



# City of Denton

City Hall  
215 E. McKinney Street  
Denton, Texas  
www.cityofdenton.com

## AGENDA INFORMATION SHEET

**DEPARTMENT:** Denton Municipal Electric

**CM/ DCM/ ACM:** Todd Hileman, City Manager

**DATE:** August 15, 2017

### **SUBJECT**

Consider adoption of an ordinance of the City of Denton ("City") finding that a public use and necessity exists to acquire various permanent easements and temporary construction easements generally located along Smith Street, the limits of which being bounded to the northwest by Locust Street and to the southeast extending beyond Smith Street to the East to the DCTA Rail Corridor and being situated in the S.C. Hiram Survey, Abstract 616 and the Alexander Hill Survey, Abstract No. 623, City of Denton, Denton County, Texas (Collectively the "Property Interests"), for the public use of, expansion, construction, maintenance, and operation of an electric transmission line, ancillary facilities and structures; authorizing the City Manager, or his designee, to acquire the Property Interests by agreement including making all offers required by law; authorizing the use of the power of eminent domain to condemn the Property Interests if an agreement cannot be reached; and authorizing the City Attorney, or his designee, to file eminent domain proceedings if necessary; authorizing the expenditure of funding; making findings; providing a savings clause; and providing an effective date. [Spencer to Locust TM Line Project]

### **BACKGROUND**

The Denton Municipal Electric (DME) Capital Improvement Plan includes a project to reconstruct Spencer to Locust transmission lines. The existing capacity is inadequate for expected future load.

DME held an open house on June 27, 2016 to inform the community regarding the siting of the proposed transmission line route and received feedback.

A public hearing was held by the Public Utilities Board on July 25, 2016 where input from members of the public was heard. The Board directed DME at that meeting to move forward with the "Green" route. Another public hearing was held by the City Council on August 16, 2016 where input from the members of the public were heard. The Council directed DME to move forward with the "Green" route.

### **OPTIONS**

1. Approve adoption of the ordinance to acquire the above subject properties.
2. Do not approve adoption of the ordinance and provide staff with further direction.
3. Table the matter for future action.

### **RECOMMENDATION**

DME staff recommends approving adoption of the ordinance to acquire the subject properties for the City of Denton.

### **PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

- 6/27/16 – Public Open House
- 7/25/16 – PUB Public Hearing in which “Green” route was recommended
- 8/16/16 – Council Public Hearing in which “Green” route was approved

### **STRATEGIC PLAN RELATIONSHIP**

The City of Denton’s Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

**Related Key Focus Area:   Public Infrastructure**

**Related Goal:               2.3 Promote superior utility services and facilities**

### **EXHIBITS**

1. Agenda Information Sheet
2. Ordinance
3. Easement Map
4. Motion

Respectfully submitted:

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Prepared by:

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Denton Municipal Electric