



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Meeting Agenda

City Council

Tuesday, February 23, 2016

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 an Open Meeting on Tuesday, February 23, 2016 at 1:00 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

1. Items for Individual Consideration

- A. [ID 16-356](#) Reconsider the approval, on February 16, 2016, of a resolution of the City Council, City of Denton, Texas, stating the conditions and circumstances for the sale of 1224 N. Bonnie Brae St., Denton, Denton County, Texas, to Jose Alfredo Rivas and the public purpose achieved by said sale.

Attachments: [Exhibit 1 Resolution](#)

- B. [ID 16-354](#) Consider the approval of a resolution of the City Council, City of Denton, Texas, stating the conditions and circumstances for the sale of 1224 N. Bonnie Brae St., Denton, Denton County, Texas, to Jose Alfredo Rivas and the public purpose achieved by said sale. (This item to be considered only if a Motion for Reconsideration of the foregoing agenda item is approved.)

Attachments: [Exhibit 1 Resolution](#)

- C. [ID 16-357](#) Reconsider the approval, on February 16, 2016, of an ordinance of the City of Denton approving the sale of 1224 N. Bonnie Brae St., Denton, Denton County, Texas ("Property"), to Jose Alfredo Rivas ("Rivas"), as Buyer, for the purchase price of One Hundred and Seventy Five Thousand Six Hundred and Ninety Eight Dollars and Eight Cents (\$175, 698.08) as stated in the One to Four Family Residential Contract ("Contract"); authorizing the City Manager in accordance with Texas Local Government Code 272.001(k) to execute a deed to Rivas together with any other documents necessary to sell and convey the Property; and providing an effective date. (Hickory Street DME Substation)

Attachments: [Exhibit 1 Ordinance](#)

- D. [ID 16-355](#) Consider the approval of an ordinance of the City of Denton approving the sale of 1224 N. Bonnie Brae St., Denton, Denton County, Texas ("Property"), to Jose Alfredo Rivas ("Rivas"), as Buyer, for the purchase price of One Hundred and Seventy Five Thousand Six Hundred and Ninety Eight Dollars and Eight Cents (\$175, 698.08) as stated in the One to Four Family Residential Contract ("Contract"); authorizing the City Manager in accordance with Texas Local Government Code 272.001(k) to execute a deed to Rivas together with any other documents necessary to sell and convey the Property; and providing an effective date. (Hickory Street DME Substation) (This item to be considered only if a Motion for Reconsideration of the foregoing agenda item is approved.)

Attachments: [Exhibit 1 Ordinance](#)

Following the completion of the Open Meeting, the City Council will convene in a Work Session in the Council Work Session Room at City Hall, 215 E. McKinney Street, at which the following items will be considered:

1. Work Session Reports

- A. [ID 16-253](#) Receive a report, hold a discussion, and provide staff direction regarding Ordinance 2014-112 Use of Wireless Communication Devices while Driving.
- B. [ID 16-260](#) Receive a report, hold a discussion, and give staff direction regarding the City of Denton Strategic Plan and the performance management and open data components of the What Works Cities initiative.

Attachments: [Exhibit 1 FY 2015-16 Strategic Plan](#)
[Exhibit 2 FY 2015-16 Key Action Steps Status Update](#)
[Exhibit 3 WWC Overview](#)
[Exhibit 4 WWC Program Summary](#)
[Exhibit 5 City Council WWC Presentation](#)

- C. [ID 16-263](#) Receive a report, hold a discussion, and give staff direction regarding the City Council Rules of Procedure.

Attachments: [Exhibit 1 CC Rules of Procedures 2016 for February 23, 2016 REDLINE](#)
[Exhibit 2 City of Denton Rules of Procedure 2016](#)

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.

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 16-300](#) Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Consult with the City's attorneys regarding the present status of the implementation of a new Pole Attachment License Agreement and a new City Right-of-Way Agreement, and the status of claims for unpaid pole attachment fees by Verizon; discuss deliberate and provide the City's attorneys with direction and any recommendations regarding such legal matters. A public discussion of this legal matter would conflict with the duty of the City's Attorneys to the City of Denton, Texas under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

B. [ID 16-324](#) Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Deliberate and consult with and provide direction and recommendations to the City's attorneys regarding the status of (i) negotiations with Zayo Group, LLC, regarding their use of City right-of-way for fiber placement via Denton ISD's agreement with the City; (ii) the implementation of a new Pole Attachment License Agreement; (iii) the implementation of a new City Right-of-Way Agreement; (iv) possible ancillary agreements related to both agreements; (v) the status of claims for unpaid pole attachment fees by Verizon; (vi) pending complaints before the Texas Public Utility Commission (Extenet Network Systems, Inc. against the City of Houston - No. 45280; and, Crown Castle NG Central, LLC against the City of Dallas - No. 45470) regarding the imposition of license agreements and fees for use of public right-of-way and the potential impact on the City; and (vii) pending federal legislation related to the use of public right-of-way for wireless communication. A public discussion of these legal matters would conflict with the duty of the City's Attorneys to the City of Denton, Texas under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

C. [ID 16-330](#) Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Consultation, discussion, deliberation and receipt of information from the City's attorneys involving legal matters relating to the City Council Rules of Procedure 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.

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 _____, 2016 at _____ o'clock (a.m.) (p.m.)

CITY SECRETARY

NOTE: THE CITY OF DENTON CITY COUNCIL CHAMBERS AND WORK SESSION ROOM ARE 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.