



City of Denton

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

Meeting Agenda

City Council

Tuesday, March 31, 2020

1:00 PM

Work Session Room

SPECIAL CALLED

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

WORK SESSION BEGINS AT 2:00 P.M. IN THE WORK SESSION ROOM

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

Note: Mayor Chris Watts, Mayor Pro Tem Gerard Hudspeth, and Council Members Keely Briggs, Jesse Davis, John Ryan, Deb Armintor and Paul Meltzer will be participating in the closed meeting, work session, and special called meeting via video/teleconference.

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Closed Meeting on Tuesday, March 31, 2020, at 1:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas to consider specific item(s) when these item(s) 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 20-793](#) Deliberations regarding a Personnel Matter - Under Government Code, Section 551.074; and Consultation with Attorneys - Under Texas Government Code, Section 551.071

Deliberate and discuss the appointment, employment, evaluation, discipline, duties, dismissal, complaints against, and contract of the Presiding Municipal Judge; consult with the City's attorneys regarding the legal issues associated with the above, where a public discussion of the same would conflict with the duty of the City's attorneys to the City of Denton and the 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 negotiations or potential litigation.

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.

B. Adjournment of the Closed Meeting.

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, March 31, 2020, at 2:00 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 20-791](#) Receive a report, hold a discussion, and give staff direction on the temporary amendment of certain provisions of Section 2-29 of the Code of Ordinances (City Council Rules of Procedure) to accommodate temporary videoconferencing and public comment procedures during the COVID-19 pandemic.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Presentation](#)
 [Exhibit 3 - 2-29 temporary amendments -3.30 council redline](#)

- B. [ID 20-733](#) Receive a report, hold a discussion, and give staff direction regarding an update to the City of Denton's COVID-19 response.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - COVID-19 03 31 20 \(updated\)](#)

- C. [ID 20-697](#) Receive a report, hold a discussion, and give staff direction regarding the Public Safety Substation and Firing Range with a focus on façade, sustainability, and budget considerations.

Attachments: [Exhibit 1 - AIS DPSB](#)
 [Exhibit 2 - Presentation DPSB Alternates](#)

- D. [ID 20-010](#) Receive a report, hold a discussion, and give staff direction on pending City Council requests for:

1. Passing an ordinance issuing a 60-day grace period for owed rent for residents and small businesses.

Attachments: [Exhibit 1 - Agenda Information Sheet \(rev\)](#)
 [Exhibit 2 - Ordinance 19-2026 - City Council Request Process](#)
 [Exhibit 3 - Presentation](#)

NOTE: Any item for which a formal action at the Special Called Meeting has been taken by Council may be subject to a request for a motion for reconsideration at any time during the meeting, at the Concluding Items Section, or after the meeting. In order to comply with the Texas Open Meetings Act, a request for a motion for reconsideration made during, at the end of, or after a Council meeting will be placed on the agenda and considered at the next official meeting of the City Council.

Following the completion of the Work Session, the City Council will convene in a Special Called Meeting to consider the following items:

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 20-511](#) Consider approval of a resolution of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to certify to the United States Environmental Protection Agency the City's compliance with the risk and resilience assessments requirement of the Federal America's Water Infrastructure Act; and, providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Resolution](#)
 [Exhibit 3 - Presentation](#)

- B. [ID 20-623](#) Consider adoption of an ordinance of the City Council of the City of Denton approving the Development Fee Grant Program; rescinding ordinance 19-390 establishing the affordable housing fee grant program; establishing the guidelines for the program and the provisions for enforcement thereof; establishing an annual budget; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Development Fee Grant Ordinance with exhibit](#)

- C. [ID 20-631](#) Consider adoption of an ordinance approving a Pipeline Crossing Contract by and between the City of Denton and the Kansas City Southern Railway Company, relating to

the location of a City sewer pipeline within the railroad right-of-way, located at the railroad's intersection with Highland Park Road at Mile Post D103.02 Alliance Subdivision, within the County and City of Denton, Texas; authorizing the City Manager to execute the Agreement; authorizing the expenditure of funds therefore; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Location Map](#)
 [Exhibit 3 - Site Map](#)
 [Exhibit 4 - Ordinance and Agreement](#)

- D. [ID 20-632](#) Consider adoption of an ordinance approving a Pipeline Crossing Contract by and between the City of Denton and the Kansas City Southern Railway Company relating to the location of a City water pipeline within the railroad right-of-way, located at the railroad's intersection with Highland Park Road at Mile Post D103.03 Alliance Subdivision, within the County and City of Denton, Texas; authorizing the City Manager to execute the Agreement; authorizing the expenditure of funds therefore; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Location Map](#)
 [Exhibit 3 - Site Map](#)
 [Exhibit 4 - Ordinance and Agreement](#)

- E. [ID 20-679](#) 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 Bridgefarmer & Associates, Inc., for construction administration services for the Bonnie Brae Street Phase II (Vintage) Improvement Project as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-089 - Professional Services Agreement for construction services awarded to Bridgefarmer & Associates, Inc., in the not-to-exceed amount of \$98,696).

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

- F. [ID 20-682](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a Professional Services Agreement between the City of Denton and Walter P. Moore and Associates, Inc., amending the contract approved by City Council on May 7, 2019, in the not-to-exceed amount of \$537,300, said first amendment to provide engineering services for the Mobility Plan in the not-to-exceed amount of \$140,000; providing for the expenditure of funds therefor; and providing an effective date (File 6999 - providing for an additional first amendment expenditure amount not-to-exceed \$140,000, with the total contract amount not-to-exceed \$677,300).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Original Ordinance and Contract](#)
[Exhibit 3 - ICA Original Ordinance](#)
[Exhibit 4 - Ordinance and Amendment 1](#)

- G. [ID 20-683](#) 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 Carahsoft Technology Corporation, through the Department of Information Resources (DIR) Cooperative Purchasing Network Contract# DIR-TSO-4288 for the purchase of various software as a Service, Products and Related Services; providing for the expenditure of funds therefor; and providing an effective date (File 7319 - awarded to Carahsoft Technology Corporation, in the five (5) year not-to-exceed amount of \$400,000).

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

- H. [ID 20-684](#) 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 Garver, LLC to perform preliminary design, permit identification, surveying, environmental, and geotechnical services for the Clear Creek Wastewater Lift Station and Forcemain as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-088 - Professional Services Agreement for design services awarded to Garver, LLC in the not-to-exceed amount of \$493,685). The Public Utilities Board recommends approval (7-0).

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

- I. [ID 20-705](#) Consider adoption of an ordinance of the City of Denton, a Texas municipal home-rule corporation, approving a power purchase agreement between the City and Texas Woman's University, a Texas higher education institution; providing for the expenditure of funds; and, providing for an effective date.

Attachments: [Exhibit 1-Agenda Information Sheet](#)
[Exhibit 2-Proposed Ordinance](#)
[Exhibit 3-Redacted Purchase Power Agreement](#)

- J. [ID 20-709](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a contract between the City of Denton and Rizikon, Inc., amending the contract approved by the City Manager on January 16, 2020, in the not-to-exceed amount of \$56,590; said first amendment for the development of policies and procedures for the City's Safety Program and Risk Management; providing for the expenditure of funds therefor; and providing an effective date (RFP 7199 - Providing for an additional first amendment expenditure amount not-to-exceed \$77,580, with the total contract amount not-to-exceed \$134,170).

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

- K. [ID 20-724](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a contract between the City of Denton and SAE Towers, LTD, amending the contract approved by City Council on December 17, 2019, in the not-to-exceed amount of \$1,718,905; said first amendment for the cost of additional anchor bolt cage lengths for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (File 7152 - providing for an additional first amendment expenditure amount not-to-exceed \$340,150, with the total contract amount not-to-exceed \$2,059,055).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Typical Anchor Bolt Cage Drawing](#)
 [Exhibit 3 - Summary of Anchor Bolt Cage Changes by Structure](#)
 [Exhibit 4 - Original Ordinance and Contract](#)
 [Exhibit 5 - Ordinance and Amendment 1](#)

- L. [ID 20-750](#) 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 Xylem Water Solutions U.S.A., Inc., for the purchase of equipment, materials and parts for the operation and maintenance of the ultraviolet disinfection system at the Wastewater treatment plants; providing for the expenditure of funds therefor; and providing an effective date (IFB 7299 - awarded to Xylem Water Solutions U.S.A., Inc., in the five (5) year not-to-exceed amount of \$550,000).

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

- M. [ID 20-766](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Secretary or her designee to file a Catastrophe Notice with the Office of the Texas Attorney General, pursuant to Section 552.233(b) of the Government Code, to suspend the applicability of the requirements of the Public Information Act (the "PIA") in accordance with Sections 552.233(c) and 552.233(e) of the Government Code; and providing an effective date.

Attachments: [Exhibit 1 - AIS - PIA Catastrophe Notice](#)
 [Exhibit 2 - Catastrophe Notice](#)
 [Exhibit 3 - Proposed Ordinance PIA Catastrophe Notice](#)

- N. [ID 20-786](#) Consider adoption of an ordinance authorizing expenditure of \$100,000.00 in previously budgeted funds for outside counsel and other trial expenses in the litigation styled "City of Denton v. Robert P. Donnelly," pending in the Denton County Probate Court, Denton County, Texas; and declaring an effective date.

Attachments: [Exhibit 1 - AIS](#)
 [Exhibit 2- Ordinance](#)

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 20-792](#) Consider adoption of an ordinance of the City of Denton confirming the suspension of City of Denton Code of Ordinances (Code) Sections 2-29(b)(14) and 2-29(c)(6) in accordance with City of Denton Code of Ordinances 2-29(b)(13); temporarily amending Code Section 2-29 (City Council Rules of Procedure) because of a declared state of emergency; providing for a severability clause; and providing for an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Ordinance](#)
[Exhibit 3 - Presentation](#)
[Exhibit 4 - 2-29 temporary amendments -3.30 council redline](#)

- B. [A20-0001b](#) Conduct the second of two readings and consider adoption of an ordinance of the City of Denton, Texas annexing approximately 131.94 acres of land, generally south of Allred Road and west of Fort Worth Drive, to the City of Denton, Denton County, Texas, described in Exhibit “A” and depicted on Exhibit “B”; providing for a correction to the City map to include the annexed lands; and providing for a savings clause and an effective date. (A20-0001b, Sagebrook, Hayley Zagurski)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Location Map](#)
[Exhibit 3 - Zoning Map](#)
[Exhibit 4 - Staff Presentation](#)
[Exhibit 5 - Draft Ordinance](#)
[Exhibit 6 - Draft Ordinance Exhibit A](#)
[Exhibit 7 - Draft Ordinance Exhibit B](#)
[Exhibit 8 - Draft Ordinance Exhibit C](#)

- C. [ID 20-788](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, amending Ordinance No. 20-740 regarding the first amendment to the declaration of emergency; amending the Order of Council of the City of Denton issued March 17, 2020 approved by Ordinance No. 20-721; authorizing the expenditure of funds; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Declaration and Order.pdf](#)
[Exhibit 4 - March 13 Mayoral Declaration of Local Disaster](#)
[Exhibit 5 - March 13 Order of the Mayor of the City of Denton](#)
[Exhibit 6 - March 17 Ordinance & Order 20-721](#)
[Exhibit 7 - March 20 Ordinance 20-740 & Order](#)
[Exhibit 8 - March 24 Second Mayoral Declaration of Local Disaster and Order.p](#)

- D. [ID 20-800](#) Consider adoption of an Ordinance of the City of Denton authorizing the Mayor to execute a separation, release, and waiver agreement with Holly Fox; authorizing

expenditures; and providing an effective date.

Attachments: [Exhibit 1 - Signed ordinance with exhibit](#)

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 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.

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 27th day of March 2020 at _____

CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS 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 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.