

CITY OF DENTON CITY COUNCIL MINUTES

November 22, 2013

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Special Called Closed Meeting on Friday, November 22, 2013 at 5:30 p.m. in the Council Work Session Room, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Burroughs, Mayor Pro Tem Kamp, Council Member Engelbrecht, Council Member Gregory, Council Member King, Council Member Hawkins, Council Member Roden.

ABSENT: None.

1. Closed Meeting

A. Consultation with Attorney – Under Texas Government Code Section 551.071.

1. Consult with City's attorneys regarding a proposed standstill agreement between and among, the City of Denton, Texas, Eagleridge Operating, LLC, and Eagleridge Energy, LLC, jointly agreeing to temporarily suspend litigation of pending disputes until January 31, 2014, under terms therein specified. The proposed standstill agreement would exclusively constrain Eagleridge's drilling and fracking operations to four previously approved padsite locations, and impose additional interim restrictions upon certain of those sites, during the term of the interim agreement, allowing the parties to continue negotiations towards a more comprehensive settlement of their disputes.

Following the completion of the Special Called Closed Meeting, the City Council convened in a Special Called Meeting at 7:08 p.m. to consider the following items.

Ordinance No. 2013-330

- A. Consider adoption of an ordinance approving or ratifying a standstill agreement between the City of Denton, Texas and Eagleridge Operating, LLC until midnight on November 22, 2013 with regard to certain disputes and issues over gas drilling in the city to allow the parties an opportunity to engage in global settlement negotiations as it concerns unresolved issues between them; and providing for an effective date.

Mayor Burroughs stated that several citizens had requested to speak. The following individuals spoke:

Michael Briggs, 2311 Houston Place, spoke in opposition

Joe Mulroy, 704 Lafayette, spoke in support, suggested global mediation

Lee Allison, 4401 N. I-35, spoke in support, suggested Council look into developing a gas well development or drilling district

LaShawn Williams, 3408 Hornbeam Street, spoke in opposition

Cory Littlehales, 3316 Hornbeam Street, spoke in opposition

Deb Conte, 2106 N. Bell, spoke in opposition

Comment cards in opposition were received from:

Elise Ridenour, 2044 W. Oak

Alyse Ogletree, 3401 Buckthorn

Steven Friedson, 2044 W. Oak

Oren Thomas, 1841 S. Bonnie Brae

Mayor Burroughs thanked Council Members Roden and King for their work with the Legal Department on the standstill agreement. He stated that the agreement was needed because EagleRidge was set to drill more wells in the city and the city needed to have the negotiations to preserve what little protection it had in place.

Council Member Engelbrecht stated that the energy companies used to operate in the back 40 and now they had chosen to come into neighborhoods. He stated the residents were inclined to let the courts decide, and he tended to agree with them.

Mayor Pro Tem Kamp motioned, Council Member King seconded to approve the substitute ordinance and agreement. On roll call vote, Council Member King "aye", Council Member Hawkins "aye", Council Member Gregory "nay", Council Member Engelbrecht "nay", Council Member Roden "aye", Mayor Pro Tem Kamp "aye", and Mayor Burroughs "aye".

- B. Consider adoption of an ordinance authorizing the City Manager or his designee to execute a temporary access permit (the "Permit"), by and between the City of Denton, Texas and EagleRidge Operating, LLC, a Texas limited liability company ("EagleRidge"), granting a license to EagleRidge to temporarily access certain City owned lands located in the James Edmonson Survey, Abstract Number 401 and the James L. Harris Survey, Abstract Number 555, located generally 1,800 feet southwest of the intersection of South Bonnie Brae and Vintage Boulevard, City of Denton, Denton County, Texas, in connection with the overland transport of water for gas well operations; and providing an effective date.

This item was withdrawn from consideration.

With no further business, the meeting was adjourned at 7:58 p.m.

MARK A. BURROUGHS
MAYOR
CITY OF DENTON, TEXAS

JANE RICHARDSON
ASSISTANT CITY SECRETARY
CITY OF DENTON, TEXAS