



City of Denton

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

Meeting Agenda

City Council

Tuesday, August 5, 2014

1:00 PM

Work Session Room & Council Chambers

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, August 5, 2014 at 1:00 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:

1. Citizen Comments on Consent Agenda Items

This section of the agenda allows citizens to speak on Consent Agenda Items only. Each speaker will be given a total of three (3) minutes to address any items he/she wishes that are listed on the Consent Agenda. A Request to Speak Card should be completed and returned to the City Secretary before Council considers this item.

2. Requests for clarification of agenda items listed on the agenda for August 5, 2014.

3. Work Session Reports

- A. [ID 14-0410](#) Receive a report, hold a discussion and give staff direction regarding an update on the Convention Center project.

Attachments: [Exhibit 1 - Convention Center Project - City Council Meeting - August 5-2014 \(2\)](#)

- B. [ID 14-0311](#) Receive a report, hold a discussion and give staff direction regarding nominations to the City's Boards and Commissions.

Attachments: [Exhibit 1 - Nominations Sheet](#)

- C. [DCA14-0003](#) Receive a report, hold a discussion and give staff direction regarding amendments to Section 35.16 of the Denton Development Code, requiring developers to provide information regarding the proximity of gas wells through the subdivision and platting process. (DCA14-0003)

- D. [ID 14-0393](#) Receive a report, hold a discussion and give staff direction regarding aesthetics related to the 35Express Project.

Attachments: [Exhibit 1 - July 28, 2014, Public Art Committee Notes](#)
[Exhibit 2 - Identity Signage revised](#)

- E. [ID 14-0315](#) Receive a report, hold a discussion, and give staff direction on the wastewater collection system asset management program and the Water Environment Association of Texas 2014 Sidney Allison Award for Denton.

Attachments: [Exhibit 1 - Award Notification Letter-Sidney Allison-City of Denton Collection Sy](#)
[Exhibit 2 - Asset Management Program](#)
[Exhibit 3 - Papers Presented](#)

- F. [ID 14-0370](#) Receive a report; hold a discussion, and give staff direction regarding the 2014-15 Proposed Budget, Capital Improvement Program and Five-Year Financial Forecast.

Attachments:[Exhibit 1 - FY 2014-2015 Water Rate Ordinance Redline](#)[Exhibit 2 - FY 2014-2015 Wastewater Rate Ordinance-Redline](#)[Exhibit 3 - FY 2014-2015 Solid Waste Recycling Red Line Rate Ordinance](#)[Exhibit 4 - FY 2014-2015 DME Electric Rate Ordinance Redline](#)[Exhibit 5 - FY 2014-2015 Water Rate Ordinance](#)[Exhibit 6 - FY 2014-2015 Wastewater Rate Ordinance](#)[Exhibit 7 - FY 2014-2015 Solid Waste Recycling Rate Ordinance](#)[Exhibit 8 - FY 2014-2015 DME Electric Rate Ordinance](#)

Following the completion of the Work Session, the City Council will convene in a Closed Meeting to consider specific items 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 14-0411](#) Deliberations regarding Real Property - Under Texas Government Code, Section 551.072; and Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the potential purchase of certain real property interests located in the W. Roark Survey, Abstract No. 1087, J. Severe Survey, Abstract 1164, B.B.B. & C.R.R. Co. Survey, Abstract No.196 and the J. W. Withers Survey, Abstract No. 1343, all in Denton County, Texas, generally located along a line running west to east, commencing at U.S. Highway 377 adjacent to the Fort Worth Drive Substation and continuing to the west right of way line of F. M. 1830 City of Denton, Texas. Consultation with the City's attorneys regarding legal issues associated with the potential acquisition and condemnation 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 administrative proceeding or potential litigation. (Denton Municipal Electric Fort Worth T1 Addition Expansion, Denton Municipal Electric Fort Worth Drive and FM 1830 Distribution, and Hickory Creek Detention Facility projects: Burch Family Farms Ltd.) [ID 14-0412]

- B. [ID 14-0391](#) Deliberations regarding Real Property - Under Texas Government Code, Section 551.072; and Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the acquisition of certain real property interests located in the M. Forrest Survey, Abstract Number 417, in the City of Denton, Denton County, Texas, being a fee interest in land, regarding a certain 10.372 acre tract of land

located generally north of Blagg Road and east of Geesling Road, for the public use of expansion, construction, maintenance, operation, and improvement of electric transmission and distribution lines facilities, structures, and substations. Consultation with the City's attorneys regarding legal issues associated with the acquisition of land 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 administrative proceeding or potential litigation. (Denton Municipal Electric Arco Substation Project).

- C. [ID 14-0399](#) Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086.

Receive competitive public power information and competitive financial information from staff in the form of a proposed operating budget for Denton Municipal Electric ("DME") for FY 2014-2015, including without limitation, revenues, expenses, commodity volumes, and commitments; and discuss, deliberate, consider adoption of the budget and other matters, and provide staff with direction regarding such matters.

- D. [ID 14-0403](#) Deliberations regarding Personnel Matters - Under Texas Government Code Section 551.074.

Deliberate and discuss the appointment and duties of public officers to boards or commissions exercising discretionary or rule making power as opposed to purely advisory powers, which includes without limitation the Health and Building Standards Commission, the Historic Landmark Commission, the Planning and Zoning Commission, and the Zoning Board of Adjustment.

- E. [ID 14-0419](#) Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Discuss, deliberate, and receive information from the City's attorneys pertaining to the legal consequences of negotiation and extensions of non-annexation agreements in areas of the City's extraterritorial jurisdiction, and provide the City's attorneys with direction, 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 administrative or legal proceedings.

- F. [ID 14-0420](#) Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Consult with and provide direction to City's attorneys regarding legal issues and strategies associated with Gas Well Ordinance regulation of gas well drilling and production within the City Limits and the extraterritorial jurisdiction, including: Constitutional limitations, statutory limitations upon municipal regulatory authority; statutory preemption and vested rights; impacts of federal and state law and regulations; impacts of gas well drilling upon protected uses and vice-versa;

moratorium on drilling and production; other concerns about municipal regulatory authority or matters relating to enforcement of the Gas Well Ordinance; settlement matters concerning gas well drilling in the City; surface development issues involving surface and mineral estates; and legal matters associated with a citizen's initiative regarding hydraulic fracturing where a public discussion of these legal matters would conflict with the duty of the City's attorneys under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

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 ACTION, DECISION, OR VOTE IS TAKEN IN THE CLOSED MEETING IN ACCORDANCE WITH THE PROVISIONS OF §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 TEX. GOV'T. CODE, §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 §551.071-551.086 OF THE TEXAS OPEN MEETINGS ACT.

Regular Meeting of the City of Denton City Council at 6:30 p.m. in the Council Chambers 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 14-0389](#) Presentation to the Denton Public Library from the Internal Revenue Service-Education and Communication Division.
- B. [ID 14-0283](#) National Health Center Week

3. CITIZEN REPORTS

- A. Review of procedures for addressing the City Council.
- B. Receive citizen reports from the following:
 - A. [ID 14-0282](#) Receive a citizen report from Brian McCarter regarding the creation of a Zero Waste Team in Denton.
 - B. [ID 14-0407](#) Receive a citizen report from Gerald DeMarsh regarding lack of response from the Denton Police Department.

4. CONSENT AGENDA

Each of these items is recommended by the 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 – U). 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, Consent Agenda Items A – U below 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 14-0293](#) Consider adoption of an ordinance of the City of Denton, Texas, granting the Blues Festival a three-year exception, 2014, 2015, and 2016, to the limitations imposed by Section 17-20 of the Code of Ordinances of the City of Denton, Texas, granting an increase from 70 to 75 dba loudspeaker amplification and increased hours for three consecutive years, that being: September 20, 2014, 1:00 p.m. until 10:30 p.m. and September 21, 2014, 1:00 p.m. until 8:30 p.m.; September 19, 2015, 1:00 p.m. until 10:30 p.m. and September 20, 2015, 1:00 p.m. until 8:30 p.m.; September 17, 2016, 1:00 p.m. until 10:30 p.m. and September 18, 2016, 1:00 p.m. until 8:30 p.m.; and setting an effective date. Staff recommends approval of the request.

Attachments: [Exhibit 1 - Letter of request](#)

[Exhibit 2 - Ordinance](#)

- B. [ID 14-0330](#) Consider adoption of an ordinance approving a City sponsorship in an amount not to exceed \$15,000 of in-kind services for the 16th Annual Blues Festival to be held in Quakertown Park on September 20-21, 2014; and providing an effective date.

Attachments: [Exhibit 1 - In-Kind Services and Resources](#)

[Exhibit 2 - Ordinance](#)

- C. [ID 14-0401](#) Consider approval of a resolution allowing the Denton Black Chamber of Commerce to be the sole participant allowed to sell alcoholic beverages at the Denton Blues Festival on September 20-21, 2014, upon certain conditions; authorizing the City Manager or his designee to execute an agreement in conformity with this resolution; and providing for an effective date. The Parks, Recreation and Beautification Board recommend approving the request with a vote of 6-0.

Attachments: [Exhibit 1 - Letter of Request](#)

[Exhibit 2 - Excerpt of 7/7/14 Park Board Minutes](#)

[Exhibit 3 - Proposed Ordinance & Agreement](#)

- D. [ID 14-0317](#) Consider adoption of an ordinance of the City of Denton, Texas, approving an Amendment to the Project Plan for Tax Increment Finance Zone Number 1 (Downtown TIF) by adding examples of certain types of projects which may facilitate economic development, and providing an effective date. (The TIF Board No. 1 recommends approval 5-0).

Attachments: [Exhibit 1 - Ordinance](#)

[Exhibit 2 - Project Plan](#)

- E. [ID 14-0368](#) Consider the re-appointment by the City Manager of Abraham Benavides to the Civil Service Commission.

Attachments: [Exhibit 1 - Benavides Bio - 2014](#)

- F. [ID 14-0374](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract with the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program for the acquisition of one (1) Utility Crane Truck for the City of Denton Wastewater Treatment Department; and providing an effective date (File 5599-Purchase of one (1) Utility Crane Truck from Chastang Ford in the amount of \$110,221). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1 - Quote Summary](#)
 [Exhibit 2 - Chastang Ford Quote](#)
 [Exhibit 3 - Minutes](#)
 [Exhibit 4 - Ordinance](#)

- G. [ID 14-0376](#) Consider adoption of an ordinance authorizing the City Manager to execute an Interlocal Agreement with the City of Krum under Section 791.001 of the State of Texas Government Code, to authorize the purchase and exchange of fire trucks between the City of Denton and City of Krum; authorizing the expenditure of funds therefor; and providing an effective date (File 5609-Interlocal Agreement with the City of Krum).

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

- H. [ID 14-0377](#) Consider adoption of an ordinance awarding a contract for the purchase of upgrade and maintenance services including equipment, for the Radio Communication System for the City of Denton Water Production department as awarded by the State of Texas Department of Information Resources (DIR) through the Go DIRect Program, Contract Number DIR-SDD-2060; providing for the expenditure of funds therefor and providing an effective date. (File 5598 awarded to Johnston Technical Services, Inc. in the three (3) year not-to-exceed amount of \$150,000). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1 - Contract Pricing](#)
 [Exhibit 2 - Minutes](#)
 [Exhibit 3 - Ordinance](#)
 [Exhibit 4 - Contract](#)

- I. [ID 14-0378](#) Consider adoption of an ordinance authorizing the City Manager to execute an Interagency Agreement with the State of Texas Department of Information Resources/Communications Technology Services Division (DIR/CTS) under Section 791.001 of the State of Texas Government Code, to authorize the City of Denton to obtain connectivity services through the TEX-AN network for communication services; authorizing the expenditure of funds therefor; and providing an effective date (File 5585-Interagency Agreement with the Department of Information Resources/Communications Technology Services Division).

Attachments: [Exhibit 1 - Ordinance](#)
 [Exhibit 2-Service Agreement](#)

- J. [ID 14-0379](#) Consider adoption of an ordinance of the City of Denton, Texas, authorizing the City Manager, or his designee, to enter into an interlocal agreement with the North Central Texas Council of Governments (“NCTCOG”) for data collection on pedestrian and bicyclist travel in the region for the Metropolitan Transportation Plan; and providing an effective date (File 5600).

Attachments: [Exhibit 1 - Ordinance](#)
 [Exhibit 2 - Agreement](#)

- K. [ID 14-0380](#) Consider adoption of an ordinance accepting competitive proposals and awarding a public works contract for the construction of a pre-cast concrete security screening fence at the City of Denton Pockrus and McKinney Substations and Linda McNatt Animal Care and Adoption Center; providing for the expenditure of funds therefor; and providing an effective date (RFP 5563-awarded to Walsh’s Hawk Construction Co., LLC in the not-to-exceed amount of \$868,607). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1 - Ranking Sheet](#)
 [Exhibit 2 - Pricing Sheet](#)
 [Exhibit 3 - Evaluation Sheet](#)
 [Exhibit 4 - Minutes](#)
 [Exhibit 5 - Ordinance](#)

- L. [ID 14-0382](#) Consider adoption of an ordinance authorizing the City Manager to execute a three year Professional Services Agreement (PSA) with Coleman and Associates Land Surveying for ground surveying services for the City of Denton Landfill, and providing for an effective date (File 5571-Ground Surveying Services for City of Denton Landfill awarded to Coleman and Associates Land Surveying in an amount not to exceed \$350,000). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1 - Minutes](#)
 [Exhibit 2 - Ordinance](#)
 [Exhibit 3 - Professional Services Agreement](#)

- M. [ID 14-0383](#) Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving the purchase of a Light-Structure Green Lighting System for Soccer Fields located at Mack Park, which are available from only one source and in accordance with Chapter 252.022 of the Texas Local Government Code such purchases are exempt from the requirements of competitive bidding; and providing an effective date (File 5503 awarded to Musco Sports Lighting, LLC (Musco) in the amount of \$147,131 of which \$50,000 will be funded through a 2014 Fiscal Year United Soccer Federation Foundation Grant Agreement).

Attachments: [Exhibit 1 - Grant Agreement](#)
 [Exhibit 2 - Ordinance](#)
 [Exhibit 3 - MUSCO Purchase Agreement](#)

- N. [ID 14-0384](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the supply of Electric Utility Overhead Distribution Conductors for

Denton Municipal Electric; providing for the expenditure of funds therefore; and providing an effective date (RFP 5543-awarded to HD Power Solutions in the three (3) year not-to-exceed amount of \$1,000,000).

Attachments: [Exhibit 1 - Pricing Sheet](#)
 [Exhibit 2 - Evaluation Sheet](#)
 [Exhibit 3 - Ordinance](#)
 [Exhibit 4 - Contract](#)

- O. [ID 14-0385](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the supply of concrete light poles for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 5552-awarded to Techline, Inc. in the three (3) year not-to-exceed amount of \$684,675).

Attachments: [Exhibit 1 - Ranking Sheet](#)
 [Exhibit 2 - Evaluation Sheet](#)
 [Exhibit 3 - Ordinance](#)
 [Exhibit 4 - Contract](#)

- P. [ID 14-0386](#) Consider adoption of an ordinance accepting competitive bids and awarding a contract for the purchase of three (3) Dodge 5500 trucks for the City of Denton Traffic Control and Fire Departments; providing for the expenditure of funds therefor; and providing an effective date (Bid 5569-awarded to the lowest responsible bidder meeting specification, Dallas Dodge, in the amount of \$208,706.32).

Attachments: [Exhibit 1 - Bid Tabulation](#)
 [Exhibit 2 - Ordinance](#)

- Q. [ID 14-0387](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for electric transmission line compression fittings for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 5582-awarded to Techline, Inc. in the three (3) year not-to-exceed amount of \$410,000). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1 - Ranking Sheet](#)
 [Exhibit 2 - Pricing Sheet](#)
 [Exhibit 3 - Minutes](#)
 [Exhibit 4 - Ordinance](#)
 [Exhibit 5 - Contract](#)

- R. [ID 14-0388](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for electric utility transmission line conductor attachments and pole hardware for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 5583-awarded to Stuart C. Irby Company in the three (3) year not-to-exceed amount of \$620,000). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1 - Ranking sheet](#)

[Exhibit 2 - Pricing Sheet](#)

[Exhibit 3 - Minutes](#)

[Exhibit 4 - Ordinance](#)

[Exhibit 5 - Contract](#)

S. [ID 14-0412](#)

Consider adoption of an ordinance finding that a public use and necessity exists to acquire (i) fee simple to an approximate 1.074 acre tract (the "Substation Tract") located in the W. Roark Survey, Abstract No. 1087 and the J. Severe Survey, Abstract No. 1164, both in Denton County, Texas, located generally along the east line of U. S. Highway 377 adjacent to and east of the Fort Worth Drive Substation Addition, and (ii) fee simple to an approximate 0.627 acre tract (the "Pump Station Tract") located in the B.B.B. & C. R. R. Co. Survey, Abstract No. 196 and the J. W. Withers Survey, Abstract No. 1343, both in Denton County, Texas, generally located west and adjacent to the G. C. & S. F. Railroad right of way and running to the west right of way line of F. M. Highway 1830, and (iii) an approximate 0.476 acre ingress and egress easement tract located in the J. Severe Survey, Abstract No. 1164, Denton County, Texas, located generally along the east line of U. S. Highway 377 adjacent to and south of the Fort Worth Drive Substation Addition, Denton County, Texas, and (iv) an approximate 1.802 acre electric utility and communication easement located in the W. Roark Survey, Abstract No. 1087, Denton County, Texas, located generally east of the Ft. Worth Drive Substation Addition and running to the west line of a tract of land owned by Connie M. Altemus, called 37.87 acres in deed recorded in Volume 901, Page 777, Deed Records, Denton County, Texas, (the "Altemus tract") and (v) an approximate 1.793 acre temporary construction and access easement located generally east of the Fort Worth Drive Substation Addition and running to the west line of the Altemus Tract, contiguous with and adjacent to, along the northern line, of said electric utility and communication easement located generally east of the Ft. Worth Drive Substation Addition and running to the west line of the Altemus tract; for (A) as concerns the Substation Tract, ingress and egress easement, electric utility and communication easement and the temporary construction and access easement, the public use of expansion, construction, maintenance, operation, and improvement of electric transmission and distribution lines, facilities, and structures; and (B) as concerns the Pump Station Tract, the public use of a wet weather pump station and detention facility project (the "Hickory Creek Detention Facility"); authorizing the City Manager or his designee to make an offer to Burch Family Farms, Ltd. (the "Owner") to purchase the property interests for the purchase price of Thirty Six Thousand Dollars and No Cents (\$36,000.00), and other consideration, as prescribed in the Purchase Agreement, (the "Agreement") as attached to the ordinance and made a part thereof; authorizing the expenditure of funds therefor; and providing an effective date. (Denton Municipal Electric Fort Worth T1 Addition Expansion, Denton Municipal Electric Fort Worth Drive and FM 1830 Distribution, and Hickory Creek Detention Facility projects: Burch Family Farms Ltd.)

Attachments: [Exhibit 1 - Location Map](#)
 [Exhibit 2 - Ordinance](#)

- T. [ID 14-0413](#) Consider adoption of an ordinance providing authorization for and ratification of a License Agreement with Dallas Area Rapid Transit for the purposes of constructing, installing, maintaining and operating a sanitary sewer line crossing the Northwest Denton Line northwest of Lakeview Blvd.; and providing an effective date.

Attachments: [Exhibit 1 - Location Map](#)
 [Exhibit 2 - Ordinance and License Agreement](#)

- U. [ID 14-0414](#) Consider adoption of an ordinance providing authorization for the City Manager or his designee to execute a Reimbursement Agreement with 4984 Partners, Ltd. for the purposes of 4984 Partners, Ltd. reimbursing the City for an annual license fee payable by the City to Dallas Area Rapid Transit for the purposes of constructing, installing, maintaining, and operating a sanitary sewer line crossing the Northwest Denton Line northwest of Lakeview Blvd.; and providing an effective date.

Attachments: [Exhibit 1 - Location Map](#)
 [Exhibit 2 - Ordinance](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 14-0312](#) Consider nominations/appointments to the City's Boards and Commissions: Airport Advisory Board; Animal Shelter Advisory Committee; Community Development Advisory Committee; Health & Building Standards Commission; Historic Landmark Commission; Human Services Advisory Committee; Library Board; Parks, Recreation and Beautification Board; Planning and Zoning Commission; Public Art Committee; Public Utilities Board; Traffic Safety Commission; and Zoning Board of Adjustment.

Attachments: [Exhibit 1 - Nominations Sheet](#)

- B. [ID 14-0316](#) Consider appointment of board members for Tax Increment Financing Zone Number One (Downtown TIF).

- C. [ID 14-0429](#) Consider nominations/appointments to the City Economic Development Partnership Board.

- D. [ID 14-0395](#) Consider approval of a resolution of the City Council of the City of Denton, Texas placing a proposal on the September 16, 2014, City Council public meeting agenda to adopt a 2014 Tax Rate that will exceed the lower of the rollback rate or the effective tax rate; calling two public hearings on a tax increase to be held on August 19, 2014, and September 9, 2014 and calling a budget public hearing on the Fiscal Year 2014-2015 Annual Program of Services of the City of Denton to be held on August 19, 2014; requiring publication of notices of the public hearings in accordance with the law; requiring the posting of the notices of the public hearings on the City's Internet website; requiring the posting of the notices on the City's public access channel; and providing an effective date.

Attachments: [Exhibit 1 - Tax Rate Resolution](#)

- E. [ID 14-0423](#) Consider adoption of an ordinance ordering an election to be held in the City of

Denton, Texas, on November 4, 2014, to legalize the sale of all alcoholic beverages including mixed beverages; making findings; providing a repealer clause; providing a severability clause; providing for a penalty; and providing for publication and an effective date.

Attachments: [Exhibit 1 Ordinance](#)

6. PUBLIC HEARINGS

- A. [ID 14-0295](#) Hold a public hearing concerning the \$98.175 million Bond Election to be held on November 4, 2014, and project recommendations developed by the Citizens Bond Advisory Committee.

Attachments: [Exhibit 1 - Summary of Recommended Projects](#)
 [Exhibit 2 - Proposed Bond Proposition and Ballot Language](#)

- B. [Z11-0018](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, providing for a zoning change from a Neighborhood Residential 4 (NR-4) zoning district classification and use designation to a Neighborhood Residential 6 (NR-6) zoning district classification and use designation, a Neighborhood Residential Mixed Use 12 (NRMU-12) zoning district classification and use designation; and a Neighborhood Residential Mixed Use (NRMU) zoning district classification and use designation, and further restricted by an overlay district; the area for zoning change encompasses 6.71 acres of land located at the northeast corner of McKinney Street and Jannie Street, in the city of Denton, Denton County, Texas; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof, severability and an effective date. (The Planning and Zoning Commission recommends approval, 6-0.)

Attachments: [Exhibit 1 Staff Analysis](#)
 [Exhibit 2 Aerial Map](#)
 [Exhibit 3 Existing Zoning Map](#)
 [Exhibit 4 Proposed Zoning Map](#)
 [Exhibit 5 Future Land Use Map](#)
 [Exhibit 6 Land Use Analysis](#)
 [Exhibit 7 Letter From Applicant](#)
 [Exhibit 8 Proposed Concept Plan](#)
 [Exhibit 9 Notification Map](#)
 [Exhibit 10 Site Photos](#)
 [Exhibit 11 June 11, 2014 Draft Planning and Zoning Commission Meeting Minut](#)
 [Exhibit 12 Ordinance](#)

- C. [S12-0001](#) Continue a public hearing and consider adoption of an ordinance regarding a Specific Use Permit (SUP) to allow wrecker services and impound lots use on a property located in an Employment Center Industrial (EC-I) zoning and use district on approximately 1.3 acres. The subject property is generally located south of Smith Street, east of Dallas Drive, and north of Teasley Lane; and providing for a penalty in the maximum amount of \$2,000.00 for violations, thereof, severability and an

effective date. (S12-0001) The Planning and Zoning Commission recommended approval of this request subject to conditions (6-0).

Attachments:

[Exhibit 1 - Request for Continuance Memo](#)

[Exhibit 2 - Staff Report and Analysis](#)

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

[Exhibit 4 - Zoning Map](#)

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

[Exhibit 6 - Letter from Applicant](#)

[Exhibit 7 - Notification Map](#)

[Exhibit 8 - Site Plan](#)

[Exhibit 9 - Landscape Plan](#)

[Exhibit 10 - Site Photos](#)

[Exhibit 11 - April 15, 2014, Letter From Applicant](#)

[Exhibit 12 - Planning & Zoning Commission, March 19, 2014 Meeting Minutes](#)

[Exhibit 13 - Ordinance](#)

D. [Z14-0008](#)

Hold a public hearing and consider adoption of an ordinance providing for rezoning of an approximately 3.54 acre tract of land from Neighborhood Residential 1 (NR-1) to Neighborhood Residential Mixed Use (NRMU) zoning district. The subject property is generally located at the southeast corner of US Highway 377 (Fort Worth Drive) and Hamilton Road, and is legally described as a 3.54 acre portion of a 8.35 acre tract situated in the James Severe Survey, Abstract Number 1164 and described in the deed from Billy Royce Kenas and Joyce Kenas to Argyle Business Center, Limited Liability Company, as recorded in document number 20005-125511, in the City of Denton, Denton County, Texas; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof, severability and an effective date. (Z14-0008) The Planning and Zoning Commission recommended approval of this request (4-2).

Attachments:

[Exhibit 1 - Staff Analysis](#)

[Exhibit 2 - Site Location Aerial Map](#)

[Exhibit 3 - Existing Zoning Map](#)

[Exhibit 4 - Proposed Zoning Map](#)

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

[Exhibit 6 - Letter from the Applicant](#)

[Exhibit 7 - Notification Map and Responses](#)

[Exhibit 8 - Site Photos](#)

[Exhibit 9 - June 11, 2014, Planning & Zoning Commission Meeting Minutes](#)

[Exhibit 10 - Ordinance](#)

E. [A14-0001](#)

Hold the first of two public hearings to consider the adoption of an ordinance of the City of Denton, Texas regarding the annexing 40.33 acres of land, more or less, generally located on the west side of Cooper Creek Road, approximately 800 feet south of Silver Dome Road and approximately 1,800 feet north of Mingo Road

more specifically described in Exhibits “A” and “B”; approving a service plan for the subject property and temporarily placing the property in the Rural Residential - 5 (RD-5) zoning district; providing for a correction of the City Map to include the annexed lands; providing for a savings clause and effective date. (A14-0001)

Attachments:

[Exhibit 1 - Staff Analysis](#)

[Exhibit 2 - Site Location Aerial Map](#)

[Exhibit 3 - Zoning Map](#)

[Exhibit 4 - Future Land Use Map](#)

[Exhibit 5 - Annexation Schedule](#)

[Exhibit 6 - Service Inventory](#)

[Exhibit 7 - Service Plan](#)

[Exhibit 8 - Draft Ordinance](#)

F. [S13-0006](#)

Hold a public hearing and consider adoption of an ordinance regarding a Specific Use Permit (SUP) to allow a twenty-seven (27) unit multi-family development on approximately 2.30 acres within a Neighborhood Residential Mixed Use 12 (NRMU-12) zoning district. The subject property is generally located at the southeastern corner of University Drive and Nolen Circle; and providing for a penalty in the maximum amount of \$2,000.00 for violations, thereof, severability and an effective date. (S13-0006) The Planning and Zoning Commission recommended approval of this request with overlay restrictions (5-1).

Attachments:

[Exhibit 1 - Staff Analysis](#)

[Exhibit 2 - Site Location](#)

[Exhibit 3 - Zoning Map](#)

[Exhibit 4 - Future Land Use Map](#)

[Exhibit 5 - Letter from Applicant](#)

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

[Exhibit 7 - Site Plan](#)

[Exhibit 8 - Landscape Plan](#)

[Exhibit 9 - Building Elevations](#)

[Exhibit 10 - Site Photos](#)

[Exhibit 11 - June 11, 2014 P & Z Meeting Minutes](#)

[Exhibit 12 - Ordinance](#)

7. CITIZEN REPORTS

- A. Review of procedures for addressing the City Council.
- B. Receive citizen reports from the following:

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 under Sections 551.071-551.086 of the Texas Open Meetings Act.

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 _____ day of _____, 2014 at _____ o'clock (a.m.) (p.m.)

CITY SECRETARY

NOTE: THE CITY OF DENTON CITY COUNCIL CHAMBERS IS ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE 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 349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT A SIGN LANGUAGE INTERPRETER CAN BE SCHEDULED THROUGH THE CITY SECRETARY'S OFFICE.