

## CITY OF DENTON CITY COUNCIL MINUTES

September 11, 2012

After determining that a quorum was present, the City Council convened in a Work Session on Tuesday, September 11, 2012 at 3:00 p.m. in the Council Work Session Room at City Hall.

PRESENT: Council Member King, Council Member Watts, Council Member Gregory, Council Member Engelbrecht, Mayor Pro Tem Kamp, and Council Member Roden.

ABSENT: Mayor Burroughs.

### 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 September 11, 2012.

Council did not have any questions of clarification on agenda items.

### 3. Receive a report, hold a discussion and give staff direction regarding the City's Healthy Incentives Program for employees.

Scott Payne, Risk Manager, stated that the Healthy Incentives Program was started in 2010. At that time employees had to complete a health risk assessment. He presented demographic information regarding the total number of participants. Wellness scores for 2011 were 88.2 and in 2010 were 85.4. The wellness scores were generated from three major components. Mortality risks, health risks and preventive service compliance. Biometric data that was previously missing was currently known by employees. He reviewed the Health Risk Status stratification. Employee's health risk status had gone down from 2010. The top population health risks included body weight, blood pressure, stress, medication/drugs for relaxation, and illness days which went down from 2010 to 2011. The Preventative Health Services that the employees were in least compliance with were reviewed. The assessment looked at a closer look at tobacco use. Other areas looked at included body mass index, presenteeism, and readiness to change. He noted that engaged employees had a higher age/general factor than non-engaged. The numbers showed that employees engaged in their health risks cost the city less than those non-engaged.

Council Member Watts asked about the increase in the current budget for \$1.4 million. The presentation stated that the reason was the wellness program and people involved who found out they had previously unknown health issues. He asked about the breakdown of that cost based on participants versus nonparticipants.

Scott stated that he would have to ask United Health Care if that information could be broken out from the data.

Council Member King asked if there would a percentage where those costs would top out.

Scott stated that he did not have an answer to that. There would always be a group of employees who would be engaged and always be a group that no matter what the incentive would not be engaged.

Council Member King asked if there were enough employees participating to achieve the cost of the clinic more than paying an outside source.

Scott stated they were still looking at the true tangible costs and what measures for employee's health. To date, the Employee Health Center had 3,641 office visits, 1,122 lab work only appointments which resulted in 81% utilization and 759 employee health risk assessments performed.

Council Member Roden asked about the statistics on the use of the recreation centers since 2010 in terms of employee usage.

Scott stated that staff might be able to track that information but did not have it at this time. Employees were encouraged to use the recreation centers and attend the various exercise functions offered at the centers.

4. Receive a report, hold a discussion, and give staff direction regarding the creation of a Tax Increment Reinvestment Zone for approximately 700 acres of land located north of Airport Road in the City's industrially zoned area.

Linda Ratliff, Director of Economic Development, stated that the July 17, 2012 meeting, Council discussed the proposal to create a TIRZ in the industrial park located north of Airport Road. All existing sites required some form of infrastructure improvement. Jim Christal and Western Blvd. were not built to current Mobility Plan requirements. In addition, Jim Christal and Western Blvd, currently did not have water or wastewater services. Of the 650 acres, only one 27 acre tract had sufficient infrastructure to support a business location. The property owners anticipate \$10-11 million for infrastructure costs. The definition of a TIRZ was a district where public infrastructures were needed to promote development. The proposed TIRZ was for 20 years with a 40% city and county participation. There would also be an additional incentive to the land owner for the location of a large CHP customer. She reviewed the revenues at 40% of the TIRZ. The next steps included Council approval to move forward with the TIRZ. Staff would notice the DISD and County for presentations.

Mayor Pro Tem Kamp stated that she had been discussing this program with the County and it appeared that they were supportive of participating in the program.

Council Member Roden asked about additional incentives for a user of the Combined Heat & Power Plant.

Ratliff stated that the TIRZ would be set at 40%. If the property owner brought in a large industrial customer that would be a CHP user at the time of the company coming, there would be an additional incentive of 20% for the property owners for the marketing of the CHP through a 380 agreement.

Council Member Roden asked how it would be determined who brought in the company for the CHP and who would receive the additional incentive.

Ratliff stated that the end result was to get a CHP user and it could be determined at that point.

Council Member Roden asked about a development that was not interested in using the CHP but wanted to locate in the area designated as CHP users.

Ratliff stated there were some areas designated as preferred CHP users. The property owners had been notified that the City would like to reserve some that property for CHP users. Staff needed time to go out and locate CHP users so some of the property was reserved for a three year period. If the property owner had a user that was not a CHP user but the Council felt was one that the City wanted to locate there, the designation of that site reserved for a CHP user would be removed.

Council Member Gregory stated that the developer would put in the infrastructure costs and the TIRZ would pay it back. The Economic Development Partnership Board had a discussion regarding certified sites. He asked Ratliff to address certified sites and if any of the infrastructure improvements would result in a certified site.

Ratliff stated that a certified site was one that was ready for development. All of the appropriate zoning was in place, the infrastructure was in place and all that was needed would be to obtain a building permit. Having the property owner providing the infrastructure would get the City closer to having certified sites as the biggest portion of the certified site was having the infrastructure in place.

Council Member Engelbrecht asked how the 40% was determined.

Ratliff stated that staff had many meetings with the Economic Development Partnership Board. The Board looked at the amount and tried to determine the amount it would take to recoup the costs.

Council Member Engelbrecht questioned the three year term and what the options were after the three years a CHP user was not in place.

Ratliff stated that it took a while to develop a prospect and staff wanted to have the opportunity and time to market the property and then have a deal in hand before starting to talk about whether it was necessary to have a CHP area set aside.

Council Member Engelbrecht asked if there were any incentives for a developer to bring in the kind of jobs that the City was wanting in terms of the TIRZ.

Ratliff stated that was the reason for the extra percentage for a CHP user as they were seen as a large company with more employees and higher paying jobs.

Council Member Engelbrecht stated that he had a problem with a developer bringing in a company with jobs that the City really didn't want.

Ratliff stated that it not based on jobs; it was also based on valuation. If the City wanted an industrial park and this was the area for that, by the City investing in it, it promoted it. This was the only industrial property that the City had. It was a disadvantage to tell a potential user that they would have to do the infrastructure improvements.

Council Member Watts stated that in terms of the infrastructure costs, there were still other roads that might be necessary to infill the larger tracts. He questioned if those were part of this proposal. He questioned if the build out value was based on build out for just the improvements identified in the TIRZ or the presumed total build out of all of the interior secondary roadways.

Ratliff stated that she presumed it included the secondary roadways. The property owner calculated what percentage might be warehouse, what percentage might be industrial or small dense property and then calculated the cost per square foot. It all depended on the user and what that user needed.

Council Member Watts discussed the Economic Development Partnership Board recommendations. One was to allow an interest rate of 5% to accrue on the property owner's investment in the infrastructure. Another was to consider the possibility of selling TIRZ bonds at such point that the TIRZ annual revenue was at a level that could more than sufficiently cover the annual debt payment. He was comfortable with the 5% interest rate but was not very comfortable with the TIRZ bonds. He would hope by next week to have some clarity on that issue as he did not want to hold the land hostage for the three years. He was comfortable with the proposal as it showed a true partnership with risks on each side.

Consensus of the Council was to proceed with the proposal and start the process.

5. Receive a report, hold a discussion, and give staff direction on the proposed revisions to City Ordinance 6-26 (Keeping of Fowl) to allow for urban chickens.

Scott Fletcher, Captain-Denton Police Department, stated that the discussion of this issue started in 2009 as a result of a citizen report. Research stated that the keeping of urban chickens was a growing trend and there needed to be a balance of what to allow and what not to allow. The proposed ordinance was from a citizen report which contained suggestions to change the ordinance. Staff researched reasonable ways to accommodate urban chickens while not infringing on neighbors. Problems associated with urban chickens included odors, noise, loose animals and an increase in predators. The noise was addressed without limiting the number of animals. The proposed ordinance would allow eight hens in single-family neighborhoods with 50 feet between the yard and the coop.

Council Member Gregory asked if the 50 feet was from another house.

Fletcher stated that it was from another structure.

Council Member Watts stated that the restriction was 50 feet from any residence. He felt there needed to be a specific structure to a house.

Fletcher stated that almost all information encouraged a specific location within an enclosed space rather than running loose in yards.

Council Member Watts stated that on any single piece of property there still would be a restriction of eight chickens.

Fletcher stated that was correct. Some ordinances had a progressive number based on lot size but that would be difficult to calculate how many animals to have without receiving complaints.

Council Member Watts asked what type of permitting would be required for construction of a chicken coop.

Fletcher stated that those specifics were not known at this time.

Mark Cunningham, Director of Planning and Development, stated that the structure would be considered an accessory structure if over 120 square feet and would require permit.

Council Member Roden stated that the distance was 50 feet from another structure and that a fence was not considered a structure.

Fletcher stated that was correct.

Mayor Pro Tem Kamp asked if a registration and permit would be required.

Fletcher stated that registration would be required but there would be no fee. The registration was so that it would be known where the chickens were.

Consensus of the Council was to proceed with the ordinance

Following the completion of the Work Session, the Council convened in a Closed Meeting to consider the following:

1. Closed Meeting:

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

1. Consult with and provide direction to City's attorneys regarding legal issues and strategies associated with Phase I and proposed Phase II Gas Well Ordinance regulation of gas well drilling and production within the City Limits and the extraterritorial jurisdiction, including Constitutional limitations, statutory limitations upon municipal regulatory authority, moratorium on drilling and production and claims associated therewith, including variance requests for relief from the moratorium, statutory preemption and/or impacts of federal and state law and regulations as it concerns municipal regulatory authority and matters relating to enforcement of the ordinance.

B. Deliberations regarding Certain Public Power Utilities: Competitive Matters -Under Texas Government Code Section 551.086.

1. Receive competitive public power information and related commercial information from staff pertaining to the proposed operating budget for the Denton Municipal Electric (DME) department for FY 2012-2013, including without limitation, revenues, expenses, commodity volumes, electric power

- pricing proposal information, system load characteristics, and commitments; and discuss, deliberate, and consider adoption of the budget and provide staff with direction regarding such matters.
2. Receive a report and a presentation from Denton Municipal Electric staff regarding certain public power competitive and financial matters related to the Request for Proposals No. 4859 issued by the City soliciting proposals for a solar-generated energy facility or facilities for the City of Denton, Texas; discuss, deliberate, provide staff with direction, consider and take final action regarding such matters.
- C. Consultation with Attorneys - Under Texas Government Code Section 551.071; Deliberations regarding Real Property - Under Texas Government Section 551.072; Deliberations regarding Certain Public Power Utilities: Competitive Matters -Under Texas Government Code Section 551.086.
1. Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the acquisition of fee lands for public purposes situated in the T.M. Downing Survey, Abstract Number 346, the M.E.P. & P.R.R. Company, Abstract Number 927, and the M.E.P. & P.R.R. Company, Abstract Number 1475, all in the City of Denton, Denton County, Texas; and consultation with the City's attorneys regarding legal issues associated with the acquisition or condemnation of the tracts referenced 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 Denton City Council under the Texas Rules of Disciplinary Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceedings or potential litigation; and receive competitive public power information and competitive financial information from staff regarding plans, proposals for system improvements regarding transmission and distribution systems, and marketing strategies regarding Denton Municipal Electric ("DME"), and discuss, deliberate, provide staff with direction regarding such matters.
- D. Consultation with Attorneys - Under Texas Government Code Section 551.071; Deliberations regarding Real Property - Under Texas Government Section 551.072.
1. Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the acquisition of real property interests located (1) in the M.E.P. & P.R.R. Company, Abstract Number 927, located generally in the 500 block of North Mayhill Road; and (2) in the M.E.P. & P.R.R. Company, Abstract Number 1469, located generally in the 1500 block of North Mayhill Road, all in the City of Denton, Denton County, Texas; and consultation with the City's attorneys regarding legal issues associated with the acquisition or condemnation of the tracts referenced 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 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 proceedings or potential litigation.

Regular Meeting of the City of Denton City Council at 6:30 p.m. in the Council Chambers at City Hall.

**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**

A. Proclamations/Awards

1. Blood Cancer Awareness Month

Mayor Pro Tem Kamp presented the proclamation for Blood Cancer Awareness Month.

2. Constitution Week

Mayor Pro Tem Kamp presented the proclamation for Constitution Week.

**3. BUDGET ITEMS FOR INDIVIDUAL CONSIDERATION**

Bryan Langley, Assistant City Manager, presented information on Items A-D. He indicated that they were all related to the budget. Item 3A approved the tax rate which was the same tax rate as the current fiscal year. It also increased the over 65 tax exemption to \$45,000 for 2012-13 and would be \$50,000 the following year. Item 3B approved the tax rolls. Item 3C approved the 2012-13 budget. Item 3D ratified approval of the budget which was required by the State Tax Code.

Ordinance No. 2012-191

- A. Consider adoption of an ordinance of the City of Denton, Texas, levying the ad valorem property tax of the City of Denton, Texas, for the year 2012, on all taxable property within the corporate limits of the City on January 1, 2012, and adopting a tax rate of \$0.68975 per \$100 of valuation for 2012; providing revenues for payment of current municipal maintenance and operation expenses and for payment of interest and principal on outstanding City of Denton debt; providing for limited exemptions of certain homesteads; providing for enforcement of collections; providing for a severability clause; and providing an effective date.

Council Member Engelbrecht motioned, Council Member King seconded that the property tax rate be increased by the adoption of a tax rate of \$0.68975, which is effectively a 1.4 percent increase in the tax rate. On roll call vote, Council Member King "aye", Council Member Watts "aye", Council Member Gregory "aye", Council Member Engelbrecht "aye", Mayor Pro Tem Kamp "aye", and Council Member Roden "aye". Motion carried unanimously.

Ordinance No. 2012-192

- B. Consider adoption of an ordinance of the City of Denton, Texas, approving the 2012 tax rolls; and providing an effective date.

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

Ordinance No. 2012-193

- C. Consider adoption of an ordinance of the City of Denton, Texas, adopting the Fiscal Year 2012-13 Annual Program of Services (Budget) and the Capital Improvement Program of the City of Denton, Texas, for the fiscal year beginning on October 1, 2012, and ending on September 30, 2013; and declaring an effective date.

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

Ordinance No. 2012-194

- D. Consider adoption of an ordinance of the City of Denton, Texas, ratifying the adoption of the Fiscal Year 2012-13 Annual Program of Services (Budget) and the Capital Improvement Program of the City of Denton, Texas, for the fiscal year beginning October 1, 2012, and ending on September 30, 2013 when the Budget will raise more revenue from property taxes than last year's budget; and providing an effective date.

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

**4. BUDGET CONSENT AGENDA**

Council Member Engelbrecht motioned, Council Member King seconded to the Budget Consent Agenda. On roll call vote, Council Member King "aye", Council Member Watts "aye", Council Member Gregory "aye", Council Member Engelbrecht "aye", Mayor Pro Tem Kamp "aye", and Council Member Roden "aye". Motion carried unanimously.

Ordinance No. 2012-195

- A. 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 collection services for the City of Denton; providing a savings clause and providing an effective date.



Ordinance No. 2012-196

- B. Consider adoption of an ordinance approving an agreement between the City of Denton, Texas, and the Denton Chamber of Commerce regarding an Economic Development Partnership; and providing an effective date (\$226,259).

Ordinance No. 2012-197

- C. Consider adoption of an ordinance awarding a contract for the purchase of Software Maintenance for continued vendor support of the Oracle EnterpriseOne (formerly PeopleSoft EnterpriseOne (formerly JD Edwards OneWorld) software as awarded by the State of Texas Department of Information Resources (DIR) through the Go DiRect Program, Contract Number DIR-VPC-03-018; providing for the expenditure of funds therefor; and providing an effective date (File 3100-Purchase of Annual Maintenance for Oracle EnterpriseOne Software Package awarded to Oracle USA, Inc. in the amount of \$131,358.91).

Ordinance No. 2012-198

- D. Consider adoption of an ordinance approving the expenditure of funds for the purchase of Annual Service Access and Support for 3G (third-generation) and 4G/LTE (Long Term Evolution) Wireless Computer Network from the State of Texas Department of Information Resources contract (DIR-SDD-1777) for laptops and cell phones used by City of Denton personnel; providing for the expenditure of funds therefor; and providing an effective date (File 5035-Purchase of Annual Service Access for 3G/4G/LTE awarded to AT&T Mobility in the estimated amount of \$72,000).

Ordinance No. 2012-199

- E. Consider adoption of an ordinance approving the expenditure of funds for Wireless Communication Services as approved by the State of Texas Department of Information Resources (DIR) under DIR Sprint/Nextel contract, DIR-SDD-1780; providing for the expenditure of funds therefor; and providing an effective date (File 5036-Purchase of Annual Wireless Communication Services for Sprint Air Cards and Cell Phones awarded to Sprint/Nextel Network, Inc. in the estimated amount of \$105,408).

Ordinance No. 2012-200

- F. Consider adoption of an ordinance approving the expenditure of funds for the purchase of Maintenance for Harris Public Utility Billing System and associated Software Modules available from only one source in accordance with Texas Local Government Code 252.022, exempting such purchases from requirements of competitive bids; providing for the expenditure of funds therefor; and providing an effective date (File 4735-Purchase of Maintenance for Harris Public Utility Billing to Harris Computer Systems Inc., in the annual amount of \$106,421.34 with a two year option to renew for an estimated three year total of \$326,828.02).

Ordinance No. 2012-201

- G. Consider adoption of an ordinance approving the expenditure of funds for the purchase of annual maintenance for Interactive Voice Response and Outage Management System and associated software modules for Denton Municipal Electric (DME) utility available from only one source in accordance with Texas Local Government Code 252.022, exempting such purchases from requirements of competitive bids; providing for the expenditure of funds therefor; and providing an effective date (File 3881-Purchase of Annual Maintenance for Milsoft Utility Systems awarded to Milsoft Utility Solutions in the amount of \$62,282.62).

Ordinance No. 2012-202

- H. Consider adoption of an ordinance approving the expenditure of funds for the purchase of Annual Service for CodeRED Emergency Notification System and CodeRED Weather Warning Service available from only one source in accordance with Texas Local Government Code 252.022, exempting such purchases from requirements of competitive bids; providing for expenditure of funds therefor; and providing an effective date (File 3964-Purchase of Annual Service for CodeRED Emergency Notification and CodeRED Weather Warning Service awarded to Emergency Communications Network, LLC in the annual amount of \$44,299.00 for an estimated three year total of \$132,897.00).

Ordinance No. 2012-203

- I. Consider adoption of an ordinance approving the expenditure of funds for the purchase of Annual Maintenance for VisionAir Public Safety Software System and associated modules used for Police and Fire Department Dispatching and Records Management available from only one source in accordance with Texas Local Government Code 252.022, exempting such purchases from requirements of competitive bids; providing for the expenditure of funds therefor; and providing an effective date (File 2640-Purchase of Annual Maintenance for VisionAir Public Safety Software System awarded VisionAir in the amount of \$211,530.96).

Ordinance No. 2012-204

- J. Consider adoption of an ordinance approving the expenditure of funds for the purchase of Annual Service Access and Support for 3G (third-generation) and 4G/LTE (Long Term Evolution) Wireless Computer network from the Texas Department of Information Resources contract (DIR-SDD-1777) for the Public Safety Mobile Computers used by City of Denton Police, Fire and EMS personnel available from only one source in accordance with Texas Local Government Code 252.022, exempting such purchases from requirements of competitive bids; providing the expenditure of funds therefor; and providing an effective date (File 3561-Purchase of Annual Service Access and Support for Enhanced Data rates for 3G (Third-Generation) and 4G/LTE (Long Term Evolution) awarded to AT&T Mobility (DIR-SDD-1777) in the amount of \$123,271.32).

Ordinance No. 2012-205

- K. Consider adoption of an ordinance approving the expenditure of funds for the purchase of Summation 360, a product upgrade and hosted solution for the Tele-Works System, along with continued vendor support of the Tele-Works System and associated hardware and software modules available from only one source in accordance with Texas Local Government Code 252.022, exempting such purchases from requirements of competitive bids; providing for the expenditure of funds therefor; and providing an effective date (File 3869-Purchase of Summation 360 upgrade and maintenance for the Tele-Works System awarded to Tele-Works, Inc., in the amount of \$80,881.00).

Ordinance No. 2012-206

- L. Consider adoption of an ordinance approving the expenditure of funds for the purchase of Annual Maintenance for continued vendor support of the Municipal Court Incode Software from only one source in accordance with Texas Local Government Code 252.022, exempting such purchases from requirements of competitive bids; providing for the expenditure of funds therefor; and providing an effective date (File 4771-Purchase of Annual Maintenance for Municipal Court Incode Software Package awarded to Tyler Technologies, Inc. in the amount of \$54,939.34).

Ordinance No. 2012-207

- M. Consider adoption of an ordinance approving the expenditure of funds for the purchase of Annual Maintenance for continued vendor support of the Millennium Library System and associated hardware and software modules available from only one source in accordance with Texas Local Government Code 252.022, exempting such purchases from requirements of competitive bids; providing for the expenditure of funds therefor; and providing an effective date (File 3224-Purchase of Annual Maintenance for Millennium Library System and associated modules awarded to Innovative Interfaces, Inc. in the amount of \$83,053).

Ordinance No. 2012-208

- N. Consider adoption of an ordinance approving the expenditure of funds for the purchase of Annual Maintenance for ITInvolve Configuration Management Software application and Internet Hosting Services from only one source in accordance with Texas Local Government Code 252.022, exempting such purchases from requirements of competitive bids; providing for the expenditure of funds therefor; and providing an effective date (File 4986-Purchase of Annual Maintenance for ITInvolve Configuration Management Software awarded to ITInvolve, Inc. for four (4) one-year terms with a first payment of \$32,500 for a total contract award of \$130,000).

Ordinance No. 2012-209

- O. Consider approval of an ordinance of the City of Denton, Texas amending the schedule of rates contained in Ordinance No. 2011-158 for electric service; providing for a repealer; providing for a severability clause; and providing for an effective date. The Public Utilities Board recommends approval (6-0).

Ordinance No. 2012-210

- P. Consider approval of an ordinance amending the schedule of engineering fees contained in Ordinance No. 2011-159; providing an amendment to the public works overtime inspection fee; providing a repealer; providing for a severability clause; and providing for an effective date. The Public Utilities Board recommends approval (6-0).

Ordinance No. 2012-211

- Q. Consider approval of an ordinance of the City of Denton, Texas providing for the confirmation of the schedule of miscellaneous fees, deposits, billings and procedures for administrative services to city utilities customers contained in Ordinance No. 2011-160; providing for a repealer; providing for a severability clause; and providing for an effective date. The Public Utilities Board recommends approval (6-0).

Ordinance No. 2012-212

- R. Consider approval of an ordinance of the City of Denton, Texas amending the schedule of rates for solid waste service contained in Ordinance No. 2011-161. as authorized by Chapter 24 of the Code of Ordinances of the City of Denton, Texas; providing that the provisions of Sections 26-3, 26-4, 26-5, 26-7, 26-8(a), and 26-9 of the Code of Ordinances of the City of Denton, Texas shall expressly apply to City of Denton solid waste service; providing for the amendment to the residential refuse and recycling collection services rates (Schedule SWR); amending the multi-family household item collection services rate (Schedule SWMFS); amendment to the commercial solid waste refuse collection services and dumpster rates (Schedule SWC); amendment to the commercial recycling services rate (Schedule SWCR); amendment to the sanitary landfill services rates regarding wholesale municipal solid waste rate per ton (Schedule SWL); providing for a repealer; providing for a severability clause; and providing an effective date. The Public Utilities Board recommends approval (6-0).

Ordinance No. 2012-213

- S. Consider approval of an ordinance amending the schedule of wastewater rates contained in Ordinance No. 2011-162; providing for an amendment in the rates for residential wastewater service (Schedule SR); amending the mobile home park wastewater service (Schedule SMH); amending the commercial and industrial wastewater service (Schedule SC); amending the commercial/industrial wastewater service which measures with dedicated water meters (sub- meters) water for wastewater billing (Schedule SCD); amending the commercial/industrial wastewater service which measures with dedicated water meters (sub-meters) water excluded from wastewater billing (Schedule SCS); amending the septage & chemical toilet disposal at the pecan creek water reclamation plant septage transfer station (Schedule SCH); amending the equipment services facilities and restaurant & food service establishments wastewater service (Schedule SEE); amending the metered wastewater inside and outside corporate limits (Schedule SM); amending the sale of treated wastewater effluent (Schedule SGE); amending the wastewater tap and manhole fees (Schedule ST); adding the collection and transportation services

permit (Schedule SWP); providing for a repealer; providing for a severability clause; and providing for an effective date. The Public Utilities Board recommends approval (6-0).

Ordinance No. 2012-214

T. Consider approval of an ordinance amending the schedule of water rates contained in Ordinance No. 2011-163 for water service rates and water rates; amending the residential water service rate (Schedule WR); amending the commercial/industrial water service rate (Schedule WC); amending the metered water from fire hydrant rate (Schedule WFH); amending the wholesale treated water service rate to the Upper Trinity Regional Water District (Schedule WW); amending the wholesale raw water service rate to Upper Trinity Regional Water District (Schedule WRW); amending the wholesale raw water pass-through rate to Upper Trinity Regional Water District from Lake Chapman into Lake Lewisville (Schedule WCL); amending the water tap and meter fees; providing for a repealer; providing for a severability clause; and providing for an effective date. The Public Utilities Board recommends approval (6-0).

Ordinance No. 2012-215

U. Consider adoption of an ordinance of the City of Denton, Texas authorizing the approval of an agreement for planning services related to infill, redevelopment and the development review process by and between the City of Denton, Texas and Clarion Associates, LLC, Denver, Colorado; providing for the expenditure of funds therefor; and providing an effective date (File 5053-not-to-exceed \$150,000 for agreement for planning services).

**5. CONSENT AGENDA**

Council Member Roden motioned, Council Member King seconded to adopt the Consent Agenda and accompanying ordinances and resolutions. On roll call vote, Council Member King "aye", Council Member Watts "aye", Council Member Gregory "aye", Council Member Engelbrecht "aye", Mayor Pro Tem Kamp "aye", and Council Member Roden "aye". Motion carried unanimously.

Resolution No. R2012-025

A. Consider approval of a resolution reviewing and adopting revisions to the Investment Policy regarding funds for the City of Denton; and providing an effective date. The Audit/Finance Committee recommends approval (2-0).

Ordinance No. 2012-216

B. Consider adoption of an ordinance of the City of Denton, Texas, approving an Amendment to an Economic Development Program Grant Agreement dated August 17, 2010 between the City of Denton and Grand Mesa LLC. assigning the agreement to Schlumberger Technology Corporation and providing an effective date.

Resolution No. R2012-026

- C. Consider approval of a resolution amending Resolution No. R2009-015 by establishing a standing committee of the City Council of the City of Denton, Texas to be known as the Committee on Citizen Engagement.

Resolution No. 2012-027

- D. Consider approval of a resolution of the City Council of the City of Denton, Texas accepting the recommendations made by the Citizens Advisory Oversight Committee appointed by the City Council on April 19, 2005, regarding the five-year capital improvements program, respecting the reallocation of funding of street improvements from Austin Street to the Hickory Street Grand Project; and providing an effective date.

Ordinance No. 2012-217

- E. Consider adoption of an ordinance of the City Council of the City of Denton, Texas authorizing the City Manager to execute a contract with Alexander Open Systems (AOS), Inc. to provide EMC Avamar Data Backup Solution and Professional Services as awarded by the State of Texas Department of Information Resources (DIR) through the Go DIRECT Program, Contract Number DIR-SDD-1418; providing for the expenditure of funds therefor and providing an effective date. (File 5028-EMC Avamar Data Backup Solution awarded to Alexander Open Systems (AOS), Inc. as a three year lease purchase agreement through De Lage Landen Public Finance LLC totaling \$267,197.52).

Ordinance No. 2012-218

- F. Consider adoption of an ordinance approving the expenditure of funds for an upgrade to the Supervisory Control and Data Acquisition (SCADA) hardware and software system for Denton Municipal Electric (DME) available from only one source in accordance with Texas Local Government Code 252.022, exempting such purchases from requirements of competitive bids; providing for the expenditure of funds therefor; and providing an effective date (File 4724-SCADA System upgrade for Denton Municipal Electric awarded to Open Systems International, Inc. (OSI) in the amount of \$343,590). The Public Utilities Board recommends approval (5-0).

Ordinance No. 2012-219

- G. Consider adoption of an ordinance of the City of Denton, Texas authorizing the expenditure of funds for payments by the City of Denton for Electrical Energy Transmission Fees to those cities and utilities providing energy transmission services to the City of Denton; and providing an effective date (File 4847-Electrical Energy Transmission Fees for Electric Transmission Texas, LLC in the additional amount of \$69,576.90 for a total award of \$289,830.60 and Electrical Energy Transmission Fees for Lower Colorado River Authority (LCRA) in the additional amount of \$111,809.61 for a total award of \$1,057,018.70; for a total expenditure of \$1,346,849.30). The Public Utilities Board recommends approval (5-0).

Ordinance No. 2012-220

- H. Consider adoption of an ordinance authorizing the City Manager to execute a Professional Services Agreement (PSA) with Innovative Transportation Solutions, Inc. for Transportation Services as set forth in the contract; and providing an effective date (File 4848-Professional Service Agreement for Transportation Consultant Services to Innovative Transportation Solutions, Inc. for a one year contract in the amount of \$126,000, with four (4) one-year options to renew, for a not to exceed total award of \$630,000). The Mobility Committee recommends approval (3-0).

Ordinance No. 2012-221

- I. Consider adoption of an ordinance authorizing the City Manager to execute a Professional Services Agreement for indefinite Delivery Survey Services on a work order basis for various City of Denton departments; providing for the expenditure of funds therefor; and providing an effective date (File 4948-awarded to Teague Nall and Perkins, Inc. in an amount not-to-exceed \$400,000.00).

Ordinance No. 2012-222

- J. Consider adoption of an ordinance authorizing the City Manager to execute a Professional Services Agreement (PSA) with CP&Y, Inc. and the City of Denton Solid Waste Division for professional engineering and consulting services; and providing an effective date (File 5045-awarded to CP&Y, Inc. in the amount of \$135,000). The Public Utilities Board recommends approval (5-0).

Ordinance No. 2012-223

- K. Consider adoption of an ordinance approving the expenditure of funds for the purchase of LON GON Odor Control for the City of Denton Landfill from only one source in accordance with Texas Local Government Code 252.022, exempting such purchases from requirements of competitive bids; providing for the expenditure of funds therefor; and providing an effective date (File 4887-Purchase of Odor Control Chemicals for the City of Denton Landfill awarded to Enviro Chemical Research in the annual estimated amount of \$50,000 for an estimated three year amount of \$150,000).

Ordinance No. 2012-224

- L. Consider adoption of an ordinance accepting competitive bids and awarding a three year contract for the purchase of Water and Sewer Supplies for the City of Denton Water/Wastewater Department and Project 380; providing for the expenditure of funds therefor; and providing an effective date (Bid 4973-Three Year Contract for Water and Sewer Warehouse Inventory and Project 380-Part A awarded by line item to the lowest responsible bidder meeting specification in the unit price amounts shown on Exhibit A for an annual estimated expenditure of \$1,000,000 and a three year estimated total of \$3,000,000, and Part B awarded to Fortiline Waterworks in the estimated amount of \$534,245.22).

Ordinance No. 2012-225

- M. Consider adoption of an ordinance of the City of Denton, Texas amending Chapter 28 of the Code of Ordinances by revising the 2009 International Energy Conservation Code, as published by the International Code Council, by establishing local amendments thereto; establishing a penalty of a fine not to exceed \$2,000.00 for violations hereto; providing for severability; repealing all ordinances in conflict herewith; and providing an effective date.

Ordinance No. 2012-226

- N. Consider adoption of an ordinance of the City of Denton, Texas amending Sections 28-27, 28-28, 28-33, 28-34, 28-123, 28-124, 28-144, 28-145, 28-251, and 28-252 of the Code of Ordinances of the City of Denton, Texas. to provide for the adoption of the 2009 International Building Code, 2009 International Residential Code for one and two family dwellings, 2009 International Fuel Gas Code, 2009 International Plumbing Code, and the 2009 International Mechanical Code all published by the International Code Council, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupancy and use; providing for the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures, providing for the regulation and governing of the construction, altering, movement, enlargement, replacement, repair, equipment location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress; providing the regulation and governing of the design construction, quality of materials, erection, installation, alteration, repairs, location, relocation, replacement, addition to, use or maintenance of plumbing and mechanical systems in the City of Denton, Texas; providing for the regulation and governing of fuel gas systems and gas fired appliances; providing for the issuance of permits and collection of fees thereof; providing for amendments thereto; providing for a penalty for violation of a fine not to exceed \$2,000.00; providing for a severability clause; repealing all ordinances in conflict therewith; and providing for an effective date.

Ordinance No. 2012-227

- O. Consider adoption of an ordinance amending Article III of Chapter 28 of the Code of Ordinances of the City of Denton, Texas, ("Electrical Code") by repealing the 2005 National Electrical Code with certain amendments and providing for the adoption of the 2011 National Electrical Code with certain deletions and amendments; providing for a penalty in the amount of \$2,000.00 for violations thereof; and providing for an effective date.

Ordinance No. 2012-228

- P. Consider adoption of an ordinance amending Chapter 29 of the Code of the City of Denton, Texas, to provide for the adoption of the International Fire Code, 2009 Edition; providing for amendments thereto; re-establishing permit fees; providing for a penalty in the amount of \$2,000.00 for violations thereof; providing for



severability; repealing all ordinances in conflict therewith; and providing for an effective date.

Ordinance No. 2012-229

Q. Consider adoption of an ordinance finding that a public use and necessity exists to acquire fee simple to a 0.289 acre tract situated in the M.E.P. & P.R.R. Company Survey, Abstract No. 1469, located in the City of Denton, Denton County, Texas, as more particularly described on "Exhibit "A", attached to the ordinance, located generally in the 1500 block of North Mayhill Road (the "Property Interests"), for the public use of expanding and improving Mayhill Road, a municipal street and roadway; authorizing the City Manager or his designee to make an offer to (1) Robert Earl Edwards, Donald Eugene Edwards, Myrtle Elizabeth Edwards and William Warren Edwards; (2) successors in interest to the Owner to the Property Interests; or (3) any other owners of the Property Interests, as may be applicable, to purchase the Property Interests for the purchase price of Twenty Four Thousand Four Hundred Twenty Two Dollars and No Cents (\$24,422.00), and other consideration, as prescribed in the Purchase Agreement, as attached to the ordinance and made a part thereof as Exhibit "B"; authorizing the expenditure of funds therefor; and providing an effective date.

Ordinance No. 2012-230

R. Consider adoption of an ordinance finding that a public use and necessity exists to acquire (I) fee simple to a 2.115 acre tract; and (II) a slope easement, encumbering a 0.202 acre tract, each located in the M.E.P. & P.R.R. Company Survey, Abstract No. 927, City of Denton, Denton County, Texas, as more particularly described on "Exhibit "A", attached to the ordinance, located generally in the 500 block of North Mayhill Road (the "Property Interests"), for the public use of expanding and improving Mayhill Road, a municipal street and roadway; authorizing the City Manager or his designee to make an offer to (1) 551 Mayhill Joint Venture; (2) successors in interest to the Owner to the Property Interests; or (3) any other owners of the Property Interests, as may be applicable, to purchase the Property Interests for the purchase price of One Hundred Sixteen Thousand Eight Hundred Fifty Four Dollars and No Cents (\$116,854.00), and other consideration, as prescribed in the Purchase Agreement, as attached to the ordinance and made a part thereof as Exhibit "B"; authorizing the expenditure of funds therefor; and providing an effective date.

**6. ITEMS FOR INDIVIDUAL CONSIDERATION**

A. Consider appointments to the Council Committee on Citizen Engagement.

Mayor Burroughs stated that there was an item on the Consent Agenda which adopted the ordinance approving the formation of the Committee. He asked if there were Council Members who would like to serve on the Committee.

Council Members Roden, Engelbrecht and Gregory indicated that they would like to serve on the Committee.

Council Member King motioned, Council Member Roden seconded to approve the nominations. On roll call vote, Council Member King "aye", Council Member Watts "aye", Council Member Gregory "aye", Council Member Engelbrecht "aye", Mayor Pro Tem Kamp "aye", and Council Member Roden "aye". Motion carried unanimously.

- B. Consider nominations/appointments to the City's Boards & Commissions.
  - 1. Airport Advisory Board
  - 2. Community Development Advisory Committee
  - 3. Health & Building Standards Commission
  - 4. Human Services Advisory Committee
  - 5. Parks, Recreation and Beautification Board
  - 6. Planning and Zoning Commission
  - 7. Public Art Committee
  - 8. Public Utilities Board

Mayor Pro Tem Kamp nominated Marc Moffitt to the Airport Advisory Board, Mayor Pro Tem Kamp nominated Jim Strange to the Planning and Zoning Commission and Council Member Watts nominated Victoria DeCuir to the Public Art Committee.

Council Member King motioned, Council Member Gregory seconded to approve nominations as presented. On roll call vote, Council Member King "aye", Council Member Watts "aye", Council Member Gregory "aye", Council Member Engelbrecht "aye", Mayor Pro Tem Kamp "aye", and Council Member Roden "aye". Motion carried unanimously.

Resolution No. R2012-028

- C. Consider approval of a resolution of the City of Denton declaring the completion of the work of the Special Citizens Bond Advisory Committee for the 2012 street bond election; and declaring an effective date.

Bryan Langley, Assistant City Manager, stated that the 21 member bond advisory committee had been studying the issue of the upcoming November bond election. On August 14<sup>th</sup> the Council called the election and this resolution thanked the committee for all of the hours spent on this topic. It would formally conclude the work of the Committee.

Council Member Gregory motioned, Council Member Watts seconded to approve the resolution. On roll call vote, Council Member King "aye", Council Member Watts "aye", Council Member Gregory "aye", Council Member Engelbrecht "aye", Mayor Pro Tem Kamp "aye", and Council Member Roden "aye". Motion carried unanimously.

- D. Consider a request for an exception to the Noise Ordinance for the purpose of performing live music for the Mexican Independence Day Fair at the corner of McKinney Street and Railroad Avenue in the vicinity of La Estrella Mini Market on Saturday, September 15, 2012, beginning at 4:00 p.m. and concluding at 1:00 a.m. This request is for an extension of hours from 10:00 p.m. to 1:00 a.m. for amplified sound. The amplified sound will remain at the allowable 70 decibels. Staff recommends extending the hours for amplified sound until 12 midnight.

Emerson Vorel, Director of Parks and Recreation, presented the details of the event. He stated that the applicant had requested an exception to the noise ordinance for a Mexican Independence Day fair. The initial request was for an exception until 1 a.m. with the sound level at 79 db. Staff was recommending concluding the event at midnight which was in keeping with the Arts and Jazz Festival. There had been eight noise complaints at this address in the past 12 months.

Council Member Engelbrecht motioned, Council Member King seconded to approve the request with the ending time at 12 midnight. On roll call vote, Council Member King "aye", Council Member Watts "aye", Council Member Gregory "aye", Council Member Engelbrecht "aye", Mayor Pro Tem Kamp "aye", and Council Member Roden "aye". Motion carried unanimously.

Ordinance No. 2012-231

- E. Consider adoption of an ordinance amending Ordinance No. 2012-024, as amended by Ordinance No. 2012-126, establishing a moratorium on certain gas well permits for gas well drilling and production activities within the corporate limits of the City of Denton, Texas by redefining exemptions, providing definitions and replacing terms; establishing exclusions and revising variance procedures; providing for extension of the moratorium; providing a cumulative clause; providing a severability clause; and providing an effective date.

Mayor Pro Tem Kamp stated originally there were four public hearings scheduled to be on the agenda regarding a variance to the gas well moratorium. The applicant had requested that those items be pulled from the agenda. Council agreed to allow people to speak on this item with Blue Speaker Cards and the cards could be submitted after the item started.

City Attorney Burgess stated that Terry Morgan would be addressing the issues regarding the amendments to the gas well drilling moratorium.

Terry Morgan stated that the reason for the amendments to the moratorium was the four variance ordinances which required a public hearing. The requests were for variances which the applicant presented arguments pertinent to the State vested rights law. Staff considered the claims of vested rights and decided it was fitting to address the exemptions responsive to the vested rights law.

The proposed ordinance extended the moratorium until December 18, 2012 to give the City additional time for review by the Task Force, the Planning and Zoning Commission and the Council for Phase II amendments. The amendment also had definitions tied to the Denton Development Code. The original variance procedure called for a public hearing before the City Council. This ordinance maintained that procedure for a public hearing before the City Council and separated out the exemptions into one section. It consolidated the amendments in one section. There were three exemptions to the moratorium as proposed. The first was a restatement of a subsection that permits that followed some approval or already had an approved application filed in the sequence would be exempted. Subsection C was a repetition that exempted permits to the drilling of wells which did not require hydraulic fraction which was in the original ordinance. Subsection B exempted permits filed prior to effective date of the moratorium. Pre-filed applications would be exempt from the moratorium according to State law. The moratorium still applied to the full effect to new applications, those with no prior permit or approval. The

objective of the moratorium was to allow the Council time to put in place a new set of gas well amendments.

Council Member Gregory stated that there was confusion about what a moratorium meant in terms of activity on a well and how that was legal.

Morgan stated that the purpose was to stop additional applications/permits from being granted. It never affected drilling already in place.

Council Member Roden stated that if the moratorium with the amendments was passed, certain applicants could continue with applications. It did not guarantee permits as they would still have to go through the City process.

Morgan stated that was correct and that the permits would have to be considered by City staff.

Council Member Gregory stated that staff had been working on Phase II regulations while the moratorium was in effect. People thought that there would be no more gas wells in Denton or Phase II that there would be no more gas wells in Denton or no more fracking. He asked if it was legal for a City to have a moratorium or an ordinance that completely prohibited all gas well drilling or fracking.

Morgan stated that if he was talking about future prohibition, an ordinance would be affected by vested rights. If an application was filed before the new regulations took effect, it might be under the old rules. Health and safety regulations might override vested rights. None of that was the purpose. It stopped the current process until regulations were in effect.

Darren Groth, Gas Well Administrator, presented a time line going forward. He showed dates for the Phase II ordinance revisions which included meetings from October through December.

Council Member Roden questioned if the public would see the draft after October 2<sup>nd</sup> and if it would be posted on the web site.

Groth stated that the draft ordinance would be posted on the website and there would be public meetings that the public could attend.

The following individuals spoke on the issues:

- Ricardo Correa, 117 E. Prairie, Denton, 76201 – opposed
- Clinton McBride, 903 McCormick, Denton, 76201 - opposed
- Michael Wiley, 910 Avenue A, Denton, 76201 – opposed
- Mario Ovalle, 2119 Westwood Drive, Denton, 76205 – support
- Tara Linn Hunter, 804 West Hickory, Denton, 76201 – opposed
- Amber and Adam Briggie, 1315 Dartmouth, Denton 76201 – support
- Ryan Brown, 4604 Indian Point Way, Denton, 76208 – opposed
- Eamon Darzig, 2300 West Oak, Denton 76201 – opposed
- Rick Baria, 5138 Edwards Road, Denton, 76201 - support
- Vickie Oppenheim, 620 Windfields, Denton, 76209 – support

Comment Cards were submitted by the following:

Christopher Klabunde, 804 W. Hickory, Denton, 76201 - opposed  
Sharon Wilson, 1121 Belvedere, Allen, 75013 – opposed and support  
Cathy McMullen, 805 Ector, Denton, 76201 – opposed  
Shawn Gregory, 804 W. Hickory, Denton, 76201 – opposed  
Cindy Spoon, 2220 Lookout Lane, Denton, 76207 – opposed  
Mary Maxwell, 415 Pierce, Denton, 76202 – opposed  
Morgan Larson, 903 McCormick, Denton, 76201 – opposed  
Elizabeth Clinton, 1920 Sena, Denton, 76201 – opposed  
Angelica Chcu, Denton, 76201 – opposed  
Megan Storie, 804 W. Hickory, Denton, 76201 – opposed  
Corey Troiani, 2228 Lookout Lane, Denton, 76207 – opposed  
Colin Shaw, 122 Hidden Valley Airpark, Shady Shore, 76203 – opposed  
Max Perry, Denton, 76201 – opposed  
Pauline Raffestin, 2015 Bowling Green, Denton, 76201 – favor  
Jessica Culver, 2119 Westward, Denton, 76205 – opposed  
Jonathan Hury, 2014 W. Hickory, Denton, 76201 – opposed  
Maggie Gorry, 2228 Lookout, Denton, 76207  
Paige Daniel, 911 Bernard, Denton, 76201 – opposed  
Michael Liza, 1200 Amherst, Denton, 76201 – opposed  
Melanie Daniel, 911 Bernard, Denton, 76201 – opposed  
Will Weston, 214 S. Bell, Denton, 76201 – opposed  
Grant Youngman, 511 Cross Timbers, Double Oka, 75077 – opposed  
Matthew Long, 1509 Bolivar, Denton, 76201 - opposed

Council Member Gregory stated that the projected time line could be extended if needed as indicated earlier by the Mayor Pro Tem. If the time line was extended, the moratorium would also have to be extended. He appreciated the citizen interest in the item and the manner in which their concerns were expressed.

Council Member Roden stated that it was important to get participation in the future. He asked if there was any indication on the number of new applications or permits that were stopped while looking at the ordinance.

Groth stated that it would be hard to determine. It appeared that the applications to the Railroad Commission were trending downward but it was hard to say.

Mayor Pro Tem Kamp stated that Council wanted to continue the moratorium but there was a misunderstanding what the Council could and could not do. With State vested rights, the Council had a difficult time. She appreciated the comments by citizens. Council was looking at the health, welfare and safety of citizens.

Council Member Gregory motioned to approve the ordinance as amended. The approval would include the amendment that any variance would come to Council and not the intermediate step to the City Manager.

Council Member Gregory stated that the amended ordinance in the Council's agenda packet was adjusted as result of the Council's Closed Session. The change was responding to some of the concerns regarding the amendments and the Council being responsive to legal obligations and requests of citizens.

Council Member Engelbrecht stated that he would be voting for the motion as the amendment was written to bring the ordinance in line with the legal perception of state law. In terms of comments to respond to the will of the people, it comes in many levels such as the State law which overrides will at the local level. The Eagle ridge organization was not required to bring in their wells under the old technology.

Council Member Gregory motioned, Council Member King seconded to adopt the ordinance as amended. On roll call vote, Council Member King "aye", Council Member Watts "aye", Council Member Gregory "aye", Council Member Engelbrecht "aye", Mayor Pro Tem Kamp "aye", and Council Member Roden "aye". Motion carried unanimously.

## **7. 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 Watts asked for information concerning crosswalks on Eagle and Welch and Eagle and McCormick and possible options for the crosswalks.

Council Member Roden reminded everyone about the events this weekend - Blues fest and the Mexican Independence Day festival.

- B. Possible Continuation of Closed Meeting under Sections 551.071-551.086 of the Texas Open Meetings Act.

There was no continuation of the Closed Meeting.

With no further business, the meeting was adjourned at 7:52 p.m.

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MARK A. BURROUGHS  
MAYOR  
CITY OF DENTON, TEXAS

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JENNIFER WALTERS  
CITY SECRETARY  
CITY OF DENTON, TEXAS