



Legislation Details (With Text)

File #: ID 17-706 **Version:** 1 **Name:**

Type: Action Item

File created: 5/25/2017 **In control:** City Council

On agenda: 5/30/2017 **Final action:**

Title: Reconsider the approval of a resolution of the City Council of the City of Denton, passed on May 23, 2017, approving a change in the rates of Atmos Energy Corporation, Mid-Tex Division ("Atmos") as a result of a settlement between Atmos and the Atmos Texas Municipalities ("ATM") under the rate review mechanism; finding the rates set by the attached tariffs to be just and reasonable; finding that the meeting complied with the Open Meetings Act; declaring an effective date; and requiring delivery of the resolution to the company and legal counsel; and providing an effective date.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Agenda Information Sheet

DEPARTMENT: Legal Department

CM/ ACM: Aaron Leal, Interim City Attorney

Date: May 30, 2017

SUBJECT

Reconsider the approval of a resolution of the City Council of the City of Denton, passed on May 23, 2017, approving a change in the rates of Atmos Energy Corporation, Mid-Tex Division ("Atmos") as a result of a settlement between Atmos and the Atmos Texas Municipalities ("ATM") under the rate review mechanism; finding the rates set by the attached tariffs to be just and reasonable; finding that the meeting complied with the Open Meetings Act; declaring an effective date; and requiring delivery of the resolution to the company and legal counsel; and providing an effective date.

BACKGROUND

The Mayor has requested reconsideration of Consent Agenda Item H approved by a vote of 4-3 at the City Council meeting of May 23, 2017. The City Council Rules of Procedure contemplate reconsideration of approved agenda items under limited circumstances, as follows:

A motion to reconsider any action of the Council can be made not later than the next succeeding official meeting of the Council. Such a motion can only be made by a member who voted with the prevailing side. It can be seconded by any member. In order to comply with the Texas Open Meetings Act, any Council member who wishes to make such a motion at a meeting succeeding the meeting where the action was taken shall notify the City Manager to place the item for reconsideration on the Council agenda. No question shall be twice reconsidered, except by unanimous consent of the Council, except that action related to any contract may be reconsidered at any time before the final execution thereof. A matter which was not timely reconsidered in the manner provided by this section or was reconsidered but the action originally taken was not changed by the Council cannot be reintroduced to the Council

or placed on a Council meeting agenda for a period of six (6) months unless this rule is suspended as provided for in these Rules of Procedure.

OPTIONS

Should a Motion for Reconsideration pass by majority vote, then the Council would move to the underlying action previously passed on May 23, 2017, and reconsider whether such matter should be approved.

Respectfully submitted:
Aaron Leal
Interim City Attorney

Prepared by:
Larry Collister
Deputy City Attorney