

# CITY OF DENTON CITY COUNCIL MINUTES

June 10, 2014

After determining that a quorum was present, the City Council convened in a Work Session on Tuesday, June 10, 2014 at 3:00 p.m. in the Council Work Session Room at City Hall.

PRESENT: Mayor Watts; Mayor Pro Tem Engelbrecht, Council Member Gregory, Council Member Hawkins, Council Member Roden, and Council Member Ryan

ABSENT: Council Member Johnson

## 1. Work Session Reports

- A. ID 14-0227 - Receive a report and hold a discussion regarding City of Denton innovation initiatives including suggested project ideas from the City's 2014 Leadership Excellence and Enhancement Program (LEEP).

City Manager Campbell stated that this was a city-wide effort to involve employees on how tasks were done in the city and how to do them more efficiently.

Carla Romine-Haggmark, Director of Human Services, stated that over the past year, the City had engaged in a number of activities to encourage innovation, improve efficiency, and promote effectiveness in the organization. The first program was the Employee Innovation Program designed to encourage the submission of ideas by employees which could be used to improve city operations. This program offered incentives and recognition to encourage staff to suggest improvements which could have a meaningful impact on improving a program, services and/or process in order to create a new value for the community. The second program was the Lean Government management model that worked to ensure that services were provided in the most efficient and economical way and that waste was minimized or eliminated. The third program, the Leadership Excellence and Enhancement Program (LEEP) was partnered with the University of North Texas to implement an on-going leadership development program. The purpose of this program was to provide a formal program for developing leadership and management competencies in employees and to provide a project task group to examine specific issues facing the City and consider alternative and innovative ways to solve challenges.

Council Member Roden asked if the Innovation Program was different from the LEEP group.

Romine-Haggmark replied correct.

Council Member Roden stated that anyone in City could enter into the Innovation Program.

Romine-Haggmark replied correct but directors and above would not get incentives.

Pamela England, Engineering and Real Estate, presented the "Destination Denton?" program. The issue for the program involved right-of-way maintenance in terms of neglected or unmaintained right-of-way; who was the responsible party for the maintenance; frequency of maintenance; inadequate standards and lack of collaboration. The project approach included assessing the issue, indentifying resources, defining project scope and providing solutions. Desired project outcomes included viable options, funding mechanisms, clean and attractive entryways, and commercial corridors.

Council discussed whether there was proactive "Adopt a Spot" in Denton, and the mowing schedule for public rights-of-way.

Vernell Dooley, Police Department, presented the "Catching Fire: The Spark to Ignite Organizational Excellence" program. He stated that the discussion would center of the Strategic Plan and Project Focus, appraisal versus development, and scope and deliverables. He reviewed Key Focus Area 1 – Organizational Excellence- and the objectives associated with that Focus Area. The difference between appraisal and development in employees was noted. Keys to success of such a program involved making it simple, making it a collaborative process, emphasizing accountability and ownership and being executive champions.

Council discussed whether a new evaluation process would be required, where the City was in the cultural aspect of the program, what Council could do to encourage innovation and what did Council do to stifle it. Additional discussions center on the parameters of the programs, the partnering with UNT, and whether the goals were internal or external for improved service.

Council thanked all of the employees for their vision and the proposals presented.

- B. ID 14-0223 Receive a report and hold a discussion regarding Ethics matters impacting municipal elected officials, including Ethics provisions unique to the City of Denton.

City Attorney Burgess presented information on Ethics matters. She reviewed provisions of law relative to ethics, conflict of interest provisions, misuse of official information, gifts to public servants, bribery, abuse of official capacity, Council discussion on ethics of appointing board and commission members, employment at various institutions, and an ethic ordinance versus an ethics resolution.

Council Member Roden suggested that the Ethics Committee could help clarify the pathway for expressing an ethical problem including what the public could do.

- C. 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 did not have any items.

Following the completion of the 2nd Tuesday Session, the City Council convene in a Closed Meeting at 5:18 p.m. to consider specific items listed below under the Closed Meeting section of this agenda.

1. Closed Meeting:

- A. ID 14-0214 Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071. Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the acquisition of real property interests located in the David Hough Survey, Abstract Number 646, located generally in the 3900 block of Quailcreek Road, located in the City of Denton, Denton County, Texas. Consultation with the City's attorneys regarding legal issues associated with the acquisition or condemnation of the real property interests 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 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. (Mayhill Road Widening and Improvements Project & Municipal Landfill: Parcel M139 - Robert Donnelly)
- B. ID 14-0219 Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071. Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the potential purchase of certain real property interests located in the M.E.P. & P.R.R. Survey, Abstract No. 927, City of Denton, Denton County, Texas, and generally located generally on the west line of North Loop 288, north of Paisley Street. Consultation with the City's attorneys regarding legal issues associated with the potential acquisition of the real property 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. (Denton Municipal Electric 69kV Spencer to Denton North Interchange Transmission Line Upgrade Project: Parcel P21 & P22 - Singing Oaks Church of Christ) [ID14-0220]
- C. ID 14-0263 Deliberations regarding Real Property - Under Texas Government Code, Section 551.072; and Consultation with Attorneys - Under Texas Government Code, Section 551.071. Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the potential purchase of certain real property interests located in the 100 and in the 300 block of East McKinney Street, City of Denton, Denton County, Texas. Consultation with the City's attorneys regarding legal issues associated with the potential 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.

- D. ID 14-0264 Deliberations regarding Real Property - Under Texas Government Code, Section 551.072; Deliberations regarding Consultation with the City Attorney - Under Texas Government Code, Section 551.071; Deliberations regarding Economic Development Negotiations - Under Texas Government Code, Section 551.087. Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the sale of real property interests located in the 200 block of West McKinney Street, in the City of Denton, Denton, Texas. Receive a report and hold a discussion regarding legal and economic development issues regarding economic development incentives for a business prospect in the Downtown TIF. This discussion shall include commercial and financial information the City Council may receive from the business owners which the City seeks to have locate, stay, or expand in or near the territory of the City, and with which the City Council is conducting economic development negotiations, including the offer of financial or other incentives. Also hold a discussion with the City's attorneys on the referenced topic where the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

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

Ordinance No. 2014-170

- A. ID 14-0220 Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager, or his designee, to execute the Easement Purchase Agreement (therein so called), as attached to the ordinance and made a part thereof as Attachment 1, by and between Singing Oaks Church of Christ of Denton, a Texas Nonprofit Corporation (the "Owner"), and the City of Denton (the "City"), regarding the sale by Owner and purchase by the City of two Electric Utility Easements encumbering a 3.5624 and a 2.0203 acre tract of land, and a Temporary Construction Easement encumbering a 1.1283 acre tract of land (the "Property Interests"), being generally situated in the M.E.P. & P.R.R. Survey, Abstract No. 927, City of Denton, Denton County, Texas more particularly described in Exhibits "A-1", "A-2", and "A-3", and Depicted in Exhibits "B-1", "B-2", and "B-3", respectively; the electric Utility Easements to be used and utilized for the public use of expansion, construction, maintenance, augmentation, operation, and improvement of Electric Transmission and Distribution lines, facilities, and structures, and the Temporary Construction Easement to be used and utilized for the purpose of access, staging of materials and equipment, construction and grading activities relating to the DME Expansion project (therein the "DME Expansion Project"), for the purchase price of Seven Hundred Twenty Five Thousand Dollars and No Cents (\$725,000.00), authorizing the expenditure of funds therefor; and providing an effective date. (Denton Municipal Electric 69kV Spencer to Denton North Interchange Transmission Line Upgrade Project: Parcel P21 & P22 - Singing Oaks Church of Christ)

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

Ordinance No. 2014-171

- B. ID 14-0265 Consider adoption of an ordinance authorizing the City Manager or his designee to execute a Contract of Sale by and between Dr. Edward F. Wolski, as owner, and the City of Denton, Texas, as buyer, to acquire fee simple to a 10.070-acre tract located in the J.S. Collard Survey, Abstract No. 297, in the City of Denton, Denton County, Texas, generally located north of Riney Road and east of Bonnie Brae Drive, for the public use of expansion, construction, maintenance, operation, and improvement of electric transmission and distribution lines, facilities, and structures, as well as substations, for the purchase price of One Million Two Hundred Fifty Eight Thousand Nine Hundred Twenty Three Dollars and Twenty Cents (\$1,258,923.20), and other consideration, as prescribed in the Contract of Sale as described in the ordinance as attached as Exhibit One; authorizing the expenditure of funds therefor; and providing an effective date.

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

Resolution No. R2014-024

- C. ID 14-0266 Consider approval of a resolution confirming the appointment of Ross Chadwick as Interim Fire Chief of the City of Denton Fire Department; and declaring an effective date.

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

With no further business, the meeting was adjourned at 7:20 p.m.

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CHRIS WATTS  
MAYOR  
CITY OF DENTON, TEXAS

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JENNIFER WALTERS  
CITY SECRETARY  
CITY OF DENTON, TEXAS