



City of Denton

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

Meeting Agenda

City Council

Tuesday, May 4, 2021

2:00 PM

Council Work Session Room

WORK SESSION BEGINS AT 2:00 P.M. IN THE 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 May 4, 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 April 30, 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, May 4, 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 21-280](#) Receive a report, hold a discussion, and give staff direction regarding the runoff election if applicable, including locations, dates, and times.

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

- B. [ID 21-690](#) Receive a report, hold a discussion, and give staff direction regarding a request for a resolution of the City of Denton stating no objection to the LDG Vintage Ranch, LP 4% housing tax credit application to Texas Department of Housing and Community Affairs for proposed new construction of Vintage Ranch Apartments in Denton, Texas to provide affordable rental housing.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Vintage Ranch - Application for Resolution of No Objection](#)
[Exhibit 3 - Draft Resolution](#)
[Exhibit 4 - Presentation](#)

- C. [ID 20-2529](#) Receive a report, hold a discussion, and give staff direction regarding an economic development incentive for Ranchland Foods, LLC.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Incentive Application](#)
[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 21-880](#) 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 the potential acquisition of certain real property located in the J. W. Withers Survey, Abstract No. 1343, J. Severe Survey, Abstract No. 1164, B.B.B. & C.R.R. Company Survey, Abstract No. 196, and W. M. Roark Survey, Abstract No. 1087, Denton County, Texas, and located generally along Brush Creek Road, Country Club Road and US HWY 377/Fort Worth Drive, City of Denton, Texas where a public deliberation of such potential acquisition would have a detrimental effect on the City's position in negotiations with a third party. Consultation with the City's attorneys regarding legal issues associated with the potential acquisition of 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 21-888](#) Consultation with Attorneys - Under Texas Government Code Section 551.071

Consult with the City's attorneys and provide direction pertaining to the legal status, legal analysis, legal strategy, and potential resolution of litigation in Cause No. D-1-GN-21-001227, styled "City of Denton, Texas v. Electric Reliability Council of Texas (ERCOT)," pending in the 353rd Judicial District Court, Travis 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 21-667](#) Proclamation: Military Spouse Appreciation

Attachments: [National Military Spouse Appreciation Day 2021.pdf](#)

- B. [ID 21-808](#) Proclamation: Mental Health Month and Children's Mental Health Awareness Day

Attachments: [Denton County's Mental Health Month 2021.pdf](#)

- C. [ID 21-832](#) Proclamation: Drinking Water Week

Attachments: [Drinking Water Week 2021.pdf](#)

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.

- A. [ID 21-820](#) Nathan Goldsmith regarding the traffic in Southridge.

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 – W). 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 21-810](#) Consider the approval of the minutes for April 20, 2021.

Attachments: [Exhibit 1 - April 20, 2021 Minutes](#)

- B. [ID 21-504](#) Consider adoption of an ordinance of the City of Denton approving a second substantial amendment to the City's 2020 Action Plan for Housing and Community Development; authorizing the Interim City Manager to sign and submit the second substantial amendment; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 – Ordinance and Second Substantial Amendment to the 2020 Action F](#)

- C. [ID 21-731](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or her designee, to accept an offer from the Texas Department of Transportation ("TxDOT") to convey a 0.0677 acre portion of property to TxDOT in the E. Puchalski Survey, Abstract No. 996, jointly owned by the City of Denton and the county of Denton, located at 3105 West Prairie Street; authorizing the City Manager to execute all documents necessary to consummate the contemplated transaction including a memorandum of agreement, a possession and use agreement, and a deed; authorizing the City Manager to carry out all duties of the city pursuant to the agreements; providing a savings clause; and providing an effective date.

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

- D. [ID 21-794](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the Interim City Manager to execute Amendment 1 to Agreement with Giving HOPE, Inc., to change the Emergency Solutions Grant CARES Act (ESG-CV) funding allocated under the Agreement to an amount not to exceed \$158,701 and to change the date on which the Agreement terminates to July 31, 2021; providing for the expenditure of funds therefor; and providing an effective date.

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

[Exhibit 2 – Ordinance and Amendment 1 to Agreement](#)

- E. [ID 21-795](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the Interim City Manager to execute Amendment 1 to Agreement with Grace Like Rain, Inc., to change the Emergency Solutions Grant CARES Act (ESG-CV) funding allocated under the Agreement to an amount not to exceed \$104,897.91 and to change the date on which the Agreement terminates to July 31, 2021; providing for the expenditure of funds therefor; and providing an effective date.

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

[Exhibit 2 - Ordinance and Amendment 1 to Agreement](#)

- F. [ID 21-809](#) 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 Service Agreement with United Way Of Denton County, Inc., for allocation of funding from the Emergency Solutions Grant CARES Act (ESG-CV), as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7525-005 - Service Agreement for allocation of funding for the Emergency Solutions Grant CARES Act (ESG-CV) awarded to United Way Of Denton County, Inc., in the not-to-exceed amount of \$128,273.36).

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

[Exhibit 2 - Ordinance and Service Agreement](#)

- G. [ID 21-799](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a second amendment to a contract between the City of Denton and Rey-Mar Construction, amending the contract approved by City Council on May 21, 2019, in the not-to-exceed amount of \$3,418,000.00; amended by Amendment 1 approved by Purchasing; said second amendment to providing additional construction services for the Hickory Creek Lift Station; providing for the expenditure of funds therefor; and providing an effective date (File 6894 - providing for an additional second amendment expenditure amount not-to-exceed \$128,170.68, with the total contract amount not-to-exceed \$3,555,833.36). The Public Utilities Board recommends approval (6 - 0).

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

[Exhibit 2 - Original Ordinance and Contract](#)

[Exhibit 3 - Amendment 1](#)

[Exhibit 4 - Ordinance and Amendment 2](#)

- H. [ID 21-800](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive proposals under RFP 7214 for Utility Scale Solar Energy for Denton Municipal Electric; and providing an effective date (RFP 7214). The Public Utilities Board recommends approval (6 - 0).

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

[Exhibit 2 - Ordinance](#)

- I. [ID 21-801](#) 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 Felix Construction Company, for the repair of LLWTP Filter #2 at the Lake Lewisville Water Treatment Plant for the Water Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7587 - awarded to Felix Construction Company, in the not-to-exceed amount of \$150,000.00). The Public Utilities Board recommends approval (6 - 0).

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

- J. [ID 21-802](#) 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 Anixter, Inc., for the supply of electric meter equipment for the City of Denton, Section A - Electric Meters with the AMI Board; providing for the expenditure of funds therefor; and providing an effective date (IFB 7611 - awarded to Anixter, 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 \$7,355,400.00). The Public Utilities Board recommends approval (6 - 0).

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

- K. [ID 21-804](#) 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 Texas Electric Cooperatives, Inc., for the supply of electric meter equipment for the City of Denton, Section B - Electric Meter Sockets, Section C - Secondary Instrument Rated Transformers, and Section D - Primary Instrument Rated Transformers; providing for the expenditure of funds therefor; and providing an effective date (IFB 7611 - awarded to Texas Electric Cooperatives, 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 \$403,600.00). The Public Utilities Board recommends approval (6 - 0).

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

- L. [ID 21-805](#) 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 Trilliant Networks, Inc., for the supply of electric meter equipment for the City of Denton, Section E - Trilliant Secure Mesh AMI Equipment; providing for the expenditure of funds therefor; and providing an effective date (IFB 7611 - awarded to Trilliant Networks, 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 \$362,700.00). The Public Utilities Board recommends approval (6 - 0).

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

- M. [ID 21-806](#) 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 Professional Services Agreement with NewGen Strategies and Solutions, LLC, for the Electric Utility Cost of Service and Rate Design Study for Denton Municipal Electric, as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7628 - Professional Services Agreement for cost services awarded to NewGen Strategies and Solutions, LLC, in the five (5) year not-to-exceed amount of \$169,500.00). The Public Utilities Board recommends approval (6 - 0).

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

- N. [ID 21-807](#) 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 through the State of Texas Smart Buy Program for the purchase of library print materials as awarded by State of Texas Contract Number 715-M2 Publications, Audiovisual Materials, Books, and Cataloging Services (Prepared Materials Only); providing for the expenditure of funds therefor; and providing an effective date (File 7673 - awarded to Baker & Taylor, LLC, for a term ending October 31, 2024, and in the not-to-exceed amount of \$1,250,000.00).

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

- O. [ID 21-831](#) 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 Ameri-Mex Contractors Inc., for the reconstruction of a residential property located at 3313 Sunnydale Lane, under the City of Denton Home Improvement Program; providing for the expenditure of funds therefor; and providing an effective date (RFP 7616 - awarded to Ameri-Mex Contractors Inc., in the not-to-exceed amount of \$103,400.00).

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

- P. [ID 21-836](#) Consider adoption of an ordinance amending Ordinance No. 20-2079 providing for acceptance of additional eligible Non-Annexation Agreements for agricultural, wildlife management or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as DH-12 of

approximately 1,154 acres located on the south side of E. University Drive, East of N. Mayhill Road, north and south of Blagg Road, north and south of Mills Road, and east and west of S. Trinity Road; providing for severability; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - DH-12 NAA Draft Ordinance](#)

- Q. [ID 21-837](#) Consider adoption of an ordinance amending Ordinance No. 20-2080 providing for acceptance of additional eligible Non-Annexation Agreements for agricultural, wildlife management or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as PAA-1 of approximately 1,171 acres located on the south side of Jim Christal Road, the north side of Tom Cole Road, west of Masch Branch Road; providing for severability; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - PAA-1 NAA Draft Ordinance](#)

- R. [ID 21-838](#) Consider adoption of an ordinance amending Ordinance No. 20-2081 providing for acceptance of additional eligible Non-Annexation Agreements for agricultural, wildlife management or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as PAA-2, an area approximately 1,472 acres located on the south side of FM 1173, north of W. University Drive, west of I-35; providing for severability; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - PAA-2 NAA Draft Ordinance](#)

- S. [ID 21-839](#) Consider adoption of an ordinance amending Ordinance No. 20-2082 providing for acceptance of additional eligible Non-Annexation Agreements for agricultural, wildlife management or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as PAA-3, an area approximately 1,075 acres located on the south side of Ganzer Road, north and south of Barthold Road, north of FM 1173, west of I-35; providing for severability; and providing an effective date.

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

- T. [ID 21-840](#) Consider adoption of an ordinance amending Ordinance No. 20-2083 providing for acceptance of additional eligible Non-Annexation Agreements for agricultural, wildlife management or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as PAA-4, an area approximately 1,555 acres located on the south side of Milam Road, north of Loop 288, east of I-35; providing for severability; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - PAA-4 NAA Draft Ordinance](#)

- U. [ID 21-841](#) Consider adoption of an ordinance providing for acceptance of eligible 212.172

Non-Annexation Agreements for properties that do not have an agricultural, wildlife management or timberland ad valorem tax exemption within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as DH-3, an area of approximately 421 acres located on the south side of Spring Side Road, north, south and west of Corbin Road, west of I-35; providing for severability; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - DH-3 212.172 Agreement Draft Ordinance](#)

- V. [ID 21-842](#) Consider adoption of an ordinance providing for acceptance of eligible 212.172 Non-Annexation Agreements for properties that do not have an agricultural, wildlife management or timberland ad valorem tax exemption within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as DH-12, an area of approximately 1,154 acres located on the south side of E. University Drive, east of N. Mayhill Road, north and south of Blagg Road, north and south of Mills Road, and east and west of S. Trinity Road; providing for severability; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet DH-12](#)
 [Exhibit 2 - DH-12 212.172 Agreement Draft Ordinance](#)

- W. [ID 21-843](#) Consider adoption of an ordinance providing for acceptance of eligible 212.172 Non-Annexation Agreements for properties that do not have an agricultural, wildlife management or timberland ad valorem tax exemption within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as PAA-4, an area of approximately 1,555 acres located on the south side of Milam Road, north of Loop 288, east of I-35; providing for severability; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - PAA-4 212.172 Agreement Draft Ordinance](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION – CONSIDERATION OF THE USE OF EMINENT DOMAIN TO CONDEMN REAL PROPERTY INTERESTS

- A. [ID 21-717](#) Consider adoption of an ordinance of the City of Denton determining the public use, need, and necessity for the acquisition of various (I) permanent water & wastewater easements, (II) permanent electric easements, and (III) temporary construction easements, generally located along Interstate 35E, east of Loop 288 and north of U.S. Highway 380 (University Drive), situated in the John McGowan Survey - Abstract No. 797; the Gideon Walker Survey - Abstract No. 1330, the Memphis, El Paso and Pacific Railroad Company Survey - Abstract No. 950, the Daniel Lombard Survey - Abstract No. 784, and the J. Worrall Survey - Abstract No. 1433, all in the City and County of Denton, Texas, and more particularly described in the attached Exhibit “A” (collectively, the “Property Interests”); authorizing the Interim City Manager and City Attorney, or their respective designees, to acquire the Property Interests by agreement if possible, including making all offers required by law; authorizing the use of the power of eminent domain to

condemn the property interests if agreement cannot be reached; authorizing the City Attorney, or his designee, to file eminent domain proceedings if necessary; authorizing the expenditure of funding; making findings; providing a savings clause; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Project Location Map](#)
 [Exhibit 3 - Recommended Motion](#)

6. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 21-705](#) Consider approval of a resolution confirming revisions to comment cards provided for individuals to comment at City Council meetings; and providing an effective date.

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

- B. [S21-0002a](#) Consider adoption of an ordinance of the City of Denton extending the approval period for a Specific Use Permit to allow for a multifamily dwelling use originally approved via Ordinance S19-0002a for an approximately 15.467-acre property generally located on the north side of East McKinney Street, approximately 1,130 feet east of North Loop 288 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 an effective date. (S21-0002a, Forest Crossing, Julie Wyatt)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance S19-0002a](#)
 [Exhibit 3 - Extension Request](#)
 [Exhibit 4 - LLC Members List](#)
 [Exhibit 5 - Presentation](#)
 [Exhibit 6 - Draft Ordinance](#)

7. PUBLIC HEARINGS

- A. [ID 21-502](#) Hold a public hearing inviting public comment on the 2021 Action Plan for Housing and Community Development.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Draft 2021-22 Action Plan for Housing and Community Development](#)
 [Exhibit 3 - Presentation](#)

- B. [AESA21-000](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas
[1b](#) approving an Alternative Environmentally Sensitive Area Plan for a site generally located on the northwest side of the intersection of Western Boulevard and Jim Christal Road, in the City of Denton, Denton County, Texas; adopting an amendment to the City's Official Environmentally Sensitive Areas Map; providing for a penalty in the maximum amount of

\$2,000.00 for violations thereof; providing a severability clause and an effective date. (AESA21-0001b, Exeter - Martino Property, Christi Upton)

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location and ESAs Map](#)

[Exhibit 4 - ESA Field Assessments](#)

[Exhibit 5 - Exeter - Martino Property - AESA Restoration Plan](#)

[Exhibit 6 - Notification Map and Responses](#)

[Exhibit 7 - Draft Ordinance](#)

[Exhibit 8 - Presentation](#)

- C. [S20-0008b](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a Specific Use Permit to allow for a Multi-Family Dwelling use on approximately 16.106 acres of land, generally located on the south side of East McKinney Street, approximately 530 feet east of the intersection of Mayhill Road and East McKinney 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. (S20-0008b, Legacy Multifamily)

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Zoning Map](#)

[Exhibit 5 - Future Land Use Map](#)

[Exhibit 6 - Site Plan](#)

[Exhibit 7 - Landscape Plan](#)

[Exhibit 8 - Conceptual Elevations](#)

[Exhibit 9 - Notification Map](#)

[Exhibit 10 - Draft Ordinance](#)

[Exhibit 11 - Planning and Zoning Commission Meeting Minutes](#)

[Exhibit 12 - Staff Presentation](#)

- D. [Z20-0014c](#) 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 Residential 6 (R6) to a Light Industrial (LI) district on approximately 12.69 acres of land generally located on the east side of Geesling Road, approximately 320 feet south of E. University 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. The Planning and Zoning Commission voted [5-0] to approve the request. (Z20-0014c, Geesling Road Industrial, Hayley Zagurski).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Current Zoning Map](#)
 [Exhibit 5 - Future Land Use Map](#)
 [Exhibit 6 - Proposed Zoning Map](#)
 [Exhibit 7 - Permitted Uses Comparison](#)
 [Exhibit 8 - LLC Members List](#)
 [Exhibit 9 - Notification Map](#)
 [Exhibit 10 - Draft Ordinance](#)
 [Exhibit 11 - Planning and Zoning Commission Meeting Minutes](#)
 [Exhibit 12 - Presentation](#)

- E. [DCA21-0002](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas
 [a](#) amending the Denton Development Code Section 2.6, “Subdivision Procedures” specifically, amending Subsection 2.6.3, “Preliminary Plat” prohibiting preliminary plats within the Extraterritorial Jurisdiction of the City; 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 [6-0] to approve the request. (DCA21-0002a, Prohibiting Preliminary Plats in the ETJ, Richard D. Cannone, AICP).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Draft Ordinance](#)
 [Exhibit 4 - Presentation](#)

8. 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 official website (<https://www.cityofdenton.com/en-us/government/open/agendas-minutes>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on April 30, 2021 in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

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.