

# CITY OF DENTON CITY COUNCIL MINUTES

February 27, 2018

After determining that a quorum was present, the City Council convened in a Work Session on Tuesday, February 27, 2018 at 12:00 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. Work Session Reports

### A. ID 18-145 Receive a report, hold a discussion, and give staff direction regarding the Texas Commission on the Arts' Cultural Districts Program.

Caroline Booth, Director of Economic Development, provided a staff report Cultural Districts. The background regarding the cultural district program was presented which included the definition of a cultural district, a district did not obligate property owners to any type of financial obligation, and was used as a marketing tool for communities. There were currently 30 communities in Texas with a cultural district designated by the TCA with some communities designating districts locally instead of through TCA with no TCA grant funds available by this method. The benefits and challenges of the district were noted.

Council discussed whether HOT funds could be used and staffing and administration needs in the short term and long term.

Booth continued with cultural district success factors as well as key points and potential next steps.

Council discussed whether to seek a TCA designation; costs involved with the designation; inclusion of the Convention and Visitors Bureau or transferring it to the CVB.

Consensus was to proceed on a parallel tract with stakeholder meetings for both types of designations in mind while working through the planning process.

### B. ID 18-146 Receive a report, hold a discussion, and give staff direction regarding the City's Policy for Tax Abatement and Incentives.

Caroline Booth, Director of Economic Development, provided an update on the policy for tax abatement and incentives. She noted prior action on these items and the consensus revisions to the policy. The prior Council direction was reviewed and the proposed next steps for consideration.

Council discussed DCAD valuations and a minimum threshold; circumstances surrounding new construction versus an upgrade on a project in terms of valuation; consider agreements on a case

by case basis; consider amendments to incentives; and consider a policy with an amendment process included

- C. ID 18-256 Receive a report, hold a discussion, and give staff direction regarding the schedule of miscellaneous fees, deposits, billings and procedures for administrative services to city utilities customers contained in Ordinance No. 2016-276; amending the provisions of the account connection and reconnection charges; amending the provisions of the miscellaneous fees, charges and deposits; providing for a repealer; providing for a severability clause; providing for an effective date. The Public Utilities Board recommended approval (6-0) of Option 2 for the AMI opt-out option with the proposed Customer Service fees and changes.

JR Richardson, Superintendent of Electric Metering, presented the report on the Opt-Out programs for the automated electric meters. He noted the safety studies done on the radio safety of the AMI wireless meters along with the Opt-out disadvantages to the customers. The Opt-out disadvantages to Utilities was presented and noted other Utilities in Texas with an Opt-out program and any associated rates/fees. Options for the Opt-out program were presented. Staff and PUB recommended the Opt-out program with associated fees.

Council consensus was to proceed with Option 2 with notification to those who opt-out that the City would not be able to monitor whether their service had been disrupted.

- D. ID 18-293 Receive a report, hold a discussion, and give staff direction regarding the City's Hotel Occupancy Tax Program.

Tony Puente, Director of Finance, presented the objectives of the discussion on the Hotel Occupancy Tax (HOT) program. He noted the legal framework in terms of the Texas Tax Code and the City ordinance. Revenue collection information was note in terms of Tourist & Convention Fund and lodging establishment. Revenue allocation included information on the Council HOT Committee and the duties the Committee performed in terms of revenue allocations; and the HOT recipients. He noted the 2019 calendar for determining the allocation of the funds.

Council discussed several of the specific recipients listed for the HOT funds, consider requiring applicants receiving funding to use local providers; transparency in using social media vendors; consider attesting to the facts contained in the application; standardize the application; consider not providing an across the board increase in funding but have an incentive process for increases.

Council also discussed historical restoration/preservation of funds and the public art component. Consider sending out a spreadsheet of the recipients and have Council rank them and include the cultural district for potential funding.

- E. ID 18-294 Receive a report, hold a discussion, and give staff direction on preliminary research and options for the availability of restrooms in the downtown area.

Sarah Kuechler, Director of Public Affairs and IGR, reviewed the report concerning public restrooms in the downtown area. She noted the availability and use of public restrooms currently in the downtown. Options on a high level included increased education through communication on where current public restrooms were located, extend the hours of the Welcome Center, purchase

and install restrooms; and automated self-cleaning restrooms. A comparison of each of the options was noted. Planned improvements were presented.

Council discussed the various options presented including:

- Consider partnering with the Community Health Clinic for a presence in the downtown area
- Consider using Williams Trade Square for the location of a conventional restroom
- The use of a mobile facility would allow for it to be moved to different locations for events
- Investigate the addition of hours to the Visitors Center with compensation for maintenance and supplies
- Include the communication segment with any option considered
- Consider only increased education and extended hours at the Visitor Center rather than a facility.

Kim Phillips, Discover Welcome Center, presented the issues of security in the Center due to the use of the restrooms and the increased staff necessary to maintain the restrooms.

Council continued their discussion noting:

- Incorporating a police officer at the Center for added security
- Budget determinations for security and maintenance of the facilities
- Whether the issue involved the homeless in the downtown area and how adding restrooms in the area would or would not take care of the perceived situation with the homeless.
- The issue at this meeting was for additional restrooms in the downtown area and not a first aid station to assist homeless individuals. That issue would be a good additional work session discussion.
- Consider increased education of available public restrooms in the downtown area
- Consider leasing a mobile unit for special events or when needed to see how effective it would be
- Consider a mobile restroom during the Community Market as a test for usage
- Whether a mobile unit could be on a lease/purchase agreement
- Placement options, cost, stakeholder comments
- Return for an additional work session with data on the usage.

F. ID 18-297 Receive a report, hold a discussion, and provide direction to staff on recommended changes to residential parking standards.

Richard Cannone, Interim Planning Director, reviewed specific recommendations for residential parking standards. He reviewed the recommendation to increase the minimum parking standards to four parking spaces with a minimum of two spaces in a garage for single family; duplexes would be four spaces per dwelling with a minimum of 2 spaces in a garage with tandem parking in garages not counted as satisfying the parking requirement.

Council discussion included:

- The proposed standards requiring a garage in the design of the developments
- The number of spaces that were proposed to be required for duplexes
- The requirement of a garage would not permit a later renovation of the garage into an additional living space

- Consider infill provisions to match surrounding developed areas.

Cannone continued with proposed multifamily parking standards. All multi-family regardless of the number of bedrooms would require one space per bedroom plus 10%. Recommendation 2 was to eliminate parking maximums.

Council suggested having the Committee on the Environment consider Recommendation 2 in terms of runoff on impervious pavement.

Cannone presented recommendations on On-street parking credits. He noted the fourth recommendation for parking dealt with compact, bicycle and motorcycle parking. Recommendation 5 dealt with administrative relief for parking spaces required.

Council consensus included:

- Eliminate the requirement of a garage but have four parking spaces off street
- Make adjustment for three bedrooms or less
- Eliminate the maximum number of required spaces for multi-family and include one space/bedroom plus 10% of the minimum for visitor parking
- Allow for administrative variances for compact cars, bikes and motorcycles
- Make adjustments for one bedroom developments.
- For Recommendation 2, eliminate parking maximums, have the proposal go to the Committee on the Environment and/or have staff return with examples of taking pervious out of the recommendations.
- Recommendation 3, on-street parking credits, would only apply in front of the property and not across the street or neighboring property.
- Recommendation 4, compact cars, bicycle and motorcycle, have 5% of the total parking spaces
- Recommendation 5, administrative relief, no change from the staff recommendation
- Residential component to provide for infill on single family to match surrounding area; duplex not have to have garage; not have garage requirement for single family; exemptions to include infill and affordable housing; two car garage would equal four spaces; a one car garage provide for three spaces; and the policy question regarding the requirement of garages

Following the completion of the Work Session, the City Council convened in a Special Called Meeting to consider the following items:

**1. CONSENT AGENDA**

Ordinance No. 17-1659

- A. ID 17-1659 Consider adoption of an ordinance of the City of Denton, Texas reappointing Robin A. Ramsay as Presiding Judge for the City of Denton Municipal Court of Record; establishing a term of office for the Presiding Judge beginning on the 4th day of March, 2018; and extending through the 3rd day of March, 2020; authorizing the Mayor to execute a contract for term of office; and ratifying terms of contract; and declaring an effective date.

Council Member Gregory motioned, Mayor Pro Tem Bagheri seconded to adopt the ordinance. 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. 18-271

- B. ID 18-271 Consider adoption of an ordinance of the City of Denton, Texas, appointing Gregory L. Bertrand as Assistant Judge for the City of Denton Municipal Court of Record; appointing Dennis Engler as Assistant Judge for the City of Denton Municipal Court of Record; appointing Alison J. Grant as Assistant Judge for the City of Denton Municipal Court of Record; appointing Brian S. Holman as Assistant Judge for the City of Denton Municipal Court of Record; appointing James Horton as Assistant Judge for the City of Denton Municipal Court of Record; appointing Ann Poston as Assistant Judge for the City of Denton Municipal Court of Record; establishing terms of office for municipal judges in accordance with applicable state statutes; providing for renewal and extension of terms absent specific action by Council; authorizing the Mayor to execute a contract for term of office; ratifying terms of contract; and declaring an effective date.

Council Member Gregory motioned, Mayor Pro Tem Bagheri seconded to adopt the ordinance. 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.

**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 Hudspeth requested a Work Session on the downtown homeless issue.

Mayor Watts requested a discussion with stakeholders regarding a performing arts center in Denton.

Mayor Watts requested an Informal Staff Report on Denton losing its live music scene and losing interest in live music.

Mayor Watts requested a survey of surrounding cities in the larger Metroplex area that have a 4A or 4B Economic Development Corporation and the yearly contribution to those corporations.

With no further business, the meeting was adjourned 4:52 p.m.

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CHRIS WATTS  
MAYOR  
CITY OF DENTON, TEXAS

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JENNIFER WALTERS  
CITY SECRETARY  
CITY OF DENTON, TEXAS