

CITY OF DENTON CITY COUNCIL MINUTES

July 24, 2018

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, July 24, 2018 at 1:00 p.m. in the Council Work Session Room at City Hall.

PRESENT: Council Member Hudspeth, Council Member Armintor, Council Member Meltzer, Mayor Pro Tem Ryan, and Mayor Watts.

ABSENT: Council Member Briggs, Council Member Duff.

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 24, 2018.

Council Member Meltzer requested discussion on Item A on the costs and whether they could ever be known by the public.

Meltzer felt it was important that citizens know that for Item B that all Denton utilities were required by the City Charter to have an outside study done every 10 years.

Meltzer asked that Item E be pulled for Items for Individual Consideration.

City Manager Todd Hileman stated that Item A was a joint RFP with four other communities and the agreement not to discuss price while we were negotiating was very common in the electric industry. It has been a standard conditions in each of the contracts. This went to PUB on July 23.

Meltzer stated that he thought it should be more transparent.

Armintor asked that Item A be pulled for Items for Individual Consideration.

Mayor Watts stated that if we do not want to maintain the confidentiality, then we would not be able to participate in this agreement.

3. Work Session Reports

- A. ID 18-1063 Receive a report; hold a discussion, and receive departmental presentations in preparation for the FY 2018-19 Proposed Budget, Capital Improvement Program, and Five Year Financial Forecast.

Todd Estes, City Engineer, presented the budget for Capital Projects. Capital Projects included Operations Planning, Streets Operations and Drainage Operations. Capital Projects accomplishments for FY2017-18 included identified and addressed bond project funding gaps; streamlined design procurement process to expedite project delivery; foundation of a Program Management Office; began auditing processes and resources improve efficiency; re-aligned divisions to improve efficiencies in departmental operations; and eliminated internal

communication barriers; Mayhill Road and Bonnie Brae Phase 1 were on schedule to complete on time; bundled streets projects for better efficiencies in scale; all 2012/2014 Bond Projects were now on schedule to complete design and seven Capital Projects letter for construction this summer. Goals for coming year included implementing best industry standards in project management; coordinating all departmental activities through a single project/program management software; establishing "Centers of Excellence" throughout the department; improve quality assurance and quality control on all projects (private and public); and establishing realistic but aggressive schedules to ensure delivery of all bond-funded projects.

Estes reviewed cost containment strategies, process improvements, budget resources, org chart prior to FY 2017-18 and a position summary for Engineering/Capital Projects.

Estes stated that Operations Planning included project delivery and traffic engineering. Streets Operations includes Engineering Services and Bicycle & Pedestrian Coordinator. Drainage Operations includes Public Works Inspections and Traffic Operations.

Daniel Kramer, Deputy Director of Operations, stated the Street Department goals and accomplishments for FY 2018-19 included continue to maximize the use of outside contractors in order to expedite the bond and maintenance programs; increase overlay activities, base failure repairs, and micro seal programs; utilize roadway pavement study to ensure practices and funding levels met future needs of the street infrastructure; and increase performance measures from previous years.

Kramer stated that Denton currently had a total of 1,318.8 lane miles of roadway in the City. 842.3 lane miles were residential streets with an 11% backlog (148.78 lane miles); 224.4 lane miles of arterial streets with a 2% backlog (29.43 lane miles); 252.1 lane miles of collector streets with a 4% backlog (55.69 lane miles). He reviewed cost containment strategies, process improvements, budget highlights, position summary and the org chart.

Council discussion included OCI and non-OCI activities, a process for asphalt and concrete in the rubble at solid waste.

Pritam Deshmukh, Traffic Engineer, reviewed goals and accomplishments for FY 2017-18 and future goals for FY 2018-19. He stated the vision of the Traffic Operations Division was to design, implement and maintain state of the art Signs, Markings and a Traffic Signal System connected via fiber network that would considerably improve safety, efficiency, and mobility within the City. He stated there was a need for funding to address the maintenance needs of an aging traffic signal, roadway signs and markings infrastructure and to reduce traffic congestion by improving the efficiency of signal operation through modernization of outdated signal equipment. He reviewed cost containment strategies, process improvements, and position summary. He stated there was no significant increase in the budget.

Melissa Kraft, Chief Technology Officer, reviewed goals and accomplishments, cost containment strategies and process improvements for Public Safety Communications. Public Safety Communications' goal was to answer calls within 10 seconds. Total calls for January 1, 2017 to December 31, 2017 were 182,534. She reviewed organizational changes during FY 2017-18. Operations were transferred from Police Operations to Technology Services. A Governance Board was established consisting of representatives from Public Safety Communications, Police, Fire,

City Manager's Office and Technology Services. A Communications Manager was established. There was a dedicated Training Coordinator and CAD Administrator.

Tony Puente, Director of Finance, reviewed FTEs by area. He reviewed accomplishments for FY 2017-18. He reviewed goals for FY 2018-19 which included complete budget software implementation; Accounts Payable automation, including expense reimbursements; update city-wide cash handling policy and training; implement GASB 75 – Postemployment Benefits Other than Pensions; and continue and improve capital improvement project reporting. He reviewed performance measures, cost containment strategies, process improvements, and expenditure highlights.

Council discussion included Kiwanis Fireworks expense, contract for depository services, and cost of service and capital outlays.

- B. ID 18-1078 Receive a report, hold a discussion and give staff direction regarding an Internal Audit Risk Assessment and Audit Plan.

Umesh Dalal, City Auditor, stated that the City's objectives were fiscal stewardship of public resources, organizational excellence, public infrastructure and facilities, quality of life for citizens and economic development. He had consulted with City Council Members, City Administration and Department Directors. Major risks were concentrated in Utilities' Operations, Capital Projects, Finance, Police and Compliance/Procurement. The risk assessment had identified over 200 auditable units/projects. Based on the risk assessment, the following audits were selected to annual audit plan with existing staff - Solid Waste scale house operations audit oversight; assistance in Solid Waste investigation; Procurement; Accounts Payable; fraud hotline cases and consultation.

Dalal stated that the City Auditor's office received fraud, waste and abuse complaints and was responsible for receiving Ethics complaints and provided support to the Ethics Board. Maintaining confidentiality was critical. The office needed to have a dedicated staff to perform administrative duties for hotline and ethics complaints and for supporting auditors.

Consensus of Council was to have the budget presentation for audit on the next agenda.

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

1. CONSENT AGENDA

Council Member Meltzer motioned, Council Member Armintor seconded to adopt the Consent Agenda and accompanying ordinances except for Items A and E. On roll call vote, Council Member Hudspeth "aye", Council Member Armintor "aye", Council Member Meltzer "aye", Mayor Pro Tem Ryan "aye", and Mayor Watts "aye". Motion carried (5-0).

Ordinance No. 18-1025

- B. ID 18-1025 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to award a contract with NewGen

Strategies and Solutions, LLC, for a Utility Management Study for Electric, Water, and Wastewater; providing for the expenditure of funds therefor; and providing an effective date (RFP 6708- awarded to NewGen Strategies and Solutions, LLC, in the not-to-exceed amount of \$310,610). The Public Utilities Board recommends approval (5-0).

Ordinance No. 18-1037

- C. ID 18-1037 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute an Interlocal Cooperative Purchasing Agreement with Denton County, under the Government Code, Chapter 791, to authorize Denton County to provide Property Tax Billing and Collections Services for the City of Denton; providing a savings clause; and providing an effective date (File 6857- Interlocal Cooperative Purchasing Agreement with Denton County for one (1) year, with the option for an additional one (1) year extension).

Ordinance No. 18-1097

- D. ID 18-1097 Consider adoption of an ordinance of the City Council of the City of Denton, Texas, amending Ordinance 2017-291 to replace the FY 2017-18 Annual Audit Plan and providing an effective date. The Audit/Finance Committee recommends approval (3-0).

Item A was considered.

Ordinance No. 18-1014

- A. ID 18-1014 Consider adoption of an Ordinance of the City of Denton authorizing the City Manager, or designee, to execute a confidentiality agreement between the City and Invenergy LLC., a Delaware Limited Liability Company, for the purpose of discussing the purchase of electric power and capacity generated from solar energy as part of achieving the goal of the City's renewable resource plan to meet the future needs of its electric customers with 100 percent renewable energy; providing for a severability clause; and providing for an effective date.

City Manager Hileman stated that once the deal was negotiated staff would bring the final agreement to PUB and City Council.

Council Member Hudspeth stated that the conversation failed to acknowledge the efforts the City Manager and City Administration had done to make things more transparent.

Mayor Pro Tem Ryan motioned, Council Member Meltzer seconded to adopt the ordinance. On roll call vote, Council Member Hudspeth "aye", Council Member Armintor "aye", Council Member Meltzer "aye", Mayor Pro Tem Ryan "aye", and Mayor Watts "aye". Motion carried (5-0).

Item E was considered.

Resolution No. 18-1136

- E. ID 18-1136 Consider approval of a resolution of the City Council of the City of Denton, Texas, authorizing the Mayor to approve the issuance of New Hope Cultural Education Facilities Finance Corporation Capital Improvement Revenue Bonds (CHF - Collegiate Housing Denton, L.L.C. - Texas Woman's University Dining Project) Series 2018B in an

aggregate principal amount not to exceed \$100,000,000; recognizing that the City of Denton is not responsible for issuing revenue bonds and has no financial obligation to pay any principal of or interest on the revenue bonds; making certain findings in connection therewith; and to approve the projects to be acquired with the proceeds of such bonds; and providing for an effective date.

Tony Puente, Director of Finance, stated that this item was to approve the issuance of bonds by New Hope for a TWU project.

Council Member Meltzer motioned, Council Member Hudspeth seconded to approve the resolution. On roll call vote, Council Member Hudspeth "aye", Council Member Armintor "aye", Council Member Meltzer "aye", Mayor Pro Tem Ryan "aye", and Mayor Watts "aye". Motion carried (5-0).

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 18-1178 Consider a motion to reconsider Ordinance Z17-0028d of the City of Denton, TX, adopted July 17, 2018, regarding assignment of an initial zoning classification of Neighborhood Residential 6 (NR-6) zoning district and use classification on approximately 73.47 acres of land generally located on the north side of Long Road and west of FM 428/Sherman Drive in the City of Denton, Denton County, Texas; adopting an amendment to the city's official zoning map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission recommends approval with conditions 6-0.

Justin Bono, 9219 Arbor Trail Drive, representing the applicant, spoke in opposition to the proposed motion to reconsider and asked that the motion not be made.

Discussion followed that during the public hearing a minimum 50 foot lot width and 6,000 square foot minimum lot area were discussed but were not part of the motion.

Mayor Pro Tem Ryan motioned, Council Member Armintor seconded to reconsider ordinance Z17-0028d. On roll call vote, Council Member Hudspeth "nay", Council Member Armintor "aye", Council Member Meltzer "aye", Mayor Pro Tem Ryan "aye", and Mayor Watts "nay". Motion passed (3-2).

3. 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 Armintor requested a staff update on the DCTA strike and Denton's role.

Council Member Armintor requested a written announcement to the public about trees coming down in the development today behind Foxcroft.

Council Member Armintor requested a work session on the noise ordinance issue including what technologies Police and Code Enforcement are using. Looking for consistency and application of the ordinance and on responding to complaints.

Council Member Armintor requested a work session on Code Enforcement practices and policies.

Council Member Armintor requested a staff report or work session item on City bathrooms and taking the single use bathrooms for women and men and making them gender neutral bathrooms. Also wanted to look into having some kind of reward when private businesses do that.

Council Member Meltzer asked for a conversation with staff regarding the tree canopy objective. Mayor Watts announced that August 31 was International Opioid Awareness Day.

Mayor Watts gave a shout out to DME and David Hoenig on getting the electricity back on at the Monsignor King Center in a timely manner.

Mayor Watts asked for a discussion on the role of the City regarding DCTA.

Council Member Meltzer applauded staff and DCTA for getting the word out about the cooling stations.

With no further business, the meeting was adjourned at 5:43 p.m.

CHRIS WATTS
MAYOR
CITY OF DENTON, TEXAS

JANE RICHARDSON
ASSISTANT CITY SECRETARY
CITY OF DENTON, TEXAS