

CITY OF DENTON CITY COUNCIL MINUTES

December 8, 2015

After determining that a quorum was present, the City Council convened in a 2nd Tuesday Session on Tuesday, December 8, 2015 at 2:00 p.m. in the Council Work Session Room at City Hall.

PRESENT: Council Member Roden, Council Member Johnson, Mayor Watts, Council Member Hawkins, Council Member Briggs, Mayor Pro Tem Gregory, and Council Member Wazny.

ABSENT: None.

1. Work Session Reports

A.ID 15-1196 Receive a report, hold a discussion, and give staff direction regarding the status of Denton Municipal Electric's Capital Improvement Projects.

Brent Heath, Executive Manager of Energy Delivery, stated in 2013 the City Council had approved the first phase of DME's planned Capital Improvement Projects to upgrade the City of Denton's aging transmission and distribution electric utility infrastructure. The City of Denton has growth and aging infrastructure. DME had a responsibility to respond. The Capital Improvement Plan included a public involvement process to listen to and respond to all practical options.

Kendall King with Freese & Nichols provided an update on the status of major CIP improvements. The CIP Leadership Team included Brent Heath who worked with program management; Galen Gillum worked with land acquisition and permitting; Brian Daskam and Chris Lutrick worked with site selection and purchasing; and Chuck Sears worked with engineering and construction. He stated that individual project schedules led to an overall program schedule. He stated that the web portal was similar to Google Earth. The portal included a live GIS web map, DCAD data, bookmarks, a search feature. The E-builder program management platform included document storage, cost control, contract management, annual budget forecasting, expedited reporting for TCOS/project close-out. Project meetings included a standing meeting on Thursdays to review progress of action items and coordinate team activities, develop strategy, and process improvements.

Council Member Wazny asked if the upgrade project with the transmission line upgrade and substations was on schedule and if it was under or over budget.

Heath stated that some of the projects were ahead of schedule and said that we were under budget on the projects so far.

Major accomplishments since Summer 2011 included an updated FERC 715 study, CIP developed and approved, five substation upgrades completed, three new substations completed, two transmission line upgrades completed, and two new transmission lines completed.

Direction from Council was for staff to look at the Hickory Substation GIS to consider the shorter façade, what that would look like and the cost, also to talk about the 69 and 138kv conversion and a timeframe, and look at how long the new infrastructure lifecycle might be on that.

2. Concluding Items

- A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the City Council or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

Council Member Briggs requested that staff update the Council on the process for citizen involvement in work sessions.

Mayor Watts gave a shout out to the Ryan Raiders and Guyer Wildcats football teams.

Following the completion of the Work Session, the City Council convened in a Closed Meeting at 2:45 p.m. to consider the following.

1. Closed Meeting:

- A. ID 15-1295 Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071. Receive information from staff, discuss, deliberate, and provide staff with direction regarding the potential acquisition of real property interests generally located in Denton, Denton County, Texas, for the construction, expansion and use of electric power transmission lines, beginning at the North Lakes Substation of Denton Municipal Electric and proceeding east along Riney Rd, then turning north along Nicosia St., then east along W. Hercules Lane and terminating at the Denton North Substation of Denton Municipal Electric. Consultation with the City's attorneys regarding legal issues associated with the acquisition of the real property interests described 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 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. [North Lakes to Denton North transmission route]
- B. ID 15-1296 Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071. Receive information from staff, discuss, deliberate, and provide staff with direction regarding the potential acquisition of real property interests located along the east side of Bernard St. between Eagle Drive to the north and Collins Street to the south,

in the City of Denton, Texas; where discussions had, deliberation, and direction given in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. Consultation with the City's attorneys regarding legal issues associated with the acquisition of the real property interests described above; where 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. [Eagle Substation]

C. ID 15-1313 Consultation with Attorneys - Under Texas Government Code, Sec. 551.071. Consult with the City's attorneys regarding the present status of settlement negotiations regarding pending litigation styled: City of Denton, Texas v. NRG Power Marketing, LLC, Cause No. 15-01404-16, now pending in the 16th Judicial District Court of Denton County, Texas, and discuss, deliberate and provide the City's attorneys with direction and any recommendations regarding such legal matter. A public discussion of this legal matter would conflict with the duty of the City's Attorneys to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

With no further business, the meeting was adjourned at 4:30 p.m.

CHRIS WATTS
MAYOR
CITY OF DENTON, TEXAS

JANE RICHARDSON
ASSISTANT CITY SECRETARY
CITY OF DENTON, TEXAS