

CITY OF DENTON CITY COUNCIL MINUTES

July 19, 2016

After determining that a quorum was present, the City Council convened in a Work Session on Tuesday, July 19, 2016 at 1:00 p.m. in the Council Work Session Room at City Hall.

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

ABSENT: Council Member Hawkins.

Item #2 was considered first.

2. Requests for clarification of agenda items listed on the agenda for July 19, 2016.

Council Member Briggs requested that Consent Agenda Item 4C be pulled for individual consideration.

Council Member Wazny suggested pulling the item and putting it back into a work session to revisit provisions.

Council Member Gregory suggested proceeding with consideration of the item under Individual Consideration and vote after the discussion.

Mayor Pro Tem Roden felt that the issue had been discussed at length before including the work session and citizen comments. His preference was to proceed with the current discussion and then revisit it in the future if needed.

Council Member Bagheri agreed with having an Individual Item discussion.

Council Member Briggs felt that the discussion could be either at the Work Session or in the regular meeting.

Item #1 was considered.

1. Citizen Comments on Consent Agenda Items

Jim Carter submitted a Speaker Card and requested Council vote for his reappointment to the Denco 911 Board of Directors. He also provided information regarding Denco 911 for Council review.

Following the completion of the Work Session, the City Council convened in a Closed Meeting to consider specific items listed below under the Closed Meeting section of this agenda.

1. Closed Meeting:

A. ID 16-855 Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consultation with City's attorneys regarding ID 16-854 of the July 19, 2016 Agenda regarding associated legal issues where discussion of these legal matters in an open meeting

would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation. [File ID 16-854]

- B. ID 16-919 Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff, discuss, deliberate, and provide staff with direction regarding the potential acquisition of real property interests located south of Jim Christal Road, between the 9000 and 9300 blocks, and situated in the Gibson Myers Survey, Abstract 843, and the Mose H. Davis Survey, Abstract No. 377; and, south of the 9300 block of Jim Christal Road, situated in the Johnson, Green, Myers and Brummett Survey, Abstract No. 1699, and the Moses H. Davis Survey, Abstract No. 377, where discussions had, deliberation, and direction given in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. Consultation with the City's attorneys regarding legal issues associated with the acquisition of the real property interests described above; where discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation. [File ID 16-799]

- C. ID 16-770 Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff and discuss, deliberate, and provide staff with direction regarding the acquisition of real property interests located generally west of Mayhill Road from E. University Drive to Colorado Blvd., in the City of Denton, Denton County, Texas; where discussion had, deliberation, and direction given, by the Denton City Council in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. Consultation with the City's attorneys regarding legal issues associated with the acquisition of the real property interests described above; discussion of these legal matters in an open meeting would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any present or potential administrative proceeding or lawsuit.

- D. ID 16-771 Deliberations regarding Real Property - Under Texas Government Code, Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to certain real property interest involved in the Mayhill Road Widening and Relocation Project and; receive information from the City's attorneys and discuss costs, status, strategy, and potential resolution of the following eminent domain lawsuits related to the Mayhill Road Widening and Relocation Project (all currently pending in the Probate Court, Denton County, Texas): City of Denton v. RTS&M, LLC, et al.; and City of Denton v. 551 Mayhill Joint Venture, et al.

- E. ID 16-789 Deliberations regarding Real Property - Under Texas Government Code, Section 551.072; Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to certain real property interests located in the R. Longbottom Survey, Abstract Number 775, City of Denton, Denton County, Texas, and generally located on the east line of Virginia Street, north of U.S. Highway 380 (University Drive). Consultation with the City's attorneys regarding legal issues associated with the real property described above where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton Public Utility Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation. (Prescott Property)

- F. ID 16-831 Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff, discuss, deliberate, and provide staff with direction regarding the potential acquisition of real property interests located along the east side of Bernard St. between Eagle Drive to the north and Collins Street to the south, in the City of Denton, Texas; where discussions had, deliberation, and direction given in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. Consultation with the City's attorneys regarding legal issues associated with the acquisition of the real property interests described above; where discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation. [Eagle Substation]

- G. ID 16-879 Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086.

Receive a presentation from staff regarding public power competitive and financial matters related to the City's participation in, and the overall operational and financial aspects of, the Texas Municipal Power Agency; discuss and deliberate strategies regarding same; discuss, deliberate and provide staff with direction. [TMPA]

- H. ID 16-893 Deliberations regarding Economic Development Negotiations - Under Texas Government Code Section 551.087.

Receive a report, hold a discussion, and give staff direction regarding a proposed incentive for Project Brick. This discussion shall include commercial and financial information the City Council has received from Project Brick, a business which the City Council seeks to have locate, stay, or expand in or near the territory of the city, and with which the City Council is conducting economic development negotiations, including the offer of financial or other incentive.

Regular Meeting of the City of Denton City Council at 6:30 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

1. PLEDGE OF ALLEGIANCE

The Council and members of the audience recited the Pledge of Allegiance to the U. S. and Texas flags.

2. PROCLAMATIONS/PRESENTATIONS

There were no proclamations/presentations.

3. PRESENTATION FROM MEMBERS OF THE PUBLIC

There were no presentations from members of the public at this meeting.

4. CONSENT AGENDA

Council Member Briggs motioned, Council Member Gregory seconded to adopt the Consent Agenda and accompanying ordinances and resolutions with the exception of Item C. On roll call vote, Council Member Briggs "aye", Council Member Wazny "aye", Council Member Gregory "aye", Mayor Watts "aye", Mayor Pro Tem Roden "aye", and Council Member Bagheri "aye". Motion carried unanimously.

Ordinance No. 2016-195

- A. ID 16-720 Consider adoption of an Ordinance accepting competitive proposals and awarding a contract for an annual Cyber Vulnerability Assessment relating to Denton Municipal Electric's information network and control systems; providing for the expenditure of funds therefor; and providing an effective date (RFP 6110-awarded to Corporate Risk Solutions, Inc. (CRSI) in the three (3) year not-to-exceed amount of \$101,000). The Public Utilities Board recommends approval (4-0).

Ordinance No. 2016-196

- B. ID 16-813 Consider adoption of an Ordinance of the City Council of Denton, Texas authorizing the City Manager to execute and deliver an "Agreement for Furnishing and Installing Traffic Signal Equipment by a Municipality" between the City of Denton and the Texas Department of Transportation (TxDOT) regarding the City's request for reimbursement of the cost of installing traffic signal equipment directly related to the operation of two intersections on FM 2499 within the City that are specified in said agreement; authorizing the expenditure of funds therefor; providing an effective date (Project - FM 2499 at State School Road and Unicorn Lake Boulevard in the amount of \$43,235.20).

Ordinance No. 2016-198

- D. ID 16-826 Consider adoption of an ordinance authorizing the City Manager to approve a first amendment to an Airport lease dated January 10, 1989 between the

City of Denton, Texas and Bert E. Mahon and Mary L. Mahon and as assigned to Petersen Hangar, LLC by City of Denton Ordinance 2016-050 dated February 16, 2016; and, providing an effective date.

Ordinance No. 2016-199

- E. ID 16-827 Consider adoption of an ordinance of the City Council of the City of Denton, Texas, repealing ordinance No. 2016-149 which related to the Texas Enterprise Zone Program and nominated WinCo Foods, LLC; and providing an effective date.

Ordinance No. 2016-200

- F. ID 16-842 Consider adoption of an ordinance for an interdepartmental transfer and conveyance wherein Denton Municipal Electric is purchasing and acquiring approximately 14.511 acres of land from the City of Denton Solid Waste Department, the present record owner thereof, being a tract of land situated within Lot GR, Solid Waste 1 addition, in the City of Denton, Denton County, Texas; to be utilized for a public purpose, the expansion of Denton Municipal Electric Mayhill Substation Easement; said purchase price being in the amount of \$1,205,455.35 to be paid to the City of Denton Solid Waste Department, providing an expenditure of funds therefor; and providing an effective date. [Mayhill Substation]

Ordinance No. 2016-201

- G. ID 16-840 Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager, or his designee, to enter into an Interlocal Agreement with Denton County for the County to provide Property Tax Billing and Collections Services for the City of Denton; providing a savings clause; and providing an effective date.

Resolution No. R2016-017

- H. ID 16-843 Consider approval of a resolution nominating one member to the Board of Managers of the Denco Area 9-1-1 District; and declaring an effective date.

Ordinance No. 2016-202

- I. ID 16-844 Consider adoption of an ordinance approving a Pipeline Crossing contract by and between the City of Denton, Texas and the Kansas City Southern Railway company relating to the location of a sanitary sewer pipeline within railroad right-of-way, located at mile post 99.98, Alliance subdivision within the County and City of Denton Texas; and providing an effective date. [Pipeline Crossing Agreement for the installation of a sanitary sewer line that benefits the new development of Ryan Meadows Addition.] The Public Utilities Board recommends approval (4-0).

Resolution R2016-018

- J. ID 16-847 Consider approval of a resolution re-appointing a member to the Board of Directors of Texas Municipal Power Agency, a Joint Powers Agency representing the City of Denton, Texas; and declaring an effective date.

Ordinance No. 2016-203

- K. ID 16-854 Consider adoption of an ordinance of the City Council of the City of Denton authorizing the City Manager, or his designee, to execute a "Rail Spur Interruption Agreement" between the City of Denton and Tetra Pak, Inc., regarding the public drainage improvements in and around the area east of S. Western Blvd. and north of Tetra Pak and Peterbilt; and providing an effective date.

Ordinance No. 2016-204

- L. ID 16-856 Consider adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract through the Buy Board Cooperative Purchasing Network for the acquisition of one (1) 2016 Peterbilt model 567 Roll Off Refuse Truck for the City of Denton Solid Waste Department; and providing an effective date (File 6183-awarded to Rush Truck Center, Crane in the amount of \$189,844). The Public Utilities Board recommends approval (4-0).

Ordinance No. 2016-205

- M. ID 16-857 Consider adoption of an ordinance authorizing the City Manager to execute a Cooperative Purchasing Program Agreement with the Denton Independent School District, Denton, Texas, under Section 271.102 of the Local Government Code, to authorize participation in City of Denton contracts for the purchase of various goods and services including light duty vehicles; authorizing the expenditure of funds therefor; and declaring an effective date (File 6151-Cooperative Purchasing Program Agreement with the Denton Independent School District).

Ordinance No. 2016-206

- N. ID 16-859 Consider adoption of an ordinance authorizing the City Manager to execute Change Order# 1 to the contract between the City of Denton and Jagoe-Public Company for the Eagle Drive Reconstruction project; providing for the expenditure of funds therefor; and providing an effective date (Bid 6057-Change Order# 1 in the negative amount of \$94,886.25 for a total contract award aggregating to \$1,994,664.17).

Ordinance No. 2016-207

- O. ID 16-861 Consider adoption of an ordinance accepting competitive proposals and awarding a public works contract for the renovation of the Pecan Creek Water Reclamation Plant maintenance building located at 1100 South Mayhill Road, Denton, Texas; providing for the expenditure of funds therefor; and providing an effective date (RFP 6094-awarded to Fisher-Poirer Construction, LLC in the not-to-exceed amount of \$127,750). The Public Utilities Board recommends approval (6-0).

Ordinance No. 2016-208

- P. ID 16-863 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for Fiber Optic Cable Installation Services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 6084-awarded to Cable Contractors, LLC dba Contract Equipment and Services in

the three (3) year not-to-exceed amount of \$1,200,000). The Public Utilities Board recommends approval (4-0).

Ordinance No. 2016-209

Q. ID 16-864 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for Heating, Ventilating, and Air Conditioning (HVAC) services for City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 6101-awarded to PRK Services, Inc. in a three (3) year amount not-to-exceed \$500,000).

Ordinance No. 2016-210

R. ID 16-865 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for Portable Chemical Toilet Rental Services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 6132-awarded to United Site Services of Texas, Inc., in a three (3) year not-to-exceed amount of \$105,000).

Approved the minutes listed below.

S. ID 16-867 Consider approval of the minutes of May 2, May 3, May 10, May 17, May 24, June 6, June 7, June 14, June 21, and June 28, 2016.

Ordinance No. 2016-211

T. ID 16-870 Consider adoption of an ordinance of the City of Denton, Texas authorizing the approval of an additional expenditure amount of \$185,000 for emergency medical supplies for the City of Denton Fire Department as purchased through a contract awarded to Bound Tree Medical through a Cooperative Purchasing Agreement with the City of Cedar Hill; providing for the expenditure of funds therefor; and providing an effective date (File 5427-providing for an additional expenditure amount of \$185,000 for a total award not-to-exceed \$560,000).

Item C was considered.

Ordinance No. 2016-197

C. ID 16-822 Consider adoption of an ordinance repealing Ordinance No. 2015-231 and enacting a new section 2-29 of the City of Denton Code of Ordinances relating to Rules of Procedure for the City Council of the City of Denton; and declaring an effective date.

City Attorney Burgess stated that this item related to a change in the Council's Rules of Procedure. The Council discussed these rules during a Work Session last February and reached a consensus to have five speakers for three minutes at the beginning of the meeting. The consensus of the Council at that time was to put the changes on the agenda for consideration.

Council Member Wazny suggested a modification to have three speakers register ahead of time and three speakers for open mic. Another issue she had was citizens speaking at Work Sessions as she felt they should be able to speak. The proposed ordinance was inadequate in terms of the

process. She would like to table the item until another Work Session could be held for further discussion.

Council Member Gregory stated that currently there were five registered speakers who had to sign up by 5:00 the Wednesday before the meeting. The new process would allow speakers to sign up until noon on the Thursday before the meeting. The current process had three registered speakers at the beginning of the meeting and three at the end of the meeting. The revised procedure would have five speakers at the beginning of the meeting for three minutes each.

The following individuals spoke on the item:

David Zoltner – spoke in opposition

Deborah Armintor – spoke in opposition

Ken Gold – spoke in opposition

Comment Cards were submitted by

Michael Hennen – in opposition

Christina Harris – in opposition

Kim McKibben – in opposition

Council discussed the location of speakers on the agenda; the elimination of those at the end of the meeting; the opportunity for citizens to address the Council; whether the elimination of open mic would allow for more interaction with speakers; open mic as it related to the Open Meetings Act; there were other opportunities for citizen comments rather than at Work Sessions; these were business meeting with Council trying to accomplish the business of the meetings; and there were other avenues to provide Council information.

Council Member Briggs motioned to amend the proposed ordinance to allow for four registered speakers and two open mic speakers for four minutes each at the beginning of the meeting. Council Member Wazny seconded.

Mayor Pro Tem Roden clarified the motion that there would be no provisions for not allowing a speaker to talk about an item listed on the agenda. He felt that was an important provision so that a speaker did not get to address an issue on the agenda before everyone else.

Mayor Watts asked if that was a friendly amendment to the motion.

Council Member Briggs clarified that her motion was to put four registered speakers and two open mic speakers with 4 minutes each; open mic speaking on something not on the current agenda with all of the speakers at the beginning of the meeting.

Mayor Watts asked for a friendly amendment to require a blue speaker card be submitted for open mic and once the agenda item was called, no more cards could be submitted.

Council Member Briggs accepted the friendly amendment as did Council Member Wazny.

On roll call vote, Council Member Briggs "aye", Council Member Wazny "aye", Mayor Watts "aye", Mayor Pro Tem Roden "aye", and Council Member Bagheri "aye". Council Member Gregory "nay". Motion carried with a 5-1 vote.

5. ITEMS FOR INDIVIDUAL CONSIDERATION - CONSIDERATION OF THE USE OF EMINENT DOMAIN TO CONDEMN REAL PROPERTY INTERESTS

Ordinance No. 2016-212

- A. ID 16-799 Consider adoption of an ordinance of the City of Denton determining the public use and necessity for the acquisition of fee simple title to the surface estate and related real property interests as further defined herein, including a waiver of surface use to the mineral estate, of a 117.145 acres, which consists of two separate tracts, more particularly described in the attached Exhibit "A" ("property interests"), with tract one (113.417 acres) being generally located south of Jim Christal Road, between the 9000 and 9300 blocks, and situated in the Gibson Myers Survey, Abstract 843, and the Moses H. Davis Survey, Abstract No. 377, and tract two (3.728 acres) being generally located south of the 9300 block of Jim Christal Road, situated in the Johnson, Green, Myers and Brummett Survey, Abstract No. 1699, and the Moses H. Davis Survey, Abstract No. 377, both tracts being in the city of Denton, Denton County, Texas; authorizing the City Manager, or his respective designee, to acquire the property interests by agreement including making initial and final offers to owner(s) of the property interests; authorizing the use of the power of eminent domain to condemn the property interests if an agreement cannot be reached with the owner(s); authorizing the City Attorney, or her designee, to file eminent domain proceedings if necessary; authorizing the expenditure of funding; makings findings; providing a savings clause; and providing an effective date.

Galen Gillum, Executive Manager of Administrative Services, stated that this ordinance would determine the finding for the public use and necessity for the acquisition of property for the Denton Energy Center. He noted that the legal description of the property would be displayed on the overhead screen as the motion was presented.

Council Member Gregory motioned: "I move that the City of Denton, after having made the offers required by State law, use of the power of eminent domain, if needed, to acquire fee simple title to the surface estate and related real property interests as further defined in the Ordinance, including a waiver of surface use to the mineral estate, of 117.145 acres which consists of two separate tracts located in Denton, Denton County, Texas, generally south of Jim Christal Road, between the 9000 and 9300 blocks, and being more particularly described on Exhibit "A" to the ordinance now under consideration and on the overhead screen now being displayed to the audience, all of which is for a valid public use necessary to provide the location for the Denton Energy Center component of the City's Renewable Denton Plan approved by resolution of the City Council on June 21, 2016." Mayor Pro Tem Roden seconded the motion.

On roll call vote, Council Member Wazny "aye", Council Member Gregory "aye", Mayor Watts "aye", Mayor Pro Tem Roden "aye", and Council Member Bagheri "aye". Council Member Briggs "nay". Motion carried with a 5-1 vote.

6. PUBLIC HEARINGS

- A. ADP16-0001b Hold a public hearing and 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).

Aimee Bissett, Director of Development Services, presented the details of the proposal for an Alternative Environmentally Sensitive Area Plan for the Villages of Carmel Phase 4B. She reviewed the details of the proposal that dealt with the environmentally sensitive area current conditions and proposed buffer; the mitigation plan for the buffer; and the benefits of the proposal. The Planning and Zoning Commission and staff recommended approval.

Council discussed the effects on the upland habitat, the riparian buffer; and possible city tree park in the area.

The Mayor opened the public hearing.

Justin Bono, applicant, spoke in favor.

The Mayor closed the public hearing.

Mayor Pro Tem Roden motioned, Council Member Gregory seconded to approve the ESA Plan. On roll call vote, Council Member Gregory "aye", Mayor Watts "aye", and Mayor Pro Tem Roden "aye". Council Member Briggs "nay", Council Member Wazny "nay", and Council Member Bagheri "nay". Motion failed with a 3-3 vote.

Ordinance No. 2016-213

- B. ID 16-824 Hold a public hearing and consider adoption of an ordinance of the City Council of the City of Denton, Texas authorizing the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code ("Act"), providing tax incentives, and designating a liaison for communication with the interested parties; and providing an effective date.

Caroline Booth, Assistant Director of Economic Development, presented the details of the proposal. The background of a Texas Enterprise Zone Program was reviewed along with the key points of the program.

The Mayor opened the public hearing.

No one spoke during the public hearing.

The Mayor closed public hearing.

Council Member Briggs motioned, Council Member Bagheri seconded to adopt the ordinance. On roll call vote, Council Member Briggs "aye", Council Member Wazny "aye", Council Member

Gregory "aye", Mayor Watts "aye", Mayor Pro Tem Roden "aye", and Council Member Bagheri "aye". Motion carried unanimously.

- C. A16-0002 Hold a public hearing on the voluntary petition for annexation into the corporate limits of the City under Texas Local Government Code Sec. 43.028(d) filed by CHP Holdings, L.L.C. concerning approximately 0.375 acres generally located on the north side of Crawford Road, approximately 675 feet east of I-35W Crawford Road on ramp (A16-0002; Ranch View Specialty Hospital).

The Mayor opened the public hearing.

Aimee Bissett, Director of Development Services, stated that this was a voluntary annexation to facilitate the development on the north side of Crawford Road. She presented the details of the proposal, the location of the property, and tentative schedule for annexation. Staff was recommending to proceed with no action needed at this meeting.

No one spoke during the public hearing.

The Mayor closed the public hearing.

No action was required on this item at this time.

7. ITEMS FOR INDIVIDUAL CONSIDERATION

Ordinance No. 2016-214

- A. ID 16-825 Consider adoption of an ordinance of the City Council of the City of Denton nominating WinCo Foods, LLC to the Office of the Governor, Economic Development and Tourism ("OOGEDT") through the Economic Development Bank ("the Bank") as an Enterprise Project ("Project"); and providing an effective date.

Caroline Booth, Assistant Director of Economic Development, stated that this was the second part associated with the previous public hearing. This would nominate WinCo Foods as an enterprise project. She reviewed the benefits to WinCo and to Denton with this proposal. Key points of the proposal were presented.

Mayor Pro Tem Roden motioned, Council Member Briggs seconded to adopt the ordinance. On roll call vote, Council Member Briggs "aye", Council Member Wazny "aye", Council Member Gregory "aye", Mayor Watts "aye", Mayor Pro Tem Roden "aye", and Council Member Bagheri "aye". Motion carried unanimously.

- B. ID 16-872 Consider appointing a Nominating Committee to recommend appointees to serve on the Economic Development Partnership Board.

Caroline Booth, Assistant Director of Economic Development, reviewed the makeup of the current board. The enabling ordinance stated that a nominating committee would be established to recommend appointees to serve on the Economic Development Partnership Board. Larry Parker

from the Chamber of Commerce had been nominated with two council members needed for the committee.

Mayor Pro Tem Roden stated that the task was for the committee to nominate council members to choose or help select open seats on the EDP Board. He noted that a former council member currently sat on that Board. The ordinance, when created, stated that the Council and Chamber representative had to be a member to be serve on the board but once off the Council or Chamber board could remain on the EDP Board until the end of his/her term. Former Council member Johnson occupied a seat on the EDP Board and unless he resigned, his seat was not an eligible spot for a nomination.

Mayor Pro Tem Roden nominated Council Members Gregory and Hawkins to serve on the nominating committee.

Mayor Pro Tem Roden motioned, Council Member Gregory seconded to approve the appointments to the nominating committee. On roll call vote, Council Member Briggs "aye", Council Member Wazny "aye", Council Member Gregory "aye", Mayor Watts "aye", Mayor Pro Tem Roden "aye", and Council Member Bagheri "aye". Motion carried unanimously.

8. PRESENTATION FROM MEMBERS OF THE PUBLIC

- A. Review of procedures for addressing the City Council and B. Receive Scheduled Citizen Reports from Members of the Public.
 - 1. ID 16-823 Willie Hudspeth regarding the lack of African American firefighters.

Mr. Hudspeth was not at the meeting.

9. 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

Council Member Briggs asked for a report on the global interest rates and the effect on the City's pension fund and how to mitigate any risk in the future.

Mayor Pro Tem Roden requested a Work Session on the ability of the City to address issues of tenant concerns in terms of what could and could not be done and what other cities were doing.

Council Member Bagheri requested a discussion on the membership of the EDP Board in terms of prior council members on the Board.

Mayor Watts requested an Informal Staff Report on the maximum parking requirements with water saving pervious and non-pervious surfaces and the cost differential between concrete and pavers and maintenance.

B. Possible Continuation of Closed Meeting topics, above posted.

There was no continuation of the Closed Meeting.

With no further business, the meeting was adjourned at 8:45 p.m.

CHRIS WATTS
MAYOR
CITY OF DENTON, TEXAS

JENNIFER WALTERS
CITY SECRETARY
CITY OF DENTON, TEXAS