



# 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 23, 2021

3:00 PM

Council Work Session Room

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#### **SPECIAL CALLED MEETING**

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

**CLOSED MEETING BEGINS IMMEDIATELY FOLLOWING THE WORK SESSION IN THE COUNCIL WORK SESSION ROOM**

**CITY COUNCIL CONSIDERATION OF PROCLAMATIONS/PRESENTATIONS, 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, closed meeting 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 23, 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 19, 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.
- For this Special Called Meeting, 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 23, 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 21-231](#) Receive a report, hold a discussion, and give staff direction regarding a Fire Department update.
- Attachments:* [Exhibit 1 Agenda Information Sheet Fire Department Update REVISED](#)  
[Exhibit 2 2020 Department Update](#)
- B. [ID 21-227](#) Receive a report, hold a discussion, and give staff direction regarding an audit follow-up of COVID-19 Response: Disaster Reimbursements.
- Attachments:* [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Audit Response Cover Letter](#)  
[Exhibit 3 - Follow-Up Review of COVID-19 Response: Disaster Reimbursement](#)  
[Exhibit 4 - Presentation](#)
- C. [ID 21-056](#) Receive a report, hold a discussion, and give staff direction regarding an overview of a draft Management Services and Operating Agreement with The Junction for the 909 N. Loop 288 facility and a project update.

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - 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 21-120](#)      Deliberations regarding Personnel Matters - Under Texas Government Code Section 551.074.

Deliberate and discuss the evaluation, duties, discipline, dismissal, compensation, and/or contract of the City Auditor.

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.**

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

### **1. PROCLAMATIONS/PRESENTATIONS**

- A.    [ID 21-277](#)      Special recognition for Todd Hileman

### **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 – L). 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 21-248](#) Consider approval of the minutes of February 2, February 4, February 9, February 12, and February 19, 2021.
- Attachments: [Exhibit 1 - February 2, 2021 Minutes](#)  
[Exhibit 2 - February 4, 2021 Minutes - State of the City](#)  
[Exhibit 3 - February 9, 2021 Minutes](#)  
[Exhibit 4 - February 12, 2021 Minutes](#)  
[Exhibit 5 - February 19, 2021 Minutes](#)
- B. [ID 21-127](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation (“City”), authorizing the City Manager, or his designee, to execute an interconnection agreement with Oncor Electric Delivery Company, LLC, a Delaware Limited Liability Company (“ONCOR”), stating the terms and conditions under which the parties’ electric systems are interconnected; and, providing an effective date.
- Attachments: [Exhibit 1: Agenda Information Sheet](#)  
[Exhibit 2: Ordinance \(w/Interconnection Agreement between City of Denton and](#)  
[Exhibit 3: LLC Member List](#)
- C. [ID 21-078](#) Consider approval of a resolution of the City Council of the City of Denton, approving the 2019/2020 Tax Increment Reinvestment Zone Number Two (Westpark TIRZ) annual report; and declaring an effective date. The TIRZ Number Two Board recommends approval (9-0).
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Resolution and 2019-20 Annual Report](#)  
[Exhibit 3 - Form 50-806](#)
- D. [ID 21-157](#) Consider approval of a resolution of the City Council of the City of Denton, Texas, approving the 2019-2020 Tax Increment Reinvestment Zone Number One (TIRZ #1) Annual Report; and declaring an effective date. The TIRZ #1 Board recommends approval (6-0).
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Resolution and 2019-20 Annual Report](#)  
[Exhibit 3 - Form 50-806](#)
- E. [ID 21-203](#) 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 WM. M. Coleman & Associates, Inc. dba Coleman & Assoc. Land Surveying, for Landfill Surveying Services for Landfill Cell 4 B-C-D and associated site improvements of the City of Denton Landfill as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7109-018 - Professional Services Agreement for landfill surveying services awarded to WM. M. Coleman & Associates, Inc. dba Coleman & Assoc. Land Surveying, in the not-to-exceed amount of \$116,185.00). The Public Utilities Board recommends approval (4 - 0).

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

[Exhibit 2 - Ordinance and Contract](#)

- F.    [ID 21-226](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive bids under IFB 7359 for Lawn and Groundskeeping Equipment, Supplies, and Services for various City Departments; and providing an effective date (IFB 7359).

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

[Exhibit 2 - Ordinance](#)

- G.    [ID 21-252](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or her designee, to execute a contract with Bryan & Sons Locksmith, Inc., to provide locksmith services for various City of Denton departments; providing for the expenditure of funds therefor; and providing an effective date (RFP 7356 - awarded to Bryan & Sons Locksmith, Inc., for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$150,000.00).

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

[Exhibit 2 - Ordinance and Contract](#)

- H.    [ID 21-255](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or her designee, to execute a contract with Jagoe-Public Company, for the construction of the Lake Forest Park Pond and Dam Rehab project for the Parks and Recreation Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 7518 - awarded to Jagoe-Public Company, in the not-to-exceed amount of \$3,021,706.94).

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

[Exhibit 2 - Bid Tabulation](#)

[Exhibit 3 - Presentation](#)

[Exhibit 4 - Ordinance and Contract](#)

- I.    [ID 21-256](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or her designee, to execute a contract with Enviromatic Systems of Fort Worth, Inc., through the Buy Board Cooperative Purchasing Network Contract # 631-20, for the acquisition, repair, and maintenance of building management system controls on heating, ventilation, and air conditioning systems for City buildings; providing for the expenditure of funds therefor; and providing an effective date (File 7535 - awarded to Enviromatic Systems of Fort Worth, Inc., in the not-to-exceed amount of \$2,000,000.00).

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

[Exhibit 2 - Ordinance and Contract](#)

- J.    [ID 21-258](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or her designee, to execute a contract with Techline, Inc., for the purchase of Roll Duct, PVC conduit, fittings, and accessories to be

stocked in the City of Denton Warehouse for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (IFB 7573 - awarded to Techline, Inc., in the one (1) year not-to-exceed amount of \$1,400,000.00).

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

- K.    [ID 21-319](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or her designee, to execute a Professional Services Agreement with Kimley-Horn and Associates, Inc., for professional engineering services for the Ryan Road Corridor Improvements Project for the Capital Projects-Engineering Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-097 - Professional Services Agreement for engineering services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of \$461,100.00).

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

- L.    [ID 21-265](#)      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 Mile Post D101.09 Alliance Subdivision, in Denton, Denton County, Texas; authorizing the City Manager to execute the Agreement; authorizing the expenditure of funds; and providing an effective date.

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

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

- A.    [AESA20-000](#)      Consider adoption of an ordinance of the City of Denton, Texas approving an Alternative  
[6c](#)                      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. THE APPLICANT REQUESTS THAT CITY COUNCIL MOVE TO POSTPONE THIS ITEM TO MARCH 2, 2021. (AESA20-0006, Urban Logistics 35, Christi Upton)

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

- B.    [ID 21-133](#)      Consider approval of a resolution of the City of Denton adopting the 2020-2021 City Council priorities and 2021 work plan for the City of Denton; and providing an effective date.

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

[Exhibit 2 - Draft Resolution](#)

[Exhibit 3 - Presentation](#)

- C.    [ID 21-204](#)      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 JRD, LLC dba Maslonka Powerline Services, LLC, for transmission line construction services for DME Capital Improvement Plan projects; providing for the expenditure of funds therefor; and providing an effective date (RFP 7483 - awarded to JRD, LLC dba Maslonka Powerline Services, LLC, in the four (4) year not-to-exceed amount of \$15,880,000.00). The Public Utilities Board recommends approval (4 - 0).

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

[Exhibit 2 - Pricing Evaluation](#)

[Exhibit 3 - Project Location Map](#)

[Exhibit 4 - Project List and Estimated Schedule](#)

[Exhibit 5 - LLC Members](#)

[Exhibit 6 - Presentation](#)

[Exhibit 7 - Ordinance and Contract](#)

- D.    [ID 21-233](#)      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 Hammett Excavation, Inc., for the excavation and construction of Cells 4B-C-D at the City of Denton Landfill; providing for the expenditure of funds therefor; and providing an effective date (RFP 7540 - awarded to Hammett Excavation, Inc., in the not-to-exceed amount of \$3,247,974.84). The Public Utilities Board recommends approval (5 - 0).

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

[Exhibit 2 - Pricing Evaluation](#)

[Exhibit 3 - Site Map](#)

[Exhibit 4 - Presentation](#)

[Exhibit 5 - Ordinance and Contract](#)

- E.    [ID 21-355](#)      Consider adoption of an ordinance amending the City of Denton Utility System Extendible Commercial Paper Program to increase the authorized amount of notes to \$300,000,000.

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

[Exhibit 2 - Ordinance](#)

[Exhibit 3 - Staff Presentation - Updated 02-23-2021](#)

- F.    [ID 21-356](#)      Consider adoption of an ordinance amending Ordinance No. 2021-070 authorizing the issuance of "City of Denton Utility System Revenue Refunding Bonds, Series 2021" to increase the authorized amount of bonds that may be issued to \$300,000,000.

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

[Exhibit 2 - Ordinance](#)

- G.    [ID 21-361](#)      Consider adoption of an ordinance of the City of Denton extending the effective period of



the Declaration of Local Disaster executed by the Mayor on February 19, 2021; approving an updated Order of the Mayor; and providing an effective date.

**Attachments:**     [Exhibit 1 - Agenda Information Sheet \(Extension of Declaration\)](#)  
[Exhibit 2 - Declaration of Local Disaster and Order 02-19-2021](#)  
[Exhibit 3 - Presentation](#)  
[Exhibit 4 - Draft Declaration of Local Disaster Ordinance](#)  
[Exhibit 5 - Draft Order of Council](#)

- H. [ID 21-354](#) Consider adoption of an ordinance declaring an unopposed candidate in the May 1, 2021 General City Election, declaring Jesse Davis elected to office and cancelling the election in District 3; providing a severability clause; providing an open meetings clause; and providing an effective date.

**Attachments:**     [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 – Certification of Unopposed Candidate for District 3](#)  
[Exhibit 3 - Proposed Ordinance and Exhibits](#)  
[Exhibit 4 - Ordinance 21-179 Ordering 5-1-2021 Election](#)  
[Exhibit 5 - Presentation](#)

- I. [ID 21-266](#) Consider nominations/appointments to the City's Boards, Commissions, and Committees: Airport Advisory Board, Board of Ethics, Historic Landmark Commission, and Human Services Advisory Committee.

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

#### **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 19th day of February, 2021 at 5:20 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.