



# 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, February 9, 2021

2:00 PM

Council Work Session Room

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#### **SPECIAL CALLED MEETING**

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

**CLOSED MEETING WILL BEGIN IMMEDIATELY FOLLOWING THE WORK SESSION**

**CITY COUNCIL CONSIDERATION OF THE CONSENT AGENDA AND ITEMS FOR INDIVIDUAL CONSIDERATION WILL BEGIN IMMEDIATELY FOLLOWING THE CLOSED MEETING 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 and 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 February 9, 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 February 5, 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, February 9, 2021, 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 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 21-238](#) Receive a report, hold a discussion, and give staff direction regarding a Denton County Transportation Authority (DCTA) update, a proposed plan for on-demand service, and next steps.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Presentation](#)
- B. [ID 21-206](#) Receive a report, hold a discussion, and give staff direction regarding the May 1, 2021 General Election, and any runoff election if applicable, including locations, dates, and times.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - May June 2021 Polling Locations - Follow Up](#)  
[Exhibit 3 - By District Maps of EV & ED Locations for May 1, 2021](#)
- C. [ID 20-2182](#) Receive a report, hold a discussion, and give staff direction regarding the Downtown Denton Tax Increment Reinvestment Zone No. 1 study and analysis being conducted by

TXP, Inc. and discuss associated projects being considered for TIRZ funding.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - TXP Scope of Work](#)  
[Exhibit 3 - RTKL Catalyst Study](#)  
[Exhibit 4 - Project Plan](#)  
[Exhibit 5 - TIRZ Finance Plan](#)  
[Exhibit 6 - TIRZ Project Summary & Timeline](#)  
[Exhibit 7 - Presentation](#)

- D. [ID 21-124](#)      Receive a report, hold a discussion, and give staff direction regarding the Economic Development Strategic Plan and strategies for implementation.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Draft Economic Development Strategic Plan](#)  
[Exhibit 3 - Draft Implementation Matrix](#)  
[Exhibit 4 - Presentation](#)

- E. [ID 20-2273](#)      Receive a report, hold a discussion, and give staff direction on pending City Council requests for:

1. Form a formal partnership between City of Denton and Solutions Addiction Treatment Center to help fund their new group homes.
2. Evening Board and Commission meetings.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Ordinance19-2026 - City Council Request Process](#)  
[Exhibit 3 - Community Services Source Funding Chart](#)  
[Exhibit 4 - B&C Meetings prior to COVID-19](#)  
[Exhibit 5 - B&C Virtual meetings since May 2020](#)  
[Exhibit 6 - 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 21-187](#)      Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff, discuss, deliberate, and provide staff with direction pertaining to terms and conditions of a potential lease of City-owned property in the BBB & CRR Survey, Abstract No. 185, Denton County, Texas, and located generally south of Parkway Street, between Bolivar Street and North Elm Street, City of Denton, Texas; and the potential sale of City owned property in the Robert Beaumont Survey, Abs No

31 and the William Neill Survey, Abstract No. 971, City of Denton, Denton County, Texas, and being known as part of Lots 6 and 8, Block 1 Barb's Addition, Denton County, Texas, near Carroll Street and Parkway Street. Consultation with the City's attorneys regarding legal issues associated with the potential disposal, sale, and lease involving the real property described above 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 negotiation, administrative proceeding, or potential litigation.

- B. [ID 21-232](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff, consult with the City's attorneys, and provide direction pertaining to the status, strategy, and possible resolution of condemnation case styled City of Denton v. Robert P. Donnelly, Cause Number PR-2018-01099, pending in the Probate Court of 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 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 Closed Meeting, the City Council will convene in a Special Called Meeting to consider the following items:

## **2. 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 – K). 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 21-176](#) Consider approval of the minutes of January 26, 2021 and February 1, 2021.

Attachments:      [Exhibit 1 - January 26, 2021 Minutes](#)  
                             [Exhibit 2 - February 1, 2021 Minutes](#)

- B. [ID 21-140](#) Consider adoption of an ordinance of the City of Denton ratifying and approving the execution of a contract with the Texas Department of Housing and Community Affairs (the “TDHCA Contract”) allocating to City funds for the Texas Emergency Rental Assistance Program and the Texas Eviction Diversion Program; authorizing the receipt and expenditure of funds therefor; authorizing the City Manager to execute a Memorandum of Understanding with the United Way of Denton County, Inc. providing for a subaward of the obligations and funds allocated under the TDHCA Contract; authorizing the expenditure of funds therefor; and providing an effective date.

Attachments:      [Exhibit 1: Agenda Information Sheet](#)  
                             [Exhibit 2: Ordinance and MOU with United Way of Denton County](#)

- C. [ID 21-057](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to execute a grant agreement with the United Way of Denton County, Inc. providing for working capital for the Emergency Solutions Grant Program in furtherance of the coordinated system of homeless assistance programs; authorizing the expenditure of funds therefor; and providing an effective date.

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

- D. [ID 21-132](#) Consider adoption of an ordinance of the City Council of the City of Denton authorizing the City Manager to execute an agreement with the Texas Historical Commission to participate in the Texas Main Street Program demonstrating the City of Denton’s commitment to continue as a “Sustaining Level Official Main Street City” and authorizing payment of the annual fee in the amount of \$2,600; and providing an effective date.

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

- E. [ID 21-170](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute an Interlocal Agreement with the Denton Independent School District for distance learning through Operation Connectivity wherein the City agrees to contribute an amount not-to-exceed \$571,167.74; and declaring an effective date.

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                             [Exhibit 2 - Ordinance](#)  
                             [Exhibit 3 - Resolution 20-1933](#)

- F. [ID 21-142](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager or

his designee to execute an addendum to Memorandum of Understanding with the Denton Independent School District, for reimbursement to the City in the additional estimated amount of \$571,167.74 for compensation and benefits of Student Resource Officers assigned at DISD for the period of January 1, 2021, through June 30, 2021, and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Ordinance](#)  
                                 [Exhibit 3 - Ordinance 20-1918](#)

- G.    [ID 21-172](#)      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 OCMI, Inc., to provide cost estimating review, cost estimating preparation, and estimate at completion projection services for the City of Denton's capital infrastructure projects as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7508 - Professional Services Agreement for Cost Estimating Services awarded to OCMI, Inc., for two (2) years, with the option for one (1) additional one (1) year extension, in the total three (3) year not-to-exceed amount of \$402,780.00).

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

- H.    [ID 21-173](#)      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 Procore Technologies, Inc. through the North Central Texas Council of Governments (NCTCOG), contract #2020-064 and ratify a contract executed by Purchasing Agent with Calance Software PVT. Ltd. which is the sole provider of these commodities and services, in accordance with Texas Local Government Code 252.022, which provides that procurement of commodities and services that are available from one source are exempt from competitive bidding, for the purchase and implementation of project management software for the Engineering Department; providing for the expenditure of funds therefor; and providing an effective date (File 7533 - awarded to Procore Technologies, Inc., in the two (2) year not-to-exceed amount of \$363,078.00).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Plante Moran Study](#)  
                                 [Exhibit 3 - Ordinance and Contract](#)

- I.    [ID 21-174](#)      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 Parker Power Systems, Inc., to provide maintenance, inspection, and repair services on generators for various City of Denton departments; providing for the expenditure of funds therefor; and providing an effective date (RFP 7534 - awarded to Parker Power Systems, Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$750,000.00).

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

- J.    [ID 21-175](#)      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 Patel & Patel General Partners dba Deluxe Inn, for temporary emergency shelter in hotels for the Community Development Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7547 - awarded to Patel & Patel General Partners dba Deluxe Inn, in the one (1) year not-to-exceed amount of \$800,000.00).

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

- K.    [ID 21-222](#)      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 NewGen Strategies and Solutions, LLC, a Colorado Limited Liability Company, for transmission rate case filing services related to actions before the Public Utility Commission of Texas as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7532 - Professional Services Agreement for case filing services awarded to NewGen Strategies and Solutions, LLC, in the not-to-exceed amount of \$500,000.00).

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

### **3. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A.    [ID 20-1635](#)      Consider approval of a resolution of the City of Denton adopting an Economic Development Strategic Plan; and providing an effective date. The Economic Development Partnership Board recommends approval (8-0).

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Resolution and Economic Development Strategic Plan](#)  
                              [Exhibit 3 - Implementation Matrix](#)

- B.    [ID 21-171](#)      Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a Lease Agreement between the City of Denton and the Denton Chamber of Commerce for the use and occupancy of approximately 1600 square feet of office space and 100 square feet of storage space in the City building at 401 North Elm Street; and providing an effective date.

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



- C. [ID 21-094](#) Consider approval of a resolution of the City of Denton supporting the TX Legacy Denton, LP's 9% housing tax credit application to Texas Department of Housing and Community Affairs for proposed new construction of The Legacy in Denton Apartments to provide affordable rental housing; committing to provide fee reductions in an amount not to exceed \$500.00; and providing an effective date.

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Resolution of Support](#)

- D. [ID 21-179](#) Consider adoption of an ordinance ordering an election to be held in the City of Denton on May 1, 2021 and, if a runoff election is required, on June 5, 2021, for the purpose of electing Council Members to Districts 1, 2, 3 and 4 of the City Council of the City of Denton, Texas; prescribing the time and manner of the conduct of the election to be in accordance with a joint election agreement and contract for election services with the Election Administrator of Denton County; providing a severability clause; providing an open meetings clause; and providing an effective date.

Attachments:      [Exhibit 1 - AIS Ordering General Election](#)  
                              [Exhibit 2 - Ordinance Ordering General Election 2021- Districts 123 and 4](#)  
                              [Exhibit 3 - Presentation - General Election May 1, 2021](#)

- E. [ID 21-178](#) Consider nominations/appointments to the City's Boards, Commissions, and Committees: Airport Advisory Board, Animal Shelter Advisory Committee, Board of Ethics, Health & Building Standards Commission, Human Services Advisory Committee, Library Board, Parks, Recreation & Beautification Board, Planning & Zoning Commission, Public Art Committee, and Zoning Board of Adjustment.

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Nominations List](#)

#### **4. 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 5th day of February, 2021 at \_\_\_\_\_



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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.