



City of Denton

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

Meeting Agenda

City Council

Tuesday, October 22, 2019

1:00 PM

Work Session Room

WORK SESSION BEGINS AT 1:00 P.M. IN THE WORK SESSION ROOM

CITY COUNCIL CONSIDERATION OF THE CONSENT AGENDA AND ITEMS FOR INDIVIDUAL CONSIDERATION WILL BEGIN IMMEDIATELY FOLLOWING THE CLOSED MEETING IN THE WORK SESSION ROOM

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, October 22, 2019, 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:

WORK SESSION

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 this agenda.

3. Work Session Reports

- A. [ID 19-1952](#) Receive a report, hold a discussion, and give staff direction regarding the Board of Ethics recommended amendments to the Ethics Ordinance.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Letter - Ethics Ordinance](#)
[Exhibit 3 - Ethics Ordinance Revisions](#)
[Exhibit 4 - Presentation](#)

- B. [ID 19-2239](#) Receive a report, hold a discussion and give staff direction regarding the Board of Ethics recommended amendments to the Board of Ethics Rules of Procedure Ordinance.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Letter - Rules of Procedure](#)
[Exhibit 3 - Rules of Procedure Revisions](#)
[Exhibit 4 - Presentation](#)

- C. [ID 19-2038](#) Receive a report, hold a discussion, and give staff direction regarding an internal audit of the Police Overtime Process.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Audit Response Cover Letter](#)
[Exhibit 3 - Audit of Police Overtime](#)
[Exhibit 4 - Presentation](#)

- D. [ID 19-2088](#) Receive a report, hold a discussion, and give staff direction on pending City Council requests for information.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Integrated Pest Management Plan](#)
[Exhibit 4 - IPM Presentation from the May 7 2019 City Council meeting](#)

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

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 decision, or vote is taken in the Closed Meeting in accordance with the provisions of Section 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 Texas Government Code, Section 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 Sections 551.071-551.086 of the Texas Open Meetings Act.

- A. [ID 19-2498](#) Deliberations regarding Personnel Matters - Under Texas Government Code Section 551.074.

Deliberate and discuss the evaluation, duties, discipline, procedures, and contracts of the Municipal Judge and City Auditor.

- B. [ID 19-2527](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consult with the City’s attorneys on the status, strategy, and potential resolution of the Crystal Faulkner personal injury claim; 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 pending or contemplated litigation or settlement offers.

Following the completion of the Closed Meeting, the City Council will convene in a Special Called Meeting to consider the following item(s):

1. CONSENT AGENDA

Each of these items is recommended by 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 – N). 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, the Consent Agenda Items 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 19-2330](#) Consider adoption of an ordinance of the City of Denton abandoning, releasing, and vacating a 0.091 acre tract of Carroll Boulevard right-of-way, partially out of property conveyed by the deed from William Crawford to the City of Denton, recorded in Volume 602, Page 456, Deed Records, Denton County, Texas and partially out of property conveyed by the deed from Kathleen P. Floyd to the City of Denton, recorded in Volume 567, Page 452, Deed Records, Denton County, Texas, all located in the R. Beaumont Survey, Abstract No. 31, within the City and County of Denton, Texas; providing a savings clause, and providing for severability and an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Location Map](#)
 [Exhibit 3 - Abandonment Tract](#)
 [Exhibit 4 - Boundary Survey](#)
 [Exhibit 5 - Applicant Project Narrative](#)
 [Exhibit 6 - Applicant Research Letter](#)
 [Exhibit 7 - Vesting Deed](#)
 [Exhibit 8 - Real Estate Appraisal](#)
 [Exhibit 9 - SOS members list](#)
 [Exhibit 10 - Ordinance](#)

- B. [ID 19-2386](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager to sign a Medical Office Building Lease and First Amendment to Medical Office Building Lease by and between Epic Development, Inc. and the City of Denton for the use and occupancy of premises at 3537 South I-35E Denton, Texas 76210 for the City of Denton Employee Health Center for a three year period; authorizing the expenditure of funds therefor (with a one-year cost of \$66,552, and a three (3) year not-to-exceed amount of \$203,676); and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet \(Clinic Lease\)](#)
 [Exhibit 2 - Market Analysis](#)
 [Exhibit 3 - Ordinance and Lease Documents](#)

- C. [ID 19-2432](#) Consider approval of the minutes of October 7 and October 8, 2019.

Attachments: [Exhibit 1 - October 7, 2019 Minutes](#)
 [Exhibit 2 - October 8, 2019 Minutes](#)

- D. [ID 19-2433](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute a contract with International Business Machines (IBM) Corporation for Weather Forecasting Services; Pattern Recognition Technologies, Inc., for Load Forecasting Service; and Radiant Geospatial Solutions, LLC, for Wind and Solar Forecasting Services; providing for the expenditure of funds therefor; and providing an effective date (RFP 7057 - awarded to the lowest responsive bidder for each line item, Weather Forecasting contract awarded to International Business Machines (IBM) Corporation for a three (3) year not-to-exceed amount of \$63,030, Load Forecasting contract awarded to Pattern Recognition Technologies, Inc., for a three (3) year not-to-exceed amount of \$118,800 and Wind and Solar Forecasting contract awarded to Radiant Geospatial Solutions LLC for a three (3) year not-to-exceed amount of \$66,000, in a total three (3) year, not-to-exceed amount of \$247,830). The Public Utilities Board recommends approval (6 - 0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Pricing Evaluation](#)
 [Exhibit 3 - LLC Membership](#)
 [Exhibit 4 - Ordinance and Contracts](#)

- E. [ID 19-2434](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Raftelis Financial Consultants, Inc., for Water and Wastewater Utilities Cost of Service and Rate Design Study as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7105 - Professional Services Agreement for Water and Wastewater Utilities Cost of Service and Rate Design Study awarded to Raftelis Financial Consultants, Inc., in the not-to-exceed amount of \$108,470). The Public Utilities Board recommends approval (6 - 0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Evaluation Sheet](#)
 [Exhibit 3 - Ordinance and Contract](#)

- F. [ID 19-2435](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 1 to the contract between the City of Denton and Wilson Contractor Services, LLC, for the construction of the Allred and John Paine Road Water Transmission Main Project for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (IFB 7038 - Change Order No. 1 in the not-to-exceed amount of \$399,141.26 for a total contract award aggregated to \$5,275,366.64). The Public Utilities Board recommends approval (6 - 0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Project Map](#)
 [Exhibit 3 - Original Ordinance and Contract](#)
 [Exhibit 4 - Ordinance and Change Order](#)

- G. [ID 19-2436](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to utilize a contract through the

City of Frisco Contract Number 1901-036 for the acquisition of self-contained breathing apparatus (SCBA) for the Fire Department; providing for the expenditure of funds therefor; and providing an effective date (File 7124 - awarded to Hoyt Enterprises, Inc., dba Hoyt Breathing Air Products, in the amount of \$600,000).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Pricing Sheet](#)
 [Exhibit 3 - Ordinance](#)

- H. [ID 19-2465](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with All-N-One Services, LLC, for Temporary Labor Services for various City of Denton departments; providing for the expenditure of funds therefor; and providing an effective date (IFB 7045 - awarded to All-N-One Services, LLC, in the three (3) year not-to-exceed amount of \$525,000).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Bid Tabulation](#)
 [Exhibit 3 - LLC Members](#)
 [Exhibit 4 - Ordinance and Contract](#)

- I. [ID 19-2466](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute a contract with Holt CAT through the Sourcewell Cooperative Purchasing Network Contract Number 032119-CAT, for the purchase of one (1) D-9 Dozer for the Solid Waste Landfill Department; authorizing the expenditure of funds therefor; and declaring an effective date (File 7182 - awarded to Holt CAT, in the not-to-exceed amount of \$1,057,079.89). The Public Utilities Board recommends approval (5 - 1).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Quote](#)
 [Exhibit 3 - Ordinance](#)

- J. [ID 19-2521](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute a contract with Siddons-Martin Emergency Group, LLC, through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program Contract Number FS12-17, for the acquisition of one (1) Oshkosh 3000 Striker 6X6, Aircraft Rescue and Fire Fighting (ARFF) vehicle for the Fire Department; and providing an effective date (File 7194 - awarded to Siddons-Martin Emergency Group, LLC in the not-to-exceed amount of \$754,922).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Quote](#)
 [Exhibit 3 - LLC Members](#)
 [Exhibit 4 - Ordinance](#)

- K. [ID 19-2534](#) Consider approval of a resolution of the City of Denton allowing the Campus Theatre

Concessions, LLC to sell alcoholic beverages at the Denton's Day of the Dead Festival, on Saturday, October 26, 2019, from 11:00 a.m. to 11:00 p.m., at the Williams Square, upon satisfying certain conditions; authorizing the City Manager, or his designee, to execute an agreement in conformity with this resolution; and providing for an effective date.

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Resolution and Agreement](#)
 [Exhibit 3 LLC Verification](#)

- L. [ID 19-2551](#) Consider adoption of an ordinance of the City of Denton, Texas, approving a first amendment to the employment agreement for City Manager Todd Hileman; providing a salary increase for City Manager Todd Hileman under the performance review provision of the City Manager's employment agreement with the City; extending the term of the City Manager's employment agreement to October 23, 2023; increasing vacation accrual to four weeks per year for the City Manager; adding an automatic renewal clause; authorizing the expenditure of funds; and providing an effective date.

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance and Agreement](#)

- M. [ID 19-2552](#) Consider adoption of an ordinance of the City of Denton, Texas, approving a second amendment to the employment agreement for City Attorney Aaron Leal; providing a salary increase under the performance review provision of the City Attorney's employment agreement with the City; extending the term of the City Attorney's employment agreement to October 11, 2021; authorizing the expenditure of funds; and providing an effective date.

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2- Ordinance and Agreement-Rev](#)

- N. [ID 19-2520](#) Consider adoption of an ordinance of the City of Denton establishing the classifications and prescribing the number of positions in each classification for the Police Department pursuant to Chapter 143 of the Texas Local Government Code; providing repealer, cumulative, and severability clauses; and declaring an effective date.

Attachments: [Exhibit 1 - AIS - Annual Staffing Ordinance - FY19-20](#)
 [Exhibit 2 - Ordinance - FY19-20 Staffing Ordinance - PD](#)

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 19-2249](#) Consider approval of a resolution by the City of Denton recognizing the necessity of protecting the natural areas (greenbelts) adjacent to creeks and other waterways; adopting the Denton County Greenbelt Plan as a framework to complement the current and future planning efforts of the City of Denton in managing and protecting various environmental resources; endorsing the plan as an urgent regional program for the county, cities, towns and utilities to help protect water quality in local watersheds; and expressing the City of Denton's intent to participate in implementing strategies that will preserve and protect the environment and safeguard the public welfare.

Attachments: [Exhibit 1 Agenda Information Sheet](#)
[Exhibit 2 Greenbelt Protection Plan Resolution.pdf](#)
[Exhibit 3 - Staff Presentation.pdf](#)
[Exhibit 4 Denton County Greenbelt Plan Executive Summary](#)
[Exhibit 5 Final DCGBP For the Future](#)

- B. [HLC19-030c](#) Consider approval of a resolution of the City of Denton, Texas adopting the vision, value statements, goals, policies, recommendations, and the implementation matrix proposed in the Denton Historic Preservation Plan prepared by the Lakota Group, dated August 28, 2019; and providing an effective date. (HLC19-030c, Historic Preservation Plan, Ron Menguita)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Draft Denton Historic Preservation Plan](#)
[Exhibit 3 - Draft Resolution](#)
[Exhibit 4 - Presentation](#)

3. 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 salutory 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.

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 _____, 2019 at _____ o'clock (a.m.) (p.m.)

CITY SECRETARY

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

