

CITY OF DENTON CITY COUNCIL MINUTES

June 26, 2018

After determining that a quorum was present, the City Council convened in a Work Session on Tuesday, June 26, 2018 at 11:00 a.m. in the Council Work Session Room at City Hall.

PRESENT: Council Member Hudspeth, Council Member Duff, Council Member Ryan, Council Member Meltzer, and Mayor Watts.

ABSENT: Council Member Briggs; Council Member Gregory; Council Member Duff.

Ordinance No. 18-993

- A. ID 18-993 Consider adoption of an ordinance canvassing the returns and declaring the results of the Runoff Municipal Election held in the city of Denton on June 16, 2018.

Jennifer Walters, City Secretary, read the total votes cast for each of the runoff candidates. She noted that Deb Armintor had received a majority of the votes cast for Place 5 and pending approval of the ordinance by Council, would be declared elected to the City Council.

Council Member Hudspeth motioned, Council Member Meltzer seconded to adopt the ordinance. On roll call vote, Council Member Hudspeth "aye", Council Member Ryan "aye", Council Member Meltzer "aye", and Mayor Watts "aye". Motion carried unanimously.

- B. ID 18-994 Oath of Office administered to newly elected Council Member.

Mayor Watts presented Deb Armintor with a Certificate of Election.

Jennifer Walters, City Secretary, administered the Oath of Office to Deb Armintor – Place 5 for Denton City Council.

Council Member Duff arrived at the meeting.

- C. ID 18-995 Election of Mayor Pro Tem.

Council Member Hudspeth motioned to nominate Council Member Ryan as Mayor Pro Tem.

Council Member Meltzer motioned to postpone consideration of a Mayor Pro Tem as Council Member Briggs was not present at the meeting.

Council Member Armintor seconded the motion to postpone.

Mayor Watts questioned what wording would be used for the next meeting if the item were postponed.

City Attorney Leal noted that the nomination would be carried over to the next meeting for consideration.

Council Member Duff seconded Council Member Hudspeth's motion.

On roll vote to postpone consideration of the Mayor Pro Tem to the July 17th meeting, Council Member Hudspeth "nay", Council Member Duff "nay", Council Member Ryan "nay", Council Member Meltzer "aye", Council Member Armintor "aye" and Mayor Watts "aye". Motion resulted in a 3-3 tie vote.

City Attorney Leal noted that a motion to postpone was a parliamentary motion. It took an affirmative vote of four council members to take official action. That did not apply to this vote as it was a parliamentary motion and thus equaled a failed motion. Council would now need to consider the main motion to elect John Ryan.

Council Member Meltzer nominated, Council Member Armintor seconded to elect Keely Briggs as Mayor Pro Tem.

Mayor Watts expressed concern about the rules in terms of contribution to the main motion and a parliamentary motion. He felt the process needed to be predicible. He noted that he could support both nominations and felt that the way to handle the multiple nominations was to vote on them in the order they came forward.

Council discussed the nomination process and voting procedure for the Mayor Pro Tem.

Council Member Duff called for a vote.

City Attorney Leal stated that the point of order would be to vote on the first nomination.

Mayor Watts questioned if a point of order terminated discussion which City Attorney Leal affirmed.

On roll vote for the nomination of John Ryan for Mayor Pro Tem, Council Member Hudspeth "aye", Council Member Duff "aye", Council Member Ryan "aye", Council Member Meltzer "nay", Council Member Armintor "nay" and Mayor Watts "aye". Motion carried with a 4-2 vote.

Mayor Watts suggested reviewing the rules for the election of a Mayor Pro Tem for more predictability of the vote.

Following the completion of the Open Session, the City Council convened in a Work Session in the Work Session Room.

1. Citizen Comments on Consent Agenda Items

Ed Soph read a statement from the Texas Campaign for the Environment concerning multifamily recycling and to not eliminate materials diverted from the landfill. It was suggested to maintain weekly recycling for residential customers; make changes to the household chemical program; and involve citizens and stakeholders before making changes.

2. Requests for clarification of agenda items listed on the agenda for June 26, 2018.

Staff responded to Council's requests for clarification on the following items:

Council Member Armintor – pull Items B and F for individual consideration with discussion at the same time; pull Item D for separate consideration.

Council Member Meltzer – pull Item D and A for separate consideration

3. Work Session Reports

- A. ID 18-1006 Receive a report, hold a discussion, and give staff direction regarding the air emissions testing at Denton Energy Center conducted by Black and Veatch Corporation.

George Morrow, DME General Manager, stated that the consultants from Black and Veatch would be presenting the results of the emissions testing at the DEC.

Paul Lee, Black and Veatch, presented the details of the testing of the emissions at the DEC. He noted the roles and purpose of the study, reviewed the test details, the test results and discussion points on the results.

Council discussed the test results in terms of the various engines and the emissions tested and the difference between permit levels and public health standards.

Morrow continued with the DEC path forward. He noted ERCOT's economic dispatch process and the number of plant hours of operation.

Council discussed the plant hours of operation in terms of the amount of emissions over that amount of time; typical hours of operation; and how emissions from the Metroplex affected Denton's emissions level.

Morrow continued with the SCR upgrade for the system which assisted in reducing the amount of emissions and DME's 100% renewable commitment process;

Council discussed when it was anticipated that the DEC would be available to ERCOT.

- B. ID 18-1016 Receive a report, hold a discussion, and give staff direction regarding a review of the Solid Waste Department's landfill and collections operations by Blue Ridge Services, Inc.

Ethan Cox, Director of Solid Waste, presented the operational review and staffing assessment of the Solid Waste and Recycling Departments. The purpose of the assessment of the programs was to make sure they were performing and operating with efficiency plus a staffing analysis.

Neal Bolton, Blue Ridge Services, presented the project overview in terms of an operations review and staffing assessment. He noted the project overview, components of the project, and that the analysis concentrated on three areas - the landfill, operations and staffing. He noted the landfill tonnage growth and ancillary services at the landfill. Their recommendation was to develop a long term soil management plan; develop an annual fill sequence plan and consider construction of a

wet weather tipping pad. He continued with rubble processing which currently was being overhauled and over-processed. Their recommendation was that processing rubble in-house be discontinued.

Council discussed the possibility of reusing some of the rubble for the City's roads and consider not charging for that type of material; whether the sale of rubble was done externally and/or internally; consider using as much as possible for city roads and sidewalks to help cut costs.

Bolton continued with information on building materials recovery which currently was a labor and heavy equipment intensive process. Their recommendation was that the building material recovery operation be discontinued as it was not a financially viable operation.

Council discussed the current processing of the building materials recovery operation; not to move ahead too fast to eliminate some of these operations before reviewing the efficiencies of them; and consider alternative methods of processing these materials.

Bolton reviewed the enhanced leachate recirculation operation. Their recommendation was to discontinue adding liquid to the landfill. He next presented information concerning that the landfill in terms of usage of heavy equipment. Their recommendation was to reduce the number of hours the primary dozer was used per year and utilize a smaller dozer which was a good machine for trimming, covering and pre-fill stripping. Articulated haul trucks were discussed in terms of efficiency of usage. The landfill summary included a soil management plan, development of an annual fill sequence plan, construct a wet weather tipping pad, discontinue processing rubble in-house, discontinue the BMR operation and ELR operations, reduce dozer hours by 40%, fully utilize compactors, reduce articulated haul truck hours and fleet, increase utilization of tarpomatic and increase effective density.

Council discussed the reasoning for sending the report findings to the Committee on the Environment and what the Committee would do with the report and that the Committee on the Environment would be able to take deeper look at the issues than necessary for the full Council.

Ron Proto, Blue Ridge Services, presented information on services offered by the City in terms of residential collection and commercial collection. In terms of residential collection their recommendation was to examine the possibility of increasing the size of the routes. Residential recycling collection was recommended to have an audit on the routes for the setout rate and cart volume, then adjust the routes accordingly. Route audits may indicate that recycling could be collected every other week. Residential yard waste was slow, inefficient, left a mess and was unsafe. Their recommendation was to consider using a cart-based system similar to residential collection. The bulky item collection had a low collection rate and the recommendation was to run the route every other week or every third week to increase collections.

Council discussed a call-in system for both the yard waste and bulky item collection.

Proto stated that the household chemical collection showed that the service was being funded by residents who did not utilize the service. The recommendation was to discontinue the collection and apply for a grant as a regional drop-off facility. The commercial garbage collection service was reviewed with the recommendation to eliminate one Monday through Friday and one Saturday route. Commercial recycling collection needed a complete review of the commercial recycling

system and redesign the routes to increase lift count. The recommendation for multifamily recycling was to wait for current markets to stabilize before making a decision and conduct further residential utilization analysis before expanding service. Fleet maintenance was noted in terms of increasing staff ratio to vehicles. The collections summary of recommendations was reviewed.

Bolton returned to discuss solid waste safety and organizational structure. Currently the operation was management heavy. He reviewed the specifics of the management structure and associated recommendations to correct the in-balance with the management staff.

Cox reviewed a management action plan for the operational review. He presented details on a management restructure in terms of the number of manager positions and proposed new positions. The restructuring would occur this summer. He also noted the proposed approach to the program recommendations presented in the analysis study. He continued with rubble/BMR financials with the staff recommendation to eliminate the rubble operation, reconfigure BMR as public recycling/disposal operation to improve safety and reduce illegal dumping.

Council discussed the proposed reductions; improvement for diversion rates; and how to proceed with the rubble program.

Consensus of the Council was look at how to utilize current rubble into city roads; temporarily discontinue receiving rubble and not take any new rubble unless it was known what it contained; and continue the BMR process as was used before.

Cox concluded with next steps in the process in terms of the recommendations presented.

Item D was considered next.

- D. ID 18-957 Receive a report, hold a discussion, and give staff direction regarding an update on the progress made by the City Hall West Steering Committee.

Mark Nelson, Director of Transportation, presented the City Hall West Steering Committee Status Report.

Paul Abbott, Chair of Steering Committee, reviewed the workings of the Committee and their process for determining their recommendations.

Nelson continued with the status report from the Committee which included a project recap summary of committee meetings and current renovations concept options. He noted the Committee meetings in terms of goals for the Committee and possible uses for the building. Three options were considered by the Committee in March which were narrowed down to two options in the April meeting.

Council discussed the consideration of the use for a performing arts facility and the fact that there were two other facilities used for that function and that several options could be considered for the building and not limit it to just one type of usage.

Nelson continued with the Committee May meeting which focused on a single option for a multipurpose arts venue, the status of the antique fire truck added to the location and auditorium usage.

Mayor Pro Tem Ryan noted that the Committee discussed housing non-profit organizations associated with the city in the building such as the CVB and KDB.

Council discussed a Veterans Museum and Hall of Fame might be a high priority usage; the use of the bay area for the fire truck as it was restored back to the original usage and to consider a usage which would add to the vitality of the Downtown area.

Nelson reviewed the revised plans as a multi-use arts facility in terms of a performance auditorium, event facility with courtyard, and lease space. The next steps in the process were presented.

Council discussed maintaining the truck in the truck bay.

Abbott answered Council's question about continuing the work of the Committee past the August 1 deadline. He felt the Committee would want to continue their work until the completion of the project. He was also in favor of using part of the space for the veterans.

Mayor Watts left the meeting.

Consensus of the Council was that there was an interest in extending the Committee's time frame until October.

- C. ID 18-898 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.

Scott McDonald, Development Services, made the budget presentation for the Development Services budget. He noted department accomplishments; goals; budget emphasis; cost containment strategies; process improvements; fee schedules; and budget highlights.

Council discussed the development growth in Denton and the fees involved with development.

Dean Hartley, Facilities Manager, presented the budget presentation for Facilities Management. His presentation included goals and accomplishments; budget emphasis; cost containment strategies; process improvements; budget highlights; performance measures; a 2018-2019 roof, flooring HVAC proposed detail; and the 5 year CIP forecast.

Mayor Watts returned to the meeting during the Facilities Management presentation.

Terry Kader, Fleet Superintendent, presented the budget information for Fleet Services. He detailed goals and accomplishments, budget emphasis, cost containment strategies, process improvements, performance measures, revenue/expenditures, budget highlights, and position summary.

Scott Gray, Airport Manager, presented the Transportation-Airport budget details. He noted goals and accomplishments, budget emphasis, cost containment strategies, process improvements, performance measures, 5 year forecast, revenues/expenditures, budget highlights, and 5 year capital plan.

Mark Nelson, Director of Transportation, presented the Transportation Administration budget information. He noted accomplishments, goals, budget emphasis, cost containment strategies, process improvements, revenue/expenditures, budget highlights and FTEs by functional area.

Larry Collister, First Assistant City Attorney, reviewed the City Attorney's Office budget. He reviewed the department's accomplishment/process improvements, upcoming goals/process improvements, budget emphasis, cost containment strategies, position summary, and budget highlights.

- E. ID 18-996 Receive a report, hold a discussion, and give staff direction regarding the Boards and Commissions nominating process.

Jennifer Walters, City Secretary, reviewed the Boards and Commission nominating process and the information that was contained in the board/commission notebooks for Council. She presented the schedule for consideration of the nominations.

- F. ID 18-997 Receive a report, hold a discussion, and give staff direction regarding City Council committee nominations.

Jennifer Walters, City Secretary, reviewed the current Council committee assignments with Council indicating which committees they would like to serve on. She noted that a revised list would be available for Council consideration later in the meeting.

- G. ID 18-1029 Receive a report, hold a discussion, and give staff direction regarding the design and construction of Industrial Park.

Gary Packan, Director of Parks and Recreation, presented the staff report regarding the Industrial Park development concepts. He noted the location of the park, site conditions, initial site conditions, project goals, and options for upgrades to the location. He presented the design process by staff in terms of modes of perception.

Council discussed:

- The hours of the park
- Seating at the park in terms of mobility
- Possible water features in the park
- Keeping the additions to low maintenance
- Contacting the residents in the area for their input on park amenities

Packan continued with next steps in the process including public meetings. He presented information on the funding for the project.

Consensus of the Council was to proceed with the project.

Council did not go into Closed Meeting at this time. The Closed Meeting item was considered at the end of the meeting, following consideration of all open meeting items.

The City Council convened in a Special Called Meeting.

1. CONSENT AGENDA

Mayor Pro Tem Ryan motioned, Council Member Hudspeth seconded to approve the Consent Agenda and accompanying ordinances and resolutions with the exception of Items A, B, D and F which would be considered separately. On roll vote, Council Member Hudspeth "aye", Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Meltzer "aye", Council Member Armintor "aye" and Mayor Watts "aye. Motion carried unanimously.

Ordinance No. 18-1022

- C. ID 18-1022 Consider adoption of an ordinance of the City of Denton authorizing the city manager, or his designee, to execute an agreement with Union Pacific Railroad Company ("Railroad") to improve existing Sycamore Street crossings, at grade, along, over, and across Railroad's tracks and right of way at Railroad Mile Post 719.23 and at Railroad Mile Post 719.25, in which the City of Denton agrees to reimburse Railroad for fifty percent (50%) of actual labor and material costs associated with the work and materials; authorizing the expenditure of funds thereof; and providing an effective date.

Ordinance No. 18-1043

- E. ID 18-1043 Consider adoption of an ordinance of the City of Denton, Texas, a home-rule municipal corporation, amending the Code of Ordinances, related to Chapter 2, titled "Administration," Article XI, titled "Ethics," Section 2-277(f), titled "Ineligibility;" providing for findings of fact; providing severability; providing codification; confirming proper notice and meeting; and providing for an effective date.

The items pulled for separate consideration were considered.

Ordinance No. 18-423

- A. ID 18-423 Consider adoption of an ordinance of the City of Denton, a Texas home rule municipal corporation ("City"), approving a real estate exchange and abandonment agreement ("Agreement") between City and Warehouse of Denton, L.P., a Texas limited partnership ("Warehouse"), Carroll Court Properties, L.P., a Texas limited partnership ("Carroll Court"), and Tim Beaty ("Beaty"), for the abandonment, vacation, and conveyance to Warehouse by the City of a 0.039 acre right-of-way tract, and for the abandonment, vacation, and conveyance to Carroll Court of a 0.061 acre right-of-way tract all in exchange for conveyance from Warehouse of (I) a 0.038 acre fee tract, and (II) a 0.005 acre sidewalk and utility easement, and the conveyance by Warehouse and Tim Beaty to the City of a 0.06 acre temporary pedestrian access easement, all tracts situated in the H. Cisco Survey, Abstract No. 1184, City of Denton, Denton County, Texas, authorizing the City Manager in accordance with Local Government Code 272.001(B)(3) to execute the Agreement; and

providing a severability clause and effective date. (400 block East Oak Street - partial right-of-way abandonment)

Paul Williamson Real Estate Manager, presented background information on the exchange of property between the city and the property owner.

Council Member Meltzer motioned, Council Member Hudspeth seconded to adopt the ordinance. On roll vote, Council Member Hudspeth "aye", Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Meltzer "aye", Council Member Armintor "aye" and Mayor Watts "aye". Motion carried unanimously.

Ordinance No. 18-891

- B. ID 18-891 Consider adoption of an ordinance of the City of Denton, Texas, correcting inadvertent mistakes in Section 2(a)(21) of Ordinance No. 2015-121 relating to the prohibition of smoking near a street-front main entrance; providing for a severability clause; providing for a savings clause; and, declaring an effective date.

Council Member Armintor expressed a concern regarding the limitation of the 30 foot distance around a building for no smoking. She felt it was hard to determine the distance, that is was a personal liberty issue and questioned how it would be enforced.

Deputy City Manager Langley stated that the item was in response to a request of Mayor Pro Tem Ryan to look for conflicts in the ordinance. The item had an error in the wording and was a cleanup issue for the current ordinance.

Mayor Watts noted that this ordinance would be correcting the original ordinance due to mistaken wording.

Mayor Pro Tem Ryan motioned, Council Member Hudspeth seconded to adopt the ordinance. On roll vote, Council Member Hudspeth "aye", Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Meltzer "aye", Council Member Armintor "aye" and Mayor Watts "aye". Motion carried unanimously.

Resolution No. 18-1039

- D. ID 18-1039 Consider approval of a resolution repealing and replacing Resolution No. 2014-011 amending guidelines for public improvement districts; and providing an effective date.

Council Member Meltzer stated that he was not comfortable with voting on the issue for both residential and commercial public improvement districts. He suggested dividing the question and having separate issues for residential and commercial.

Council Member Armintor suggested waiving the fee for affordable housing projects.

Mayor Pro Tem Ryan agreed with the split of residential/commercial but not have a combination of both. He suggested changing the wording in ordinance noting that an application could not apply for both types.

Council Member Hudspeth stated he was in favor of the resolution as written.

Council Member Armintor stated she was in favor of keeping the two portions together but include an amendment for an affordable housing component.

Caroline Booth, Director of Economic Development, stated that wording could be added for affordable housing as a component for consideration.

City Manager Hileman noted that adding affordable housing would add a second tax bill for the residents in affordable housing and could create a difficult situation.

Mayor Watts stated he was in favor of the resolution as presented.

Council Member Hudspeth motioned, Council Member Duff seconded to approve the resolution. On roll vote, Council Member Hudspeth "aye", Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Meltzer "nay", Council Member Armintor "nay" and Mayor Watts "aye. Motion carried with a 4-2 vote.

- F. ID 18-1045 Consider adoption of an ordinance of the City of Denton, Texas, amending Section 22-31(13) and 22-31.1, Article II-Park Rules, Chapter 22- Parks and Recreation, Code of Ordinances of the City of Denton, Texas, to provide for clarification of smoking related to parks and parks facilities within the City of Denton; providing for a severability clause; providing for a savings clause; providing for publication; and, declaring an effective date.

Mayor Pro Tem Ryan stated that there were references in the ordinance relative to the Parks but the ordinance number itself was not noted. He felt that would be confusing when trying to reference back to the enabling ordinance.

Deputy City Manager Langley suggested referencing a section in the Code where to locate the regulations.

Mayor Pro Tem Ryan motioned, Council Member Meltzer seconded to postpone the item until the changes were completed. On roll vote, Council Member Hudspeth "aye", Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Meltzer "aye", Council Member Armintor "aye" and Mayor Watts "aye. Motion carried unanimously.

2. ITEMS FOR INDIVIDUAL CONSIDERATION

Ordinance No. 18-418

- A. ID 18-418 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract for Technology Infrastructure from manufacturers Cisco Systems, Inc., Dell EMC and VMware, Inc., to include products and services, and support and maintenance for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 6504- awarded to Presidio Networked Solutions Group, LLC, for

one (1) year, with the option for two (2) additional one (1) year extensions, in a total not-to-exceed amount of \$10,500,000 for all years).

Melissa Kraft, Chief Technology Officer, presented the details regarding the background of the agreement, key points, project estimates, benefits of the RFP, vendor information, and requested Council direction.

Mayor Pro Tem Ryan motioned, Council Member Meltzer seconded to adopt the ordinance. On roll vote, Council Member Hudspeth "aye", Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Meltzer "aye", Council Member Armintor "aye" and Mayor Watts "aye. Motion carried unanimously.

Ordinance No. 18-975

- B. ID 18-975 Consider adoption of an ordinance of the City of Denton, Texas, authorizing the City Manager, or designee, to execute a transmission line relocation agreement with Terrano Realty, Inc., a Texas Corporation, Medanjo Partners, Ltd., a Texas Limited Partnership, and NW Realty, Inc., a Texas Corporation, for the relocation of a 138kV transmission line owned by the Texas Municipal Power Agency and maintained by the City located on the near west side of E. Loop 288 south of Shady Oaks Dr.; and, providing for an effective date.

George Morrow, General Manager-DME, presented the background information for the relocation of the transmission line. The costs included the steel poles for the project. He noted the benefits of the agreement. Staff and the Public Utilities Board recommended approval.

Mayor Pro Tem Ryan motioned, Council Member Duff seconded to adopt the ordinance. On roll vote, Council Member Hudspeth "aye", Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Meltzer "aye", Council Member Armintor "aye" and Mayor Watts "aye. Motion carried unanimously.

Ordinance No. 18-1002

- C. ID 18-1002 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, approving a proposal for the purchase of galvanized steel transmission poles, anchor cages, and related hardware; authorizing the City Manager, or his designee, to execute a contract for the purchase of same; providing for the expenditure of funds; and providing an effective date (RFP 6744 - awarded to Texas Electric Cooperatives, Inc., in the not-to-exceed amount of \$1,102,070).

George Morrow, General Manager-DME, stated that this item was for the poles for the project just approved for relocation. He presented information on the cost breakdown and the staff recommendation.

Council Member Meltzer motioned, Council Member Armintor seconded to adopt the ordinance. On roll vote, Council Member Hudspeth "aye", Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Meltzer "aye", Council Member Armintor "aye" and Mayor Watts "aye. Motion carried unanimously.

Ordinance No. 18-999

- D. ID 18-999 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, providing for, authorizing, and approving the purchase of Property, Boiler & Machinery, and Business Interruption Insurance Coverage for the City of Denton, through the City's sole broker of record, McGriff, Seibels, and Williams of Texas, Inc., and in accordance with Chapter 252.024 of the Texas Local Government Code such coverage is exempt from the requirements of competitive bidding; and providing an effective date (File 6849- awarded to Swiss Re/Lexington Insurance Company (50/50 split) through McGriff, Seibels, and Williams of Texas, Inc., with a three (3) year not-to-exceed amount of \$1,399,000).

Scott Payne, Risk Manager, indicated that this item would be insurance for the DEC. He noted that there were limited companies for this type of insurance and that four proposals were received.

Council discussed the situation of the retroactive approval of the agreement.

Mayor Pro Tem Ryan motioned, Council Member Meltzer seconded to adopt the ordinance. On roll vote, Council Member Hudspeth "aye", Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Meltzer "aye", Council Member Armintor "aye" and Mayor Watts "aye". Motion carried unanimously.

- E. ID 18-959 Consider nominations for appointment to the City's Board of Ethics.

Bryan Langley, Deputy City Manager, presented an update on the nominations to the Board of Ethics and reviewed the background of the nominations.

Council Member Hudspeth questioned who would make the decision regarding the level of association with an Ethics Board member relative to who nominated that member.

Langley stated that the board member would have to file a conflict of interest and be considered through that process. It would be on the board member to notify a conflict of interest.

After discussion it was decided that a provision could be added that whoever appointed a member would disclosure of any possible conflict.

Council Member Armintor nominated David Zoltner.

Mayor Pro Tem Ryan nominated Jesse Davis.

Mayor Watts nominated Ron Johnson.

No action was taken on the nominations at this meeting.

- F. ID 18-1032 Consider appointments to Council Committees.

Jennifer Walters, City Secretary, noted that Council had been provided an updated list of appointments based on the discussion during the Work Session.

Mayor Pro Tem Ryan motioned, Council Member Hudspeth seconded to approve the nominations. On roll vote, Council Member Hudspeth "aye", Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Meltzer "aye", Council Member Armintor "aye" and Mayor Watts "aye. Motion carried unanimously.

G. ID 18-1033 Consider nominations/appointments to the City's Boards and Commissions.

Council Member Meltzer nominated Karen DeVinney to the Public Utilities Board. On roll vote for the nomination, Council Member Hudspeth "aye", Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Meltzer "aye", Council Member Armintor "aye" and Mayor Watts "aye. Motion carried unanimously.

Council Member Armintor nominated Matt Pruneda to the Planning and Zoning Commission. On roll vote for the nomination, Council Member Hudspeth "aye", Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Meltzer "aye", Council Member Armintor "aye" and Mayor Watts "aye. Motion carried unanimously.

3. PUBLIC HEARINGS

- A. A18-0001c Conduct the second of two public hearings for a voluntary annexation of approximately 47.466 acres of land generally located on the south side of E. Ryan Road, east of the intersection of E. Ryan Road and Andrew Avenue by the City of Denton, Texas. (A18-0001, Creekside, Cindy Jackson)

The Mayor opened the public hearing.

Cindy Jackson, Planning Division, presented the background information on the voluntary annexation. The proposal was for a single family residential development. She reviewed the annexation schedule.

No one spoke during the public hearing.

The Mayor closed the public hearing.

No action was required on this item at this time.

4. 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.

Mayor Pro Tem Ryan requested a report on the cost to install onboard scales to Solid Waste vehicles to keep them from running overweight.

Council Member Armintor requested:

- Work Session to explore the legal staff providing services to low income residents similar to San Antonio including renter and landlord issues and immigration issues
- Work Session regarding McKinney's policies of waiving all permitting fees for affordable housing developments; explore the possibility of a municipally defined category for affordable housing
- Work Session on Human Services adding sexual orientation/gender identification for non-discrimination
- Work session on improving the City's score on the Municipal Equality Index
- Public discussion on alternatives to the current practice of using code names in Closed Session and the implications of those alternatives
- Work Session on Southlake's SPIN program
- Schedule a TOMA training for Council using an outside facilitator, consider using the Freedom of Information Foundation
- Report on red light cameras tickets not being enforced

Council convened in a Closed Meeting at 9:33 p.m. to consider the following item:

1. Closed Meeting:

- A. ID 18-1012 Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086; Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Receive competitive and financial public power information from staff related to a Power Purchase Agreement between the City of Denton, as the seller of power and electric energy services, and Texas Woman's University, as a buyer of power and electric energy services; discuss, deliberate, and make recommendations to City Council regarding the same. Consultation with the City's attorneys regarding legal issues associated with the above matters where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation.

The Council concluded the Closed Meeting at 9:35 p.m., returned to the Open Meeting and with no further business, adjourned the meeting.

CHRIS WATTS
MAYOR
CITY OF DENTON, TEXAS

JENNIFER WALTERS
CITY SECRETARY
CITY OF DENTON, TEXAS