



# City of Denton

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

## Meeting Agenda

### City Council

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Tuesday, January 5, 2021

3:00 PM

Council Work Session Room

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#### **WORK SESSION BEGINS AT 3:00 P.M. IN THE COUNCIL WORK SESSION ROOM**

#### **REGULAR MEETING BEGINS AT 6:30 P.M. IN THE COUNCIL WORK SESSION ROOM**

Note: Mayor Gerard Hudspeth, Mayor Pro Tem Jesse Davis and Council Members Birdia Johnson, Connie Baker, John Ryan, Deb Armintor and Paul Meltzer will be participating in the work session, closed meeting, and regular meeting via video/teleconference.

#### **REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL**

Due to COVID-19 precautions, members of the public will not be able to attend the January 5, 2021 City Council meeting in-person. To accommodate and receive input on agenda items, citizens will be able to participate in one of the following ways (NOTE: Other than public hearings, citizens are only able to comment one time per agenda item; citizens cannot use both methods to comment on a single agenda item. Public comments are not held for work session reports.):

- Virtual White Card – On December 31, 2020, the agenda was posted online at [www.cityofdenton.com/publicmeetings](http://www.cityofdenton.com/publicmeetings). Once the agenda is posted, a link to the Virtual White Card, an online form, will be made available under the main heading on the webpage. Within this form, citizens may indicate support or opposition and submit a brief comment about a specific agenda item. Comments may be submitted up until the start of the meeting, at which time, the Virtual White Card form will be closed. Similar to when a citizen submits a white card to indicate their position on the item, these comment forms will be sent directly to City Council members and recorded by the City Secretary.

City Council Members review comments received in advance of the meeting and take that public input into consideration prior to voting on an agenda item. The Mayor will announce the number of Comment Cards submitted in support or opposition to an item during the public comment period. Comments will not be read during the meeting. The City Secretary will reflect the number of comments submitted in favor/opposition to an item, the registrant's name, address, and (summary of) comments within the Minutes of the Meeting, as applicable.

OR

- By phone – Citizens wishing to speak over the phone during this Council meeting, may call (940) 349-7800 beginning 30 minutes prior to the meeting start time. Comments by phone will be accepted until the item is opened for discussion by the Council. When the call is initially received, a staff member will receive the caller's information and either: 1) offer to call the citizen back when it is time for them to speak, or 2) record the caller's information, support or opposition, and comment. If the caller chooses to record their support or opposition, rather than speaking during the meeting, the Mayor will announce the number of comments submitted in support or opposition to the item. If the caller wishes to receive a call back, the voice of each caller will be broadcast into the meeting during the public commenting time of their desired agenda item. Individuals will be able to comment once per agenda item, no matter the method.

- At regular meetings only, citizens can speak on any topic that is not on the agenda (Open Microphone). Alert the call taker if you wish to speak under the Open Microphone category. If you would like to give a public report, see the information below.

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 5, 2021, at 3:00 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 any item listed on the Consent Agenda prior to its consideration. Each speaker will be given a total of three (3) minutes to address any item(s). Any person who wishes to address the City Council regarding these items may do so by utilizing the "By Phone" registration process as referenced under the REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL detailed at the beginning of this agenda. Registration is required prior to the time the City Council considers this item. Registrants may call in and remain on hold or receive a call back at the time the Work Session is called to Order and are encouraged to ensure they remain accessible to accept the call.

### **2. Requests for clarification of agenda items listed on this agenda.**

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

- A. [ID 20-2505](#) Receive a report, hold a discussion, and give staff direction regarding the potential sale of Texas Municipal Power Agency's ("Agency") Gibbons Creek Steam Electric Station and related assets in Grimes County, Texas including a review of the economics of the sale, the key provisions of the proposed Asset Purchase Agreement (APA) and the risks associated therewith.

**Attachments:**

[Exhibit 1: Agenda Information Sheet](#)  
[Exhibit 2: Gibbons Creek Sale Presentation](#)  
[Exhibit 3: Asset Purchase Agreement 12-1-2020](#)  
[Exhibit 4: APA Exhibits Part 2 12-1-2020](#)  
[Exhibit 5: APA Schedules 12-1-2020](#)  
[Exhibit 6: APA Exhibit E Project Schedule 12-1-2020](#)  
[Exhibit 7: Escrow Agreement 12-1-2020](#)  
[Exhibit 8: Regulatory Closure Bond 12-1-2020](#)

- B. [ID 20-2252](#) Receive a report, hold a discussion, and give staff direction regarding a legislative update and program for the 87th Session of the Texas Legislature.

**Attachments:**

[Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Draft Legislative Program](#)  
[Exhibit 3 - Resolution](#)  
[Exhibit 4 - Presentation](#)  
[Exhibit 5 - The Legislative Process in Texas](#)  
[Exhibit 6 - How a Bill Becomes a Law](#)

- C. [ID 21-002](#) Receive a report, hold a discussion, and give staff direction on pending City Council requests for information for:
1. Discussion on the electronic “blue card” agenda item comment form to be revised to request people’s email addresses.

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

Following the completion of the Work Session, the City Council will convene in a Closed Meeting to consider specific item(s) 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 20-2544](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consult with the City’s attorneys and discuss status, strategy, and potential resolution of litigation in Cause No. 19-10653-442, styled “Stonetown Country View, LLC v. City of Denton, Texas and Board of Adjustment for City of Denton, Texas” pending in the 442nd Judicial District Court, Denton County, Texas; where discussion of these legal matters in an open meeting 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 otherwise compromise the City’s legal position in pending 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.

**NOTE: Any item for which a formal action at the Regular 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.**

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**REGULAR MEETING OF THE CITY OF DENTON CITY COUNCIL AT 6:30 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. 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. PRESENTATION FROM MEMBERS OF THE PUBLIC**

- A. Review of procedures for addressing the City Council.
- B. Reports from members of the public shall be received through the following two (2) methods. A total of up to seven (7) speakers are permitted to provide public comment and may include any combination of prior registration and open microphone speakers.

1) Pre-registration. This section of the agenda permits any person who has registered in advance to make a citizen report regarding a public business item he or she wishes to be considered by the City Council. Each speaker is allowed a maximum of four (4) minutes to present their report. At the conclusion of each report, the City Council may pose questions to the speaker or may engage in discussion. If the City Council believes that a speaker's report requires a more detailed review, the City Council will give the City Manager or City Staff direction to place the item on a future work session or regular meeting agenda and advise staff as to the background materials to be desired at such meeting.

- A. [ID 20-2538](#) Jonathan King regarding upcoming ADU minimum square footage requirements.
- B. [ID 21-028](#) Brandi Price regarding Recycling issues.
- C. [ID 21-046](#) Stanton Brasher regarding ways to decriminalize small amounts cannabis for personal use in the City of Denton.

2) Open Microphone. This section of the agenda permits any person who has not registered in advance for a citizen report to make comments about public business items not listed on the agenda. Such person(s) shall have registered using the “Virtual White Card” or “By Phone” process outlined by the City on its website or meeting notice.

During open microphone reports under this section of the agenda, the Council may listen to citizens speak. However, because notice of the subject of the open microphone report has not been provided to the public in advance, the Texas Open Meetings Act limits any deliberation or decision by the Council to: a proposal to place the item on a future agenda; a statement of factual information; or a recitation of existing policy. Council Members may not ask the open microphone speakers questions or discuss the items presented during open microphone reports.

NOTE: If audio/visual aids during presentations to Council are needed, they must be submitted to the City Secretary 24 hours prior to the meeting.

## **3. 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 – X). 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 20-2576](#) Consider adoption of an ordinance of the City of Denton repealing Ordinance No. 2008-129 relating to self-fueling of aircraft at the Denton Enterprise Airport; and providing an effective date. Council Airport Committee recommends approval (2-0).

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Ordinance 2008-129](#)

[Exhibit 3 - Amended Airport Rules and Regulations Section 5-11 Rule Change](#)

[Exhibit 4 - Ordinance](#)

- B. [ID 20-2363](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to execute and deliver an Agreement for the Furnishing and Installing of Traffic Signal Equipment by a Municipality, between the City of Denton and the Texas Department of Transportation, regarding Denton's reimbursement total of \$57,031.00 for furnishing traffic signal equipment for the intersections of IH 35E at Teasley Lane, E. McKinney Street at Woodrow Lane, and E. McKinney Street at Mockingbird Lane; authorizing the reimbursement of funds thereof; and providing an effective date.

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Ordinance with TxDOT reimbursement agreement](#)

[Exhibit 3 - Sole Source Approval Letter](#)

- C. [ID 20-2571](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to execute a service agreement with Giving HOPE, Inc., providing for Street Outreach program services in furtherance of the coordinated system of homeless assistance programs; authorizing the expenditure of funds therefor in an amount not to exceed \$64,600.00; and providing an effective date.

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 Ordinance and Agency Agreement](#)

- D. [ID 20-2430](#) Consider approval of a resolution revising Administrative Policy 403.07 "Debt Service Management" and providing for an effective date.

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - FY 2020-21 Red Lined Debt Policy](#)

[Exhibit 3 - Resolution](#)

- E. [ID 20-2431](#) Consider approval of a resolution of the City Council of the City of Denton authorizing and designating representatives of the City to act as custodian of the investment of public funds in the Texas Local Government Investment Pool ("TexPool"); delegating authority to invest funds and act as custodian of investments purchased with local investment funds to TexPool; authorizing the Mayor to execute a resolution authorizing participant in the TexPool investment pools and designating authorized representatives; providing for a repealer; and providing for an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Resolution 2007-037](#)  
[Exhibit 3 - Resolution](#)

- F. [ID 20-2417](#)      Consider approval of a resolution by the City of Denton authorizing the city manager to apply for and accept the 2020 UASI - City of Denton - Specialized Regional Response Teams Sustainment (Grant no. 3421003) in the amount of \$144,137.31 from the State of Texas, Office of the Governor, through a grant from the US Department of Homeland Security for the period of November 1, 2020 through October 31, 2021; and providing an effective date.

**Attachments:**      [Exhibit 1 Agenda Information Sheet - UASI 20-21](#)  
[Exhibit 2 Resolution UASI 20-21](#)

- G. [ID 20-2418](#)      Consider approval of a resolution by the City of Denton authorizing the city manager to apply for and accept the 2020 SHSP - City of Denton - EOD X-RAY EQUIPMENT ENHANCEMENT GRANT (grant no. 4001601) in the amount of \$46,500 from the State of Texas, Office of the Governor, through a grant from the US Department of Homeland Security for the period of November 1, 2020 through October 31, 2021; and providing an effective date.

**Attachments:**      [Exhibit 1 Agenda Information Sheet EOD XRay Equipment](#)  
[Exhibit 2 Resolution XRay Equipment](#)

- H. [ID 21-010](#)      Consider adoption of an ordinance of the City of Denton, Nunc Pro Tunc, correcting an inadvertent mistake in Ordinance No. 20-2235, providing for a savings clause and an effective date.

**Attachments:**      [Exh 1 - AIS Animal Services Nunc Pro Tunc](#)  
[Exh 2 - November 10, 2020 minutes - Signed](#)  
[Exh 3 - NUNC PRO TUNC Ord. w Exh A](#)  
[Exh 4 - 20-2235 Amending Sec. 6.8 Tethering AnimalsWithNumberingAcceptCr](#)

- I. [ID 20-2547](#)      Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to accept the Denton Benefit League Grant in the amount of \$7,307.71, for the period of December 1, 2020 through July 1, 2021; authorizing the City Manager to carry out all duties of the City pursuant to the grant; providing for the expenditure of funds; providing a savings clause; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - DBL Grant Ordinance and MOU](#)

- J. [ID 20-2555](#)      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 Sunbelt Pools, Inc., through the Buy Board Cooperative Purchasing Network Contract # 613-20, for the supplies, equipment, and chemicals for all aquatic facilities - Water Works Park, the Natatorium, the Civic Center Pools, and the Carl Young Jr. Splash Pad for the Parks and Recreation Department to be stocked in the Warehouse; providing for the expenditure of funds therefor; and providing an effective date (File 7290 - awarded to

Sunbelt Pools, Inc., for one (1) year, with the option for two (2) additional one (1) year extensions, in the total three (3) year not-to-exceed amount of \$480,000.00).

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

- K.    [ID 20-2558](#)    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 Obra Ramos Construction, LLC, for the construction of the McKenna Park Improvements for the Parks and Recreation Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 7493 - awarded to Obra Ramos Construction, LLC, in the not-to-exceed amount of \$987,833.38).

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

- L.    [ID 20-2559](#)    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 Professional Services Agreement with Gallagher Bassett Services, Inc., for third party administration services to manage workers' compensation claims for the employee injuries under the City's self-funded workers' compensation program as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (File 7553 - Professional Services Agreement for third party administration services awarded to Gallagher Bassett Services, Inc., in the five (5) year not-to-exceed amount of \$770,000.00).

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

- M.    [ID 20-2560](#)    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 with Angel Armor, LLC, through the City of Grand Prairie Contract Number #19112, for the purchase of ballistic vests for the Denton Police Department; providing for the expenditure of funds therefor; and providing an effective date (File 7570 - awarded to Angel Armor, LLC, in the not-to-exceed amount of \$254,800.00).

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

- N.    [ID 20-2561](#)    Consider adoption of an ordinance ratifying the expenditure of funds by the City Manager and the Purchasing Agent for the purchase of excess workers' compensation insurance coverage for the City of Denton, and authorizing the expenditure of additional funds for such purpose, through the City's sole broker of record, Lockton Companies, LLC,; and



providing an effective date (File 7594 - awarded to Midwest Employers Casualty Company for a three (3) year not-to-exceed amount of \$830,170.00).

**Attachments:**      [Exhibit 1- Agenda Information Sheet](#)  
[Exhibit 2- MECC Excess Workers' Compensation Proposal](#)  
[Exhibit 3- Broker Recommendation Letter](#)  
[Exhibit 4 - LLC Members](#)  
[Exhibit 5 - Ordinance](#)

- O.    [ID 20-2562](#)    Consider adoption of an ordinance ratifying the expenditure of funds by the City Manager and the Purchasing Agent for the purchase of excess liability insurance coverage for the City of Denton, and authorizing the expenditure of additional funds for such purpose, through the City's sole broker of record, Lockton Companies, LLC,; and providing an effective date (File 7595 - awarded to Argo Group International Holdings Ltd. for a three (3) year not-to-exceed amount of \$906,981.00).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Argo Group Proposal for Excess General Liability](#)  
[Exhibit 3 - Broker Recommendation Letter](#)  
[Exhibit 4 - LLC Members](#)  
[Exhibit 5 - Ordinance](#)

- P.    [ID 20-2577](#)    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 Kimley-Horn and Associates, Inc., amending the contract approved by City Council on September 18, 2018, in the not-to-exceed amount of \$239,850.00; said first amendment to continue to provide an Americans with Disabilities (ADA) Act Compliance Review and Transition Plan; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-033 - providing for an additional first amendment expenditure amount not-to-exceed \$338,000.00, with the total contract amount not-to-exceed \$577,850.00).

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

- Q.    [ID 20-2578](#)    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 Matrix Design Group, Inc., to provide professional services for the preparation of a Comprehensive Plan Evaluation Report and to update the Comprehensive Plan for the Development Services Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7416 - awarded to Matrix Design Group, Inc., in the not-to-exceed amount of \$91,920.00).

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



- R. [ID 21-013](#) 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 Professional Services Agreement with Focused Advocacy LLC, to assist the City of Denton in advancing its state legislative program for Line 2 - Fee for Denton Municipal Electric Consulting; providing for the expenditure of funds therefor; and providing an effective date (RFP 7422 - awarded to Focused Advocacy LLC, for two (2) years in the amount of \$152,334.00, with the option for two (2) additional two (2) year extensions, for a total of six (6) years in a total not-to-exceed amount of \$457,000.00).

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

- S. [ID 21-014](#) 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 Professional Services Agreement with Jackson Walker, LLP, to assist the City of Denton in advancing its state legislative program, assist Council and Staff in addressing proposed legislation, and make the City aware of any legislative or administrative initiatives believed to be detrimental to the interests of the City for Line 1 - Fee for General Consulting; providing for the expenditure of funds therefor; and providing an effective date (RFP 7422 - awarded to Jackson Walker, LLP, for two (2) years in the amount of \$176,334.00, with the option for two (2) additional two (2) year extensions, for a total of six (6) years in a total not-to-exceed amount of \$529,000.00).

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

- T. [ID 20-2494](#) Consider adoption of an ordinance of the City of Denton, a Texas Home-Rule Municipal Corporation, renaming Karina Street between its intersections with Loop 288 and Kimberly Drive to Courthouse Drive; providing for severability and an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Site Location Map](#)  
[Exhibit 3 - Request Letter from Denton County](#)  
[Exhibit 4 - Draft Ordinance](#)

- U. [ID 20-2499](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, renaming Lynbrook Drive to Basham Lane between its intersection with Briarbrook Drive and its northern terminus approximately 110 feet north of Chevy Chase Drive within Phase 1 of the Stark Farms Addition; providing for severability and an effective date.

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Final Plat](#)

[Exhibit 3 - Letters of No Objection](#)

[Exhibit 4 - Draft Ordinance](#)

- V. [ID 20-2307](#)      Consider adoption of an ordinance authorizing the City Manager to execute a Joint Funding Agreement for Water Resource Investigations with the United States Geological Survey (USGS) related to continued support of the Hickory Creek Streamflow Station in the amount of \$4,700.00 (Agreement Number: 21SJFATX161000); authorizing the expenditure of funds therefor; and providing an effective date. The Public Utilities Board recommends approval (6-0).

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Ordinance and Agreement](#)

- W. [ID 20-2542](#)      Consider adoption of an ordinance of the City of Denton, Texas, authorizing the City Manager to execute a Wastewater Main Cost Participation Agreement with Denton Independent School District ("DISD") for the City's participation in the oversizing of wastewater main in accordance with the terms and conditions of this ordinance; authorizing the expenditure of funds therefore; and, providing an effective date (in the not-to-exceed amount of \$162,660.00). The Public Utilities Board recommends approval (6-0).

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Calculation of the Oversize Participation](#)

[Exhibit 3 - Ordinance Agreement with site maps - Updated](#)

- X. [ID 20-2563](#)      Consider appointments to City Council Committees.

Attachments:      [Exhibit 1 - AIS MCC Committees - Appointments - Updated 01-05-2021](#)

[Exhibit 2 - MCC Committees - Proposed Appointments - Updated 01-05-2021](#)

[Exhibit 3 - Council Committee Narrative - Updated 01-05-2021](#)

#### **4. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. [ID 21-001](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, suspending the January 23, 2021 effective date of CoServ Gas, Ltd.'s requested rate increase to permit the City time to study the request and to establish reasonable rates; approving cooperation with other cities in the CoServ Gas, Ltd. service area; approving the hiring of legal counsel and consultants to represent City in all matters associated with CoServ Gas, Ltd.'s application to increase rates and appeals thereof; authorizing intervention in docket OS-20-00005136 at the Railroad Commission; authorizing reimbursement of City's rate case costs and expenses; finding that the meeting at which this Ordinance was passed was open to the public and that public notice was given as required; authorizing and requiring issuance of a copy of this Ordinance to CoServ Gas, Ltd. and legal counsel; and providing an effective date.

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

- B.    [ID 21-040](#)      Consider approval of a resolution of the City of Denton adopting the City of Denton's 2021 State Legislative Program for the 87th Texas Legislature; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Draft Legislative Program](#)  
                                 [Exhibit 3 - Resolution](#)

- C.    [ID 20-2557](#)      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 Eurovia Atlantic Coast LLC, dba Sunmount Paving Company as the primary vendor and Jagoe-Public Company as the secondary vendor for the supply and installation of Hot Mix Asphalt Concrete for the Streets Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7486 - awarded to Eurovia Atlantic Coast LLC, dba Sunmount Paving Company and Jagoe-Public Company, for one (1) year, with the option for three (3) additional one (1) year extensions, in the total four (4) year not-to-exceed amount of \$12,000,000.00).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Pricing Evaluation](#)  
                                 [Exhibit 3 - LLC Members](#)  
                                 [Exhibit 4 - Presentation](#)  
                                 [Exhibit 5 - Ordinance and Contracts](#)

- D.    [ID 20-2362](#)      Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a park development agreement between the City of Denton and Forestar (USA) Real Estate Group Inc. for the dedication of park land at the Country Club Terrace phase 1 and phase 2 development; authorizing acceptance of land; and providing an effective date.

**Attachments:**      [Exhibit 1 – Agenda Information Sheet](#)  
                                 [Exhibit 2 - Ordinance - Updated](#)  
                                 [Exhibit 3 – Presentation](#)

- E.    [ID 20-2575](#)      Consider approval of a resolution of the City of Denton, Texas creating a Sustainability Framework Advisory Committee; establishing a charge for the committee; and, providing an effective date.

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

- F.    [S20-0011](#)      Consider adoption of an ordinance of the City of Denton extending the approval period for a Specific Use Permit for a manufactured housing park originally approved via

Ordinance S17-0008d for an approximately 126.1-acre property generally located north of East McKinney Street and west of South Trinity Road in the City of Denton, Denton County, Texas; adopting an amendment to the City's official zoning map; providing for a penalty in the maximum amount of \$2,000 for violations thereof; providing for severability; and establishing an effective date. (S20-0011, Woodlands of McKinney Street, Hayley Zagurski)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Ordinance S17-0008d](#)  
                              [Exhibit 3 - Extension Request](#)  
                              [Exhibit 4 - LLC Members List](#)  
                              [Exhibit 5 - Presentation](#)  
                              [Exhibit 6 - Draft Ordinance](#)

## **5. PUBLIC HEARINGS**

- A.    [AES20-000](#)    Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas  
      [6b](#)                approving an Alternative Environmentally Sensitive Area Plan for a site generally located on the south side of the I-35 East Service Road, approximately 672 feet west of Sam Bass Boulevard, in the City of Denton, Denton County, Texas; adopting an amendment to the city's official Environmentally Sensitive Areas map; authorizing the acceptance and execution of a conservation easement from Acme Brick Company; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. (AES20-0006, Urban Logistics 35, Christi Upton)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Staff Analysis](#)  
                              [Exhibit 3 - Site and ESA Location Map](#)  
                              [Exhibit 4 - ESA Field Assessment Report](#)  
                              [Exhibit 5 - Urban Logistics 35 AESA Plan](#)  
                              [Exhibit 6 - AESA Conservation Agreement V2](#)  
                              [Exhibit 7 - Notification Map and Responses](#)  
                              [Exhibit 8 - Draft Ordinance V2](#)  
                              [Exhibit 9 - Staff Presentation](#)

- B.    [Z20-0009a](#)    Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a change in the zoning district and use classification from Highway Corridor (HC) District to Light Industrial (LI) District on approximately 10.47 acres of land and a change in zoning district and use classification from Heavy Industrial (HI) District to LI District on approximately 13.09 acres of land generally located on the south side of the I-35 East Service Road, approximately 672 feet west of Sam Bass Boulevard, in the City of Denton, Denton County, Texas; adopting an amendment to the City's official zoning map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted [7-0] to approve the request. (Z20-0009a, Urban Logistics

35, Hayley Zagurski)

**Attachments:**     [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Staff Analysis](#)  
[Exhibit 3 - Site Location Map](#)  
[Exhibit 4 - Future Land Use Map](#)  
[Exhibit 5 - Existing Zoning Map](#)  
[Exhibit 6 - Proposed Zoning Map](#)  
[Exhibit 7 - Comparison of Permitted Uses](#)  
[Exhibit 8 - Presentation](#)  
[Exhibit 9 - Notification Response Map](#)  
[Exhibit 10 - Draft Ordinance](#)

- C.    [Z20-0011b](#)     Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a change in the zoning district and use classification from Planned Development (PD) District to Residential 1 (R1) District on approximately 4.23 acres of land generally located on the east side of State School Road, approximately 150 feet southeast of Winston Drive, in the City of Denton, Denton County, Texas; adopting an amendment to the city's official zoning map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. (Z20-0011, State School Road Estate, Karina Maldonado) THE REQUEST WAS RE-NOTICED FOR THE JANUARY 12, 2021 CITY COUNCIL MEETING.

**Attachments:**     [Exhibit 1 - Agenda Information Sheet](#)

## **6. 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 31st day of December, 2020 at 4:00 p.m.

\_\_\_\_\_  
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.