



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
[www.cityofdenton.com](http://www.cityofdenton.com)

## Meeting Agenda

### City Council

---

Tuesday, January 6, 2015

1:00 PM

Work Session Room & Council Chambers

---

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, January 6, 2015 at 1:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

#### **1. Citizen Comments on Consent Agenda Items**

This section of the agenda allows citizens to speak on Consent Agenda Items only. Each speaker will be given a total of three (3) minutes to address any items he/she wishes that are listed on the Consent Agenda. A Request to Speak Card should be completed and returned to the City Secretary before Council considers this item.

#### **2. Requests for clarification of agenda items listed on the agenda for January 6, 2015.**

#### **3. Work Session Reports**

- A. [SI14-0013](#) Receive a report, hold a discussion, and give staff direction regarding the proposed Rayzor Ranch Vision and proposed revision to the current Ordinance.

Attachments: [Exhibit 1 - RED Development Vision](#)  
[Exhibit 2- Ordinance 2010-158 \(Revised\)](#)

- B. [ID 15-001](#) Receive a report, hold a discussion, and give staff direction regarding Smoking Ordinance No. 2012-367.

Attachments: [Exhibit 1 2012-367 Smoking Regulations](#)  
[Exhibit 2 Informal Staff Report Smoking Ordinance Update \(2014-058\)](#)  
[Exhibit 3 Ecig Laws in States and Cities](#)  
[Exhibit 4 ANR E-cigarettes and Secondhand Aerosol](#)  
[Exhibit 5 AHA Fact Sheet - E-Cigarettes and Public Health](#)  
[Exhibit 6 TFK E-cigarettes Included in Smoke-Free Laws](#)

- C. [ID 15-008](#) Receive a report, hold a discussion, and give staff direction regarding the structure of the 2014 Bond Oversight Committee.

Attachments: [Exhibit 1 Powerpoint Presentation](#)

- D. [ID 15-009](#) Receive a report, hold discussion and consider recommending approval of hiring a second construction crew and purchase of related construction equipment for the Wastewater Collection department.

Following the completion of the Work Session, the City Council will convene in a Closed Meeting to consider specific items when these items are listed below under the Closed Meeting section of this agenda. The City Council reserves the right to adjourn into a Closed Meeting on any item on its Open Meeting agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

**1. Closed Meeting:**

- A. [ID 15-017](#) 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 T. Toby Survey, Abstract No. 1285, City of Denton, Denton County, Texas, and generally located north of Airport Road and east of Masch Branch Road. Consultation with the City's attorneys regarding legal issues associated with the potential acquisition and condemnation 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 Enterprise Airport: Cook-McDuff tract - 10.154 acres [ID 15-015] & Cook-Walters tract - 5.89 acres [ID 15-016])

- B. [ID 15-023](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Discuss, deliberate, receive information from staff and provide staff with direction pertaining to the acquisition of real property interests in the in the Alexander Hill Survey, Abstract No. 623, City of Denton, Denton County, Texas, generally located in the 200 block of Collins St.. 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 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. (South Locust DME Substation Expansion) [File ID 15-020]

- C. [ID 15-039](#) Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Consult with and provide direction to City's attorneys regarding potential litigation and legal issues and strategies associated with the City's sign code and sign regulations, where a public discussion of such matters would conflict with the duty of the City's attorneys under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas. [File ID 15-038]

- D. [ID 15-004](#) Certain Public Power Utilities: Competitive Matters - Under Texas Government

Code, Section 551.086.

Receive a presentation from Denton Municipal Electric (“DME”) staff regarding public power competitive and financial matters pertaining to plans, strategies, opportunities, and developments for generation improvements to the DME system; discuss and deliberate strategies relating to selecting and acquiring generation resources for the City; discuss and deliberate opportunities and strategies for the City to acquire purchased power and enter into agreements regarding the same, in order to meet its future energy needs. Discuss, deliberate and provide staff with direction.

E. [ID 15-028](#) Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Consult with and provide direction to City’s attorneys regarding legal issues and strategies associated with the current Gas Well Ordinance, and proposed Gas Well Ordinance amendment, regulation of gas well drilling and production within the City Limits and the extraterritorial jurisdiction, including: Constitutional limitations, statutory limitations upon municipal regulatory authority; statutory preemption and vested rights; impacts of federal and state law and regulations; impacts of gas well drilling upon protected uses and vice-versa; current and proposed extension to, moratorium on drilling and production; other concerns about municipal regulatory authority or matters relating to enforcement of the Gas Well Ordinance, both current and proposed; settlement matters concerning gas well drilling in the City; surface development issues involving surface and mineral estates; and legal matters associated with a citizen’s initiative ordinance and pending litigation styled Jerry Patterson, Commissioner, Texas General Land Office v. City of Denton Texas, Cause No. D-1-GN-14-004628 currently pending in the 53rd District Court of Travis County and Texas Oil and Gas Association v. City of Denton, Cause No. 14-09833-431 currently pending in the 431st District Court of Denton County regarding hydraulic fracturing where a public discussion of these legal matters would conflict with the duty of the City’s attorneys under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

ANY FINAL ACTION, DECISION, OR VOTE ON A MATTER DELIBERATED IN A CLOSED MEETING WILL ONLY BE TAKEN IN AN OPEN MEETING THAT IS HELD IN COMPLIANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551, EXCEPT TO THE EXTENT SUCH FINAL ACTION, DECISION, OR VOTE IS TAKEN IN THE CLOSED MEETING IN ACCORDANCE WITH THE PROVISIONS OF §551.086 OF THE TEXAS GOVERNMENT CODE (THE ‘PUBLIC POWER EXCEPTION’). THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO A CLOSED MEETING OR EXECUTIVE SESSION AS AUTHORIZED BY TEX. GOV’T. CODE, §551.001, ET SEQ. (THE TEXAS OPEN MEETINGS ACT) ON ANY ITEM ON ITS OPEN MEETING AGENDA OR TO RECONVENE IN A CONTINUATION OF THE CLOSED MEETING ON THE CLOSED MEETING ITEMS NOTED ABOVE, IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT, INCLUDING, WITHOUT LIMITATION §551.071-551.086 OF THE TEXAS OPEN MEETINGS ACT.

Regular Meeting of the City of Denton City Council at 6:30 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

**1. PLEDGE OF ALLEGIANCE**

- A. U.S. Flag
- B. Texas Flag

“Honor the Texas Flag – I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

## **2. CONSENT AGENDA**

Each of these items is recommended by the Staff and approval thereof will be strictly on the basis of the Staff recommendations. Approval of the Consent Agenda authorizes the City Manager or his designee to implement each item in accordance with the Staff recommendations. The City Council has received background information and has had an opportunity to raise questions regarding these items prior to consideration.

Listed below are bids, purchase orders, contracts, and other items to be approved under the Consent Agenda (Agenda Items A – K). This listing is provided on the Consent Agenda to allow Council Members to discuss or withdraw an item prior to approval of the Consent Agenda. If no items are pulled, Consent Agenda Items A – K below will be approved with one motion. If items are pulled for separate discussion, they may be considered as the first items following approval of the Consent Agenda.

- A. [ID 15-002](#) Consider approval of a resolution of the City of Denton, Texas authorizing the City Manager, or his designee, to expend Two hundred thirty-five thousand two hundred seventeen dollars and fifty cents (\$235,217.50) of Airport funds to supplement a grant supported improvement to the Denton Enterprise Airport terminal; and providing an effective date. The Council Airport Committee recommends approval (3-0).

**Attachments:**      [Exhibit 1 - R2013-016](#)  
                                 [Exhibit 2 - Improvements](#)  
                                 [Exhibit 3 - Resolution](#)

- B. [ID 15-003](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for mowers and tractors for the City of Denton; and providing an effective date (RFP 5699-awarded to Ag-Power Inc. in the three (3) year not-to-exceed amount of \$1,211,622).

**Attachments:**      [Exhibit 1 Evaluation and Ranking sheet](#)  
                                 [Exhibit 2 Ordinance](#)  
                                 [Exhibit 3 Contract](#)

- C. [ID 15-007](#) Consider adoption of an ordinance of the City of Denton, Texas authorizing the approval of a First Amendment to a contract with Ultimate CNG, LLC. for the purchase of temporary mobile compressed natural gas (CNG); providing for the expenditure of funds therefor; and providing an effective date (File 5424-providing for an additional expenditure amount of \$450,000 with the total contract amount not-to-exceed \$595,000).

**Attachments:**      [Exhibit 1 Original Agreement](#)  
                                 [Exhibit 2 Ordinance](#)  
                                 [Exhibit 3 First Amendment](#)

- D. [ID 15-011](#) Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager to execute a Professional Services Agreement for engineering and consulting services for the development and implementation of a computer model to optimize chemical usage for phosphorous removal, energy efficiency, methane generation, and optimization of the processes during dry and wet weather at the Pecan Creek Water Reclamation Plant; providing for the expenditure of funds therefor; and providing an effective date (File 5718-awarded to Hazen and Sawyer, P.C. in the not-to-exceed amount of \$136,017). The Public Utilities Board recommends approval (7-0).

Attachments:      [Exhibit 1 PUB Minutes](#)  
                             [Exhibit 2 Ordinance](#)  
                             [Exhibit 3 Agreement](#)

- E. [ID 15-012](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract through the State of Texas Smart Buy Program for the purchase of ammunition for the City of Denton Police Department as awarded by the State of Texas Contract 680-A1; and providing an effective date (File 5721-awarded to Precision Delta Corporation, Inc. in the three (3) year not-to-exceed amount of \$120,000).

Attachments:      [Exhibit 1 Contract Details](#)  
                             [Exhibit 2 Ordinance](#)

- F. [ID 15-015](#) Consider adoption of an ordinance authorizing the City Manager or his designee to execute a Written Notice of Termination thereby terminating the Contract of Sale between the City of Denton, Texas ("City") and Dorothy Nell Cook N/K/A Dorothy Nell McDuff ("Seller") for the sale and purchase of a 10.154 acre tract situated in the T. Toby survey, Abstract No. 1285, located in the City of Denton, Denton County, Texas; and providing for an effective date. (Denton Enterprise Airport: Cook-McDuff tract - 10.154 acres)

Attachments:      [Exhibit 1 LocationMap](#)  
                             [Exhibit 2 Cook-McDuff Ordinance](#)

- G. [ID 15-016](#) Consider adoption of an ordinance authorizing the City Manager or his designee to execute a Written Notice of Termination thereby terminating the Contract of Sale between the City of Denton, Texas ("City") and Everett F. Cook and Joy L. Walters ("Seller") for the sale and purchase of a 5.89 acre tract situated in the T. Toby survey, Abstract No. 1285, located in the City of Denton, Denton County, Texas; and providing for an effective date. (Denton Enterprise Airport: Cook-Walters tract - 5.89 acres)

Attachments:      [Exhibit 1 - Location Map](#)  
                             [Exhibit 2 - Cook-Walters Ordinance](#)

- H. [ID 15-019](#) Consider approval of the minutes of November 3, November 4, November 11, and November 18, 2014.

**Attachments:**      [Exhibit 1 November 3, 2014 Minutes](#)  
                                 [Exhibit 2 November 4, 2014 Minutes](#)  
                                 [Exhibit 3 November 11, 2014 Minutes](#)  
                                 [Exhibit 4 November 18, 2014 Minutes](#)

- I.    [Z13-0013B](#)      Consider adoption of an ordinance, amending approved Ordinance No. 2014-193, relating to approximately 99 acres within the southern tract of the Rayzor Ranch Overlay District, located at the southeast corner of U.S. Highway 380 and Interstate Highway 35, and described as Lot 1, Block 5 Rayzor Ranch South Conveyance Plat (document number 2010-119), which exempted from Denton Development Code, Section 35.18.2.A.1 relative to approval of a final plat and construction plans, subject to certain prescribed restrictions, prior to release of a clearing and grading permit, accepting applicant's withdrawal of the request to create a new RR-2A subdistrict and extending the applicability of existing stormwater quality standards for the district

**Attachments:**      [Exhibit 1 - Staff's Analysis](#)  
                                 [Exhibit 2 - Site Location-Aerial Map](#)  
                                 [Exhibit 3 - Zoning Map](#)  
                                 [Exhibit 4 - Future Land Use Map](#)  
                                 [Exhibit 5 - Notice of Public Hearing](#)  
                                 [Exhibit 6 - Ordinance 2010-158](#)  
                                 [Exhibit 7 - RR Grading Permit Checklist](#)  
                                 [Exhibit 8 - P and Z Minutes of 5-21-14](#)  
                                 [Exhibit 9 - Proposed Ordinance](#)

- J.    [ID 15-037](#)      Consider a request for an exception to the Noise Ordinance from Jagoe-Public to reconstruct U.S. 380 from Bonnie Brae to Hinkle. If approved, work will take place from January 7, 2015, through January 30, 2015, 7:00 p.m. to 6:00 a.m. Texas Department of Transportation regulations allow for work to be completed from Sunday through Friday. As such, related work would begin Sunday evening and end Friday morning and will consist of milling the existing roadway, loading millings onto trucks, and hauling them away.

**Attachments:**      [Exhibit 1 Letter of Request](#)  
                                 [Exhibit 2 Map](#)

- K.    [ID 15-038](#)      Consider adoption of an ordinance of the City of Denton, Texas repealing §§33.10.6 and 33.18.8 of the Code of Ordinances of the City of Denton, Texas; providing for severability; providing a savings clause; and providing an effective date.

### **3. ITEMS FOR INDIVIDUAL CONSIDERATION – CONSIDERATION OF THE USE OF EMINENT DOMAIN TO CONDEMN REAL PROPERTY INTERESTS**

- A.    [ID 15-020](#)      Consider adoption of an ordinance finding that a public use and necessity exists to acquire fee simple title to a 2.484 acre tract located in the Alexander Hill Survey, Abstract No. 623, City of Denton, Denton County, Texas, as more particularly described and depicted on the Exhibits "A" and "B" attachments to the ordinance

and located generally in the 200 block of Collins St. ("Property Interests"), for the public use of expansion, construction, maintenance, operation, and improvement of electric transmission and distribution lines, facilities, and structures, including substations and switch stations; authorizing the City Manager, or his designee, to make a final offer to Tomasa L. Garcia ("Owner") to purchase the Property Interests for the price of Three Hundred Seventy Eight Thousand Seven Hundred and Eleven Dollars and 00/100 dollars (\$378,711.00), and other consideration, as set forth in the Contract of Sale attached as Exhibit "C" to the ordinance; authorizing the filing of eminent domain proceedings to acquire the Property Interests if the final offer is not accepted; authorizing the expenditure of funds; and providing an effective date. (South Locust DME Substation Expansion)

Attachments:      [Exhibit 1- Ordinance w attachments- Garcia](#)  
                             [Exhibit 2 - Locust Substation Survey - Garcia](#)  
                             [Exhibit 3 - Locust Substation Map - Garcia](#)

#### **4. PUBLIC HEARINGS**

- A.    [CA11-0004d](#)    Hold a public hearing and consider an ordinance of the City of Denton, Texas, adopting the update to the City of Denton's Comprehensive Plan; and providing an effective date. (CA11-0004) The Planning and Zoning Commission recommends approval of this request with conditions (5-2).

Attachments:      [Exhibit 1 Denton Plan 2030 Development Summary](#)  
                             [Exhibit 2 Final Draft Comprehensive Plan](#)  
                             [Exhibit 3 Staff, Planning and Zoning Commission, and City Council Conditions](#)  
                             [Exhibit 4 P&Z November 5, 2014 Minutes](#)  
                             [Exhibit 5 Draft Ordinance with Exhibits A and B](#)

- B.    [DCA14-0007](#)    Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding amending Section 35.5 of the Denton Development Code to add "Bar" to the schedule of uses and amend Section 35.23 to define the use of "Bar" providing for a penalty in the maximum amount of \$2,000 for violations thereof, severability, and an effective date (DCA14-0007). The Planning and Zoning Commission recommends approval of this request (7-0).

Attachments:      [Exhibit 1 - Planning and Zoning Commission Agenda information Sheet](#)  
                             [Exhibit 2- Ordinance 2014-238 - Order for Election](#)  
                             [Exhibit 3 - Planning and Zoning Commission Minutes from the November 19, 2014](#)  
                             [Exhibit 4 - Planning and Zoning Commission Minutes of the December 10, 2014](#)  
                             [Exhibit 5 - Draft Ordinance](#)

- C.    [PDA14-0008](#)    Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, amending lot coverage, landscaping and elevations to the approved Detail Plan of Planned Development 12 (PD-12); and providing for a penalty in the maximum amount of \$2,000 for violations thereof, severability, and an effective date (PDA14-0008). The Planning and Zoning Commission recommends approval of this request (7-0).



Attachments:[Exhibit 1 - Staff Analysis](#)[Exhibit 2 - Site Location Aerial Map](#)[Exhibit 3 - Existing Zoning Map](#)[Exhibit 4 - Future Land Use Map](#)[Exhibit 5 - Letter From Applicant](#)[Exhibit 6 - Proposed Amended Detail Plan](#)[Exhibit 7 - Proposed Elevations](#)[Exhibit 8 - Notification Map and Responses](#)[Exhibit 9 - Site Photos](#)[Exhibit 10 - Planning and Zoning Minutes from the December 10, 2014 Meeting](#)[Exhibit 11 - Draft Ordinance](#)

- D. [Z14-0021](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding rezoning from a Neighborhood Residential 4 (NR-4) zoning district and use classification to a Neighborhood Residential Mixed Use 12 (NRMU-12) zoning district and use classification with Mixed Use Residential Protection Overlay restrictions on approximately 2.195 acres of land generally located at the northeast corner of McKinney Street and Bellaire Drive; and providing for a penalty in the maximum amount of \$2,000.00 for violations, thereof, severability, and an effective date. (Z14-0021). The Planning and Zoning Commission recommends approval (6-1).

Attachments:[Exhibit 1-Staff Analysis](#)[Exhibit 2-Site Location Aerial Map](#)[Exhibit 3-Existing Zoning Map](#)[Exhibit 4-Proposed Zoning Map](#)[Exhibit 5-Future Land Use Map](#)[Exhibit 6-Applicant Narrative and Concept Plans](#)[Exhibit 7-Notification Map & Responses](#)[Exhibit 8-Site Photos](#)[Exhibit 9-Planning & Zoning Minutes of the November 19, 2014 meeting](#)[Exhibit 10-Planning and Zoning Minutes of the December 10, 2014 meeting](#)[Exhibit 11-Permitted Uses in the NR-4 Zoning District](#)[Exhibit 12-Ordinance](#)

- E. [DCA14-0009](#) Continue a public hearing on Tuesday, January 6, 2015, and consider an ordinance amending Subchapters 5, 7, 16 and 22 of the Denton Development Code, relating to Gas Well Drilling and Production, Definitions and Procedures; amending Ordinance No. 2013-248, relating to planning and development fees and road damage remediation fees relating to gas well drilling and production activities; adding new Subchapter 22A to the Denton Development Code, relating to Oil and Gas Pipelines, Definitions, Procedures; providing a cumulative clause; providing a severability clause; providing for a penalty; and providing for an effective date (DCA14-0009A)



Attachments:      [Exhibit 1 Table of Revised Ordinances](#)  
[Exhibit 2 Clean Ordinance and Redlined Draft of DDC Subchapter 22](#)  
[Exhibit 3 Clean Ordinance Draft of DDC Subchapter 7.16](#)  
[Exhibit 4 Clean Ordinance Draft of DDC Subchapter 16.7](#)  
[Exhibit 5 Clean Ordinance Draft of DDC Subchapter 5](#)  
[Exhibit 6 Clean Ordinance Draft of DDC Subchapter 22A](#)  
[Exhibit 7 Amended Ordinance 2013-248](#)

## **5. 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.

B. Possible Continuation of Closed Meeting topics, above posted.

Special Called Session of the City of Denton City Council on January 6, 2015 in the City Council Chambers located at City Hall, 215 E. McKinney Street, Denton, Texas at which the following item will be considered:

### **1. PUBLIC HEARING**

- A. [SI14-0012](#) Hold a Joint City Council and Planning and Zoning Commission public hearing and consider adoption of an ordinance amending Ordinance No. 2014-137, as amended by Ordinance Nos. 2014-192 and 2014-276, to extend for an additional ninety-one (91) days, or such other reasonable date, the moratorium on the acceptance, processing, and approval of certain applications for gas well permits within the corporate limits of the City of Denton, Texas, and on applications for specific use permits, site plans, development plans of any nature or type, including applications for amendments to approved or pending gas well development plats, and on applications for Fire Code operational permits, as they relate to gas well drilling and production activities, subject to certain exemptions; providing a cumulative clause; providing a severability clause; and providing an effective date.

Attachments:      [Exhibit 1 -Amended Ordinance 2014-137](#)

At the election of the City Council and the Planning and Zoning Commission, the City Council and the Planning and Zoning Commission may jointly convene in a Closed Meeting, either before or after the Joint City Council and Planning and Zoning Commission Public Hearing to consider specific items when these items are listed below under the Closed Meeting section of this agenda. Both the City Council and the Planning and Zoning Commission reserve the right to adjourn into a Closed Meeting, either jointly or separately, on any item on its Special Session agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

A. [ID 15-056](#) Consultation with Attorneys - Texas Government Code Section 551.071.

Hold a Joint City Council and Planning and Zoning Commission Closed Meeting to consult with and provide direction to City's attorneys regarding legal issues and strategies associated with the current Gas Well Ordinance, and proposed Gas Well Ordinance amendment, regulation of gas well drilling and production within the City Limits and the extraterritorial jurisdiction, including: Constitutional limitations, statutory limitations upon municipal regulatory authority; statutory preemption and vested rights; impacts on federal and state law and regulations; impacts of gas well drilling upon protected uses and vice-versa; current and proposed moratorium on drilling and production; other concerns about municipal regulatory authority or matters relating to enforcement of the Gas Well Ordinance, both current and proposed; settlement matters concerning gas well drilling in the City; surface development issues involving surface and mineral estates; and legal matters associated with a citizen's initiative ordinance and pending litigation styled Jerry Patterson, Commissioner, Texas General Land Office v. City of Denton, Texas, Cause No. D-1-GN-14-004628 currently pending in the 53rd District Court of Travis County and Texas Oil and Gas Association v. City of Denton, Cause No. 14-09833-431 currently pending in the 431st District Court of Denton County regarding hydraulic fracturing where a public discussion of these legal matters would conflict with the duty of the City's attorneys under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

C E R T I F I C A T E

I certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Denton, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_ o'clock (a.m.) (p.m.)

\_\_\_\_\_  
CITY SECRETARY

NOTE: THE CITY OF DENTON CITY COUNCIL CHAMBERS IS ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT A SIGN LANGUAGE INTERPRETER CAN BE SCHEDULED THROUGH THE CITY SECRETARY'S OFFICE.