE PETTLE, COUNCILMEMBER MICHAEL SLAUGHTER, AND COUNCILMEMBER TERRY LYNCH. [SCOTT GREY]

- City Secretary – Mayor
- Mayor – Councilmembers

## SUMMARY

City Secretary Scott Grey will administer the Oath of Office Mayor Lee Pettle and Mayor Lee Pettle will administer the Oath of Office to the elected officials.

After the Oaths are complete the new officials will take their seat at the bench as directed by the Mayor.

### Certificate of Election, Statement of Elected Officer, and Oath of Office

Questions often arise about the order of events following the election. The Texas Secretary of State Election Division recommends that post-election procedures occur in the following sequence:

- Certificate of Election is issued to newly elected officers.
- Statement of Officer is completed (to be filed locally).
- Newly elected officers may take the Oath of Office.
- After taking the Oath of Office, newly sworn officers may assume the duties of their office.\*

Tex. Const. Art. XVI, § 1; Tex. Elec. Code § 67.004 – 67.006, 67.016, 67.017.

\*Note: In some political subdivisions, the newly elected officers may not assume the duties of office until a certain date. For example, officers in a Type A general law city “may qualify and assume duties of office. {LGC §22.006} The statute states 5<sup>th</sup> day after election, excluding Sunday. The resulting day is the 6<sup>th</sup> day after the election.

Since this a first day, it is not affected by the Veterans Day holiday. Officials may not take office until the canvass is completed unless the election was canceled.”

Before an elected (or appointed) officer may assume the duties of the office, the officer must first file a Statement of Elected or Appointed Officer for the official records of the governing body. Tex. Const. Art. XVI, § 1.

We recommend that the presiding officer issue the Certificate of Election at the canvass. The presiding officer of the canvassing authority prepares the Certificate of Election. Tex. Elec. Code Ann. § 67.016. The form we provide is only a sample; many entities like to create their own.

**Who can administer an Oath of Office?**

The Oath of Office must be administered by someone authorized to administer an oath under Texas law. The most commonly used person to administer oaths is a notary public. Additionally, Section 602.002 of the Texas Government Code authorizes all city secretaries to administer oaths for matters relating to city business. In a Type A general law city, the mayor may also administer the oath. Tex. Loc. Gov't Code § 22.042. Other officials who may administer an oath include: a judge, retired judge, senior judge, clerk of a court of record, justice of the peace or clerk of a justice court, legislator or retired legislator. (See Chapter 602 of the Texas Government Code for the complete list.)

**POSSIBLE ACTION**

City Council may direct staff to take appropriate action.

Inter – Office Use			
<b>Approved by:</b>	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	11/05/2020
City Attorney:	<i>Brandon S. Shelby</i>	Date:	11/05/2020
City Administrator:	<i>Luke B. Olson</i>	Date:	11/06/2020



In the name and by the authority of  
**The State of Texas**

## OATH OF OFFICE

I, \_\_\_\_\_, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of \_\_\_\_\_, City of Parker, Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

\_\_\_\_\_  
Signature of Officer

.....

State of     Texas     )  
County of     Collin     )

Sworn to and subscribed before me this   10th   day of   November  ,   2020  .

\_\_\_\_\_  
Signature of Notary Public or Other  
Officer Administering Oath

  City Secretary Patti Scott Grey    
Printed or Type Name

(Seal)

CITY OF PARKER, COLLIN COUNTY, TEXAS

Term Expires:   May 2022



# Council Agenda Item

Item 4  
C'Sec Use Only

Budget Account Code:	Meeting Date: November 10, 2020
Budgeted Amount:	Department/ Requestor: Council
Fund Balance-before expenditure:	Prepared by: Asst. City Administrator/CS Scott Grey
Estimated Cost:	Date Prepared: October 23, 2020
Exhibits:	<ul style="list-style-type: none"> <li><a href="#">Proposed Resolution</a></li> </ul>

## AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2020-647, APPOINTING THE 2020-2021 MAYOR PRO TEM. [PETTLE]

## SUMMARY

### Office of Mayor Pro Tem

The mayor pro tempore is a . . .

- member of the council;
- who performs the mayor's duties during the mayor's incapacity or absence;
- is selected by majority vote of the council from among its own membership;
- term is one year; and
- retains the right to vote on all matters before the council (not just to break a tie), while performing the duties of the mayor (Local Government Code Section 22.037 and 23.027).

Local Government Code Sec. 22.037. (b) At each new governing body's first meeting or as soon as practicable, the governing body shall elect one alderman to serve as president pro tempore for a term of one year.

## POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

<b>Approved by:</b>	Enter Text Here		
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	11/05/2020
City Attorney:	<i>Brandon S. Shelby</i>	Date:	11/05/2020
City Administrator:	<i>Luke B. Olson</i>	Date:	11/06/2020



**RESOLUTION NO. 2020-647**  
*(Appointment of Mayor Pro Tem)*

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER,  
COLLIN COUNTY, TEXAS, APPOINTING A MEMBER OF THE CITY  
COUNCIL TO SERVE AS MAYOR PRO TEM.**

**WHEREAS**, the City Council of the City of Parker called and held an election on November 3, 2020 establishing a new governing body; and

**WHEREAS**, the Texas Local Government Code requires that the governing body of a general law municipality to elect a member of the City Council to serve as Mayor Pro Tem for a term of one year or until another is appointed; and

**WHEREAS**, if the Mayor fails, is unable, or refuses to act, the Mayor Pro Tem shall perform the Mayor's duties and is entitled to receive the fees and compensation prescribed for the Mayor.

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

**SECTION 1.** The City Council of the City of Parker, Texas hereby appoints \_\_\_\_\_ to serve as Mayor Pro Tem for a term of one year or until another is appointed.

**SECTION 2.** In the event that the Mayor fails, is unable, or refuses to act, the Mayor Pro Tem shall perform the Mayor's duties and is entitled to receive the fees and compensation prescribed for the Mayor.

**DULY RESOLVED** by the City Council of the City of Parker, Texas on this the 10th day of November, 2020.

**APPROVED:**

\_\_\_\_\_  
Lee Pettle, Mayor

ATTEST:

\_\_\_\_\_  
Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Brandon Shelby, City Attorney

# ITEM 5

THIS ITEM WILL

BE MADE

AVAILABLE AT

THE MEETING.