

CITY OF DENTON CITY COUNCIL MINUTES

July 25, 2017

After determining that a quorum was present, the City Council convened in a Work Session on Tuesday, July 25, 2017 at 1:00 p.m. in the Council Work Session Room at City Hall.

PRESENT: Council Member Hudspeth, Council Member Briggs, Council Member Duff, Council Member Ryan, Council Member Gregory, Mayor Pro Tem Bagheri, and Mayor Watts.

ABSENT: None.

1. Citizen Comments on Consent Agenda Items

There were no citizen comments on Consent Agenda Items.

2. Requests for clarification of agenda items listed on the agenda for July 25, 2017.

There were no requests for clarification on agenda items.

3. Work Session Reports

- A. ID 17-927 Receive a report and hold a discussion regarding a progress report on homelessness initiatives from the United Way of Denton County and Denton County Homeless Leadership Team.

Danielle Shaw, Human Services Coordinator, introduced Courtney Cross, Director of Homeless Initiatives of Denton County, who would be making the presentation regarding an update on the Denton County Homelessness Leadership Team.

Courtney Cross presented the goals of the Team which included presenting ongoing initiatives, progress of the Leadership Team, a request for continued support and addressing of questions regarding public safety and homelessness. The vision and mission of the Leadership Team were presented; the history and origin of the initiative; strategic goals of the various work groups of the Team; and the coordinated entry process. She also presented information on best practice fact-finding; moving forward; and continued support from the city of Denton.

Council discussed panhandling and the fact that many panhandlers were not really homeless; suggested contacting other cities and/or the County for funding; and common misperceptions concerning the homelessness.

- B. ID 17-832 Receive a report; hold a discussion, and give staff direction regarding the preliminary FY 2017-18 Proposed Budget, Capital Improvement Program, and Five Year Financial Forecast.

Electric Department - Chuck Springer, Director of Finance, presented the Electric Department budget. He reviewed cost containment strategies; annual peak demands and energy trends; growth factors; CIP definitions; CIP plan budget by fiscal year; and revenue/expenditures. He continued with revenue definitions; budget highlights; expenditure definitions; and the five year forecast.

Solid Waste and Recycling Department – Springer presented department assumptions cost containment strategies; future risks and mitigation; updated forecast growth; and five year forecast. He noted revenues and expenditures; five year Capital Plan; and budget highlights.

- C. ID 17-762 Receive a report; hold a discussion, and receive departmental presentations in preparation for the FY 2017-18 Proposed Budget, Capital Improvement Program, and Five Year Financial Forecast.

Caroline Booth, Director of Economic Development, presented her departmental budget. She reviewed the City and Chamber responsibilities for economic development. Goals and accomplishments; performance measures; cost containment strategies; and process improvements. Budget highlights; operations details; and net revenue from projects with an active Chapter 380 agreement were also presented.

Chamber of Commerce - Adam Gawarecki, presented the Denton Chamber Economic Development goals and accomplishments; performance measures; cost containment strategies; process improvements; and expenditure budget highlights.

Chuck Carpenter, Vice-President of the Chamber of Commerce, presented the details of the Denton Chamber Economic Development goals and accomplishments of the Small Business Development Center.

Legal - Aaron Leal, Interim City Attorney, presented the department's budget presentation. He reviewed the organizational chart, number of FTEs, goals and accomplishments; performance measures; cost containment strategies; and budget highlights.

Capital Projects - Galen Gillum, Capital Project Director, presented the Capital Projects budget in terms of FTEs by functional area; accomplishments; performance measures; cost containment strategies, process improvements; specific process improvements for capital projects; and budget highlights.

Sarah Kuechler, Assistant to the City Manager, presented the City Manager's Office budget. She reviewed goals and accomplishments; performance measures; process improvements; and budget highlights.

- D. ID 17-839 Receive a report, hold a discussion and give staff direction on the Mobility and Bike Plan.

This item was not considered.

- E. ID 17-926 Receive a report, hold a discussion, and give staff direction regarding the use and potential disposal of real property tracts owned by the City of Denton.

This item was not considered.

- F. ID 17-999 Receive a report, hold a discussion, and give staff direction regarding the Charter Review Committee recommendations.

Bryan Langley, Deputy City Manager, presented a follow-up from the last Council meeting. There was at least one last item to consider - Charge #6-Ethics. He reviewed the Committee recommendation in terms of Charter language and an ethics ordinance plus prior Council discussion.

Council discussed modifications to the proposed language in terms of applying the ethics provisions to employees; whether to establish a Board of Ethics for administration and enforcement and have that included in the Charter language; whether to include subpoena power for documents and witnesses; and the backup of the review process

Consensus was obtained on the following provisions:

- #2 redline version – keep at Charter level

- List of people the provision would apply to – Council, Council appointees, and staff – put in ordinance level not at the Charter level.

- #3 avoidance of appearance – maintain at the Charter level

- #4 - as written with subpoena power and with the additional provision

- Provision for review process before formal review - not at Charter level

Langley stated that staff would return at the next meeting with proposed ballot language for Council consideration.

- G. ID 17-1002 Receive a report, hold a discussion, and give staff direction regarding a compressed natural gas (CNG) fueling facility at the intersection of Mayhill Road and Spencer Road.

Ethan Cox, Director of Solid Waste, presented information on the CNG Fueling Station. He reviewed background information, the TCEQ grant, operations, pro forma options versus diesel; pro forma options versus mobile fueling; additional considerations including competition, administrative costs, card processing costs, public access and security, and liability.

Council discussed what the grant had already been spend on thus far.

Cox continued with next steps that included initiating gas line construction, gas delivery agreement; gas purchase agreement and opening the fueling facility.

Kenny Banks, General Manager of Utilities, reviewed the environmental impacts of CNG vs B20 for refuse trucks.

Consensus of the Council was look at other entities first for possible partnerships, then consider Option 3. Staff would return with another presentation with information gathered on possible partnerships.

The City Council convened in a Special Called Meeting to consider the following items.

1. CONSENT AGENDA

Council Member Briggs motioned, Council Member Ryan seconded to approve the Consent Agenda and accompanying ordinances. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Council Member Duff "aye", Council Member Ryan "aye", Council Member Gregory "aye", Mayor Pro Tem Bagheri "aye", and Mayor Watts "aye". Motion carried unanimously.

Ordinance No. 2017-207

- A. ID 17-921 Consider adoption of an ordinance of the City of Denton, Texas authorizing the approval of a Continuous Highway Lighting Agreement between the City of Denton and the Texas Department of Transportation regarding the 35Express project.

Ordinance No. 2017-208

- B. ID 17-975 Consider adoption of an ordinance amending the schedule of Water Rates contained in Ordinance No. 2016-274 for Water Taps and Meter Fees and amending section 26-126.1.e of the Denton Code of Ordinances; providing for a repealer; providing for a severability clause; and providing for an effective date. The Public Utility Board recommends approval (7-0).

Ordinance No. 2017-209

- C. ID 17-984 Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager to execute a Professional Services Agreement for consulting services relating to City of Denton Solid Waste operations; providing for the expenditure of funds therefor; and providing an effective date (File 6510-awarded to Weaver and Tidwell, LLC in the not-to-exceed amount of \$75,000).

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.

Council Member Briggs requested information on the full cycle global warming potentials for the Denton Energy Center.

Mayor Pro Tem Bagheri requested an informal survey regarding the cost for school resource officers.

Council Member Gregory requested a cost analysis for the number of times the officers were dispatched to secondary school in terms of a cost efficiency factor.

Council Member Ryan requested staff look at the possibly adding a right turn lane at Ryan Road and Country Club Road.

Mayor Watts requested a cost analysis on the mining operation at the landfill.

Following the completion of the Special Called Session, the Council convened in a Closed Meeting at 6:42 p.m. to consider the specific items listed below under the Closed Meeting section of this agenda.

1. Closed Meeting:

A. ID 17-968 Certain Public Power Utilities: Competitive Matters --- Under Texas Government Code, Section 551.086.

Receive competitive public power competitive information and financial information from staff regarding the proposed FY 2017-2018 operating budget for Denton Municipal Electric ("DME") including without limitation, proposed rates for DME for FY 2017-2018, expected revenues, expenses, commodity volumes, and financial commitments of DME; discuss, deliberate and provide staff with direction.

This item was not considered.

B. ID 17-983 Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consult with, and provide direction to, the City's attorneys relating to the City's procurement activities for Request For Proposal 5937 for Supply of Reciprocating Internal Combustion Engine Generator Sets and Auxiliaries for the City of Denton for the Proposed Denton Energy Center and Request For Qualifications 5898 for Professional Services for the Design-Build of the Proposed Denton Energy Center for the City of Denton where public discussion associated with these legal matters would clearly 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.

The Council convened in Open Session and with no further business, the meeting was adjourned at 7:53 p.m.