



City of Denton

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

Meeting Agenda

City Council

Tuesday, March 2, 2021

2:00 PM

Council Work Session Room

WORK SESSION BEGINS AT 2:00 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 March 2, 2021 meeting, 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 26, the agenda was posted online at 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, March 2, 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 20-1886](#) 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 - Presentation](#)

- B. [ID 21-337](#) Receive a report, hold a discussion, and give staff direction regarding processes, impacts, and results of service delivery during the February 2021 inclement weather event by the following departments:

1. Information Technology
2. Solid Waste
3. Customer Service
4. Animal Services

Attachments: [Exhibit 1 - Agenda Information Sheet on Inclement Weather Impacts 03-02-2021](#)
[Exhibit 2 - Presentation - Solid Waste and Recycling](#)
[Exhibit 3 - Presentation - Technology Services](#)
[Exhibit 4 - Presentation - Customer Service](#)
[Exhibit 5 - Presentation - Animal Services](#)

- C. [ID 20-2531](#) Receive a report, hold a discussion, and give staff direction regarding the proposed prioritization and implementation of the City's Capital Improvement Projects.

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

- D. [ID 20-2386](#) Receive a report, hold a discussion, and give staff direction on pending City Council

requests for:

(1) Audit of all aspects (procedural, infrastructural, and financial) of the City's response this recent statewide and local power shortage, including but not limited to the related water shortage and other forms of local emergency management for the duration of the statewide and local power shortage. (Internal Audit request)

Attachments: [Exhibit 1 - Agenda Information Sheet - Pending Council Request](#)
 [Exhibit 2 - Ordinance19-2026 - City Council Request Process](#)
 [Exhibit 3 - Ordinance 20-1783](#)
 [Exhibit 4 - 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 21-406](#) Consultation with Attorneys - Under Texas Government Code Section 551.071

Consult with the City's attorneys and provide direction pertaining to the status, strategy, and potential resolution of litigation in Cause No. 21-1421-16, styled "City of Denton, Texas v. Electric Reliability Council of Texas (ERCOT)," pending in the 16th 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.

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. PROCLAMATIONS/PRESENTATIONS

- A. [ID 21-402](#) Special recognition for Chris Watts
- B. [ID 21-382](#) Special recognition for Todd Hileman
- C. [ID 21-149](#) Proclamation: Ryan High Football Team

3. PRESENTATION FROM MEMBERS OF THE PUBLIC

A. 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.

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.

4. 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 – F). 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 21-322](#) 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 Biggs and Mathews Environmental, Inc., to provide professional services for the Soils and Liner Quality Control and Assurance Plan of Cells 4 B-C-D at the City of Denton Landfill; providing for the expenditure of funds therefor; and providing an effective date (RFP 7109-019 - Professional Services Agreement for professional services awarded to Biggs and Mathews Environmental, Inc., in the not-to-exceed amount of \$238,731.00).

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

- B. [ID 21-325](#) 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 Hawaii Drillers Incorporated dba Coastal Netting Systems, for the purchase of portable litter control for the City of Denton Landfill; providing for the expenditure of funds therefor; and providing an effective date (IFB 7605 - awarded to Hawaii Drillers Incorporated dba Coastal Netting Systems, 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 \$390,000.00).

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

- C. [ID 21-327](#) 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 Holt Texas, Ltd., through the Buy Board Cooperative Purchasing Network Contract # 597-19, for Caterpillar heavy equipment repair and maintenance services for various City Departments; providing for the expenditure of funds therefor; and providing an effective date (File 7515 - awarded to Holt Texas, Ltd., in the five (5) year not-to-exceed amount of \$925,000.00).

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

- D. [ID 21-328](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a contract with Bragg Trailers, L.L.C., Holt Texas, LTD., and Interstate Trailers, Inc., for the purchase of trailers for various City Departments; providing for the expenditure of funds therefor; and providing an effective date (IFB 7523 - awarded to Bragg Trailers, L.L.C., Holt Texas, LTD., and Interstate Trailers, 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 \$1,125,000.00).

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

[Exhibit 2- Bid Tabulation](#)

[Exhibit 3 - LLC Members](#)

[Exhibit 4 - Ordinance and Contract](#)

- E. [ID 21-397](#) Consider adoption of an ordinance of the City of Denton amending Ordinance 19-2137 to change the calculation of wastewater volume in schedules SR and SMH for March 2021 through February 2022; and providing an effective date.

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

[Exhibit 2 - Ordinance](#)

- F. [ID 21-407](#) Consider adoption of an ordinance of the City of Denton permitting leak adjustments to water bills for certain circumstances due to winter weather or energy emergency; providing for a severability clause; and providing for an effective date.

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

[Exhibit 2 - Ordinance](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 21-324](#) 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 MRE Consulting, Ltd., for Energy Trading and Risk Management (ETRM) Consulting for the Denton Municipal Electric Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7538 - Professional Services Agreement for consulting services awarded to MRE Consulting, Ltd., in the three (3) year not-to-exceed amount of \$350,000.00).

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

[Exhibit 2 - Evaluation Sheet](#)

[Exhibit 3 - Ordinance and Contract](#)

[Exhibit 4 - Presentation](#)

- B. [AESA20-000](#) Consider adoption of an ordinance of the City of Denton, Texas approving an Alternative
[6d](#) 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. STAFF REQUESTS THAT CITY COUNCIL MOVE TO POSTPONE THIS ITEM TO MARCH 16, 2021. (AESA20-0006, Urban Logistics 35, Christi Upton)

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

- C. [ID 21-376](#) Consider approval of a resolution of the City of Denton regarding the creation of the

Stonehill Ranch Municipal Utility District No. 1 of Denton County, encompassing approximately 161.641 acres of land generally located south and west of Old Stoney Road, and east of Schluter Road, within Division 2 of the Extraterritorial Jurisdiction of the City of Denton, Texas; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Draft Resolution](#)
[Exhibit 3 - Resolution Exhibit A - Map](#)
[Exhibit 4 - Resolution Exhibit B - Petition](#)
[Exhibit 5 - Presentation](#)

- D. [ID 21-404](#) Consider adoption of an ordinance of the City of Denton authorizing the Interim City Manager or her designee to execute an interlocal agreement with the Denton Independent School District for the use of approximately 10,000 square feet of storage space in that certain City warehouse located at 651 S. Mayhill Road; and providing an effective date.

Attachments: [Exhibit 1 - AIS](#)
[Exhibit 2 - Proposed Ordinance and Interlocal Agreement](#)

6. PUBLIC HEARINGS

- A. [ID 21-242](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the provisions of Chapter 26 - Utilities, Article V - Indirect discharge into sanitary wastewater system of the City's Code of Ordinances; providing for a severability clause; providing for a savings clause; providing a penalty; providing for codification; and providing for publication and an effective date. Public Utilities Board recommends 5-0.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Ordinance](#)
[Exhibit 3 - Ordinance Redline](#)
[Exhibit 4 - Current and Proposed Code Language Comparison](#)
[Exhibit 5 - Presentation](#)

- B. [Z20-0012a](#) Hold a public hearing and consider adoption of an ordinance regarding an amendment to the Rayzor Ranch Overlay District to amend the concept and zoning map exhibits and amend development standards and design criteria for development within the eastern portion of the Rayzor Ranch South Campus - South Mixed Use District, being approximately 90.54 acres generally located on the south side of West University Drive/US 380, east of Heritage Trail, and west of Bonnie Brae Street 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 for severability and establishing an effective date. The Planning and Zoning Commission voted [7-0] to approve the request. STAFF IS REQUESTING THIS ITEM BE POSTPONED TO THE MARCH 16, 2021 MEETING. (Z20-0012, Rayzor Ranch East Overlay Amendments, Hayley Zagurski).

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

- C. [PD20-0002c](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a zoning change from General Office (GO) and Rural Residential (RR) Districts to a Planned Development (PD) District on approximately 90 acres. The site is generally located on the north side of Loop 288, between North Elm Street and Bonnie Brae Street, 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 APPLICANT HAS REQUESTED TO POSTPONE THE ITEM TO THE MARCH 16, 2021 CITY COUNCIL MEETING (PD20-0002c, Hirschbach, Julie Wyatt)

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

7. 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 26th day of February, 2021 at 5:40 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.