

CITY OF DENTON CITY COUNCIL MINUTES

August 1, 2016

After determining that a quorum was present, the City Council convened in a Work Session on Monday, August 1, 2016 at 11:00 a.m. in the Council Work Session Room at City Hall.

PRESENT: Council Member Hawkins, Council Member Briggs, Council Member Wazny, Council Member Gregory, Mayor Pro Tem Roden, Council Member Bagheri, and Mayor Watts.

ABSENT: None.

Mayor Watts stated that there was a Special Called Meeting on the agenda for an item that was considered at the last meeting and resulted in a 3-3 tie when voted on. When that happened, the item was placed on the next agenda, which was today's agenda. It was also posted on tomorrow's agenda, in the event there was no quorum for today's meeting. He stated it was up to the Council whether it was considered today or postponed until tomorrow. Consensus of the Council was to consider it first.

Ordinance No. 2016-215

- A. ADP16-0001d Consider approval of an Alternative Environmentally Sensitive Area (ESA) Plan for the Villages of Carmel Phase 4B. The subject property is generally located on the north side of Pockrus Page, east of Monte Verde Way, and west of Swisher Road. The Planning and Zoning Commission recommends approval (7-0).

Howard Martin, Interim City Manager, stated that Deborah Viera, Environmental Compliance Coordinator, would review the information related to the ESA component of this item. Planning staff would be available to answer any Planning related questions.

Viera stated that the Riparian Buffer ESA was a 100-foot wide area and was located outside the floodplain. She reviewed the benefits of a Riparian Buffer ESA.

Council Member Wazny asked if the Riparian Buffer ESA was regulated by the federal or state government.

Viera stated that the City had established these regulations.

Viera stated that at the southeast corner of the property there was the remnant of a stream which was designated as a Riparian Buffer ESA. This designation restricted development within either 50 or 100 feet of the centerline of the stream, depending upon the size of basin that was drained. In 2015 staff conducted a field assessment of the stream and confirmed the existence of a Riparian Buffer ESA in the area. Because the stream drained a basin of less than one square mile, protection against development extended only within 50 feet of the centerline of the stream.

Viera stated that the Upland Habitat ESA designation included the remnants of the eastern Cross Timbers forest that were at least ten acres in size and required that 50% of the ESA remained protected from residential development. The Upland Habitat ESA in Phase 4 was removed in 2008. However, after staff conducted a field assessment of the area it was determined that it did not meet the ten acre minimum acreage requirement to qualify as an ESA.

Viera stated that the applicant was requesting to remove the Riparian Buffer ESA on the stream to allow development of nine additional single-family homes. As mitigation for this removal, the applicant was proposing to preserve trees inside the former Upland Habitat ESA at a 1:1 ratio to those removed from the Riparian Buffer ESA.

Mike Bell, Senior Planner, reviewed some background information on the item. He stated that due to the drainage and stormwater improvements required upon platting of Phase 4, the stream within the Riparian Buffer would eventually go dry. When that happened, the ESA could be reassessed and would likely be removed. The protection was not to save acreage but to designate an area within that area that the 875 inches would have to be saved.

Bell stated that in exchange for the early removal of the Riparian Buffer ESA, the applicant was proposing to preserve trees within an approximately two acre stand of trees once located within an Upland Habitat ESA at the northwest corner of Phase 4B. For every inch of tree removed from the Riparian Buffer ESA, the applicant would preserve one inch within the old Upland Habitat ESA. Based on the tree survey provided with the Preliminary Plat, this would total approximately 875 inches. Because the two ESA's contained roughly the same proportion of tree sizes and species, primarily Post Oaks and Red Cedars, the proposed mitigation would allow for an approximately even trade of both quality and quantity of trees. The applicant intended to use any excess inches of trees within the stand above the 1:1 ratio towards compliance with the minimum tree preservation requirements of the Tree Code. The net result would leave a majority of the former Upland Habitat ESA intact.

Bell stated that the proposed tree preserve area was adjacent to two other heavily treed common area lots within Phase 4A and Phase 2C of the Villages of Carmel. When combined, the three lots would provide a common area tree park available to residents of the Villages of Carmel. It would be maintained by the Villages of Carmel HOA.

Rod Zielke with ZPS Consulting Engineers, the applicant on the project, spoke in support of the item.

Mayor Pro Tem Roden motioned, Council Member Gregory seconded to approve the ordinance with the condition that the net mitigation area in the Tree Mitigation at Habitat Preserve should be maintained in a predominantly natural state and subject to Section 35.17.9 of the Denton Development Code. On roll call vote, Council Member Hawkins "aye", Council Member Briggs "aye", Council Member Wazny "aye", Mayor Watts "aye", Mayor Pro Tem Roden "aye", Council Member Bagheri "aye", and Council Member Gregory "aye". Motion carried unanimously.

1. Work Session Reports

B.ID 16-895 Receive a report, hold a discussion, and give staff direction regarding the compensation and classification study conducted by UM Global HR.

Carla Romine, Director of Human Resources, stated that at the July 21 Council meeting, the Council received a summary of the issues with the current compensation program; an overview of general compensation program principles and objectives; and a summary of the salary survey results based on a market study conducted by UM Global HR.

Romine introduced Dan Ulibarri and Elena Mason with UMBHR, who would share the recommendations for the salary structure, the cost impact associated with the recommended salary structure, and market trends they were seeing for reward and recognition programs.

Mr. Ulibarri stated that the objectives of the study included review of internal equity situations which would address salary compression among jobs in the same grades and between supervisory and direct reports; determine market competitiveness which would alleviate difficulties in finding qualified candidates, retention issues brought about by internal competition and retention issues in general; and update salary structures which would address compression due to a narrow and thin pay plan design, address salaries topping out more quickly than expected, and address FLSA concerns through better pay plan designs.

Mr. Ulibarri reviewed the process utilized by UMGHR to complete their analysis and make recommendations. They conducted twelve town hall meetings with employees on their perception of the current compensation plan. They continued with meetings with department heads and managers invited by the department heads to gain a better understanding of the following: positions for which department heads and their managers have had difficulty recruiting; challenges they had experienced with the current pay plan and compensation practices; and organizations from which they had attracted employees or to whom they had lost employees.

During the meetings, employees and supervisors were asked to review job descriptions and provide any needed updates to Human Resources. If a job description was completely inaccurate or the essential duties needed to be defined altogether, employees were asked to complete an on-line Position Description Questionnaire.

UMGHR held additional meetings with department heads to share their initial findings of the position analysis and ranking of the jobs under their area(s) of supervision. The rankings were determined by reviewing the job complexity identified in the job descriptions and Position Description Questionnaires. The department heads provided feedback to UMGHR regarding the rankings. UMGHR used this information, along with a more in-depth review through a point-factor analysis and the results of the market study to further classify jobs. UMGHR met with department heads to review their recommended position assignment to pay grades. Adjustments were made based on input from the department heads and final grade assignments were made.

UMGHR also conducted an analysis of all of employees' pay based on their time within the position and how that should compare to others with similar tenure in the organization and in the market.

Using all of the research and analysis outlined above, they had recommended new salary structures for the City of Denton regular, non-civil service positions. They had also made recommendations as to the internal equity increases that should be funded in the FY 16/17 budget. Merit increase funding recommendations were not considered with this study.

Council Member Bagheri left the meeting at 1:25 p.m.

Elena Mason with UMGHR reviewed the changes to the pay plans. They combined the two career ladders (Business and Technical Operations); made the exempt pay plan compliant with the new FLSA rule; expanded the range spread from 35% to a uniform 66% spread; pay plans were cut

into seven segments to allow for career progression within pay grades; each of the pay plans now had consistent grade differentials; and the new plan encouraged progression through ranges, rather than immediate promotion or reclassification.

Ms. Mason stated that the market data revealed that natural variations in salaries included differences in organizational structures; differences in organizational structures between public and private sectors; differences in job title nomenclatures; and longevity presented some variations in salaries (the longer the incumbency the higher the salaries tended to be).

Ms. Mason reviewed variable pay programs. Variable pay was a form of supplemental compensation (often in cash) that was not base building. Variable pay did not build base salaries. Merit pay was a form of recognition (often a percentage of salary) that was base building. Merit pay was a motivational and retention factor. It indicated the organization's intent to recognize and reward performance, according to defined criteria. Because merit pay was not just what the organization paid, but also what the employees produced – it was important to have performance criteria and objectives. Structurally, pay plans should have enough room to accommodate merit based increases without resulting in compression. Estimated costs were related to structural changes and internal equity. These estimates were not merit increases and did not include any variable pay. A priority included matching of salaries to new minimums (salaries that fell below the new minimum of a pay range). Options included internal equity fix of hard to fill positions and below market positions; also years in a position of equal to or greater than 5 years, but less than 10 years.

Council discussed the pay plans and pay discrepancies.

The Council thanked the UMGHR staff for the job they had done.

Council Member Bagheri returned to the meeting at 2:25 p.m.

- A.ID 16-899 Receive a report and hold a discussion regarding the Human Resources Department strategic plan and operations.

Mayor Watts stated that this item would be rescheduled to another agenda.

2. Concluding Items

- A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the City Council or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement

involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

Mayor Watts stated that he had learned that the City would not receive funding from the Emergency Solutions grant from the State for about four non-profit agencies that primarily benefitted the homeless. He asked staff to look for funds to help some of these organizations cover the loss of funding from the grant and stated that he would be contacting the Mayor of Lewisville to see if they could help with any funding.

Council Member Bagheri asked for information regarding the timeline for submittal for the grant and the reason why it was not renewed.

Council Member Gregory asked if the Human Services Advisory Committee could look at maybe shifting some other allocations.

With no further business, the meeting was adjourned at 2:33 p.m.

CHRIS WATTS
MAYOR
CITY OF DENTON, TEXAS

JANE RICHARDSON
ASSISTANT CITY SECRETARY
CITY OF DENTON, TEXAS