



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
[www.cityofdenton.com](http://www.cityofdenton.com)

## Meeting Agenda

### City Council

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Tuesday, November 4, 2014

2:00 PM

Work Session Room & Council Chambers

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After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, November 4, 2014 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:

#### **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**

#### **3. Work Session Reports**

- A. [ID 14-0707](#) Receive a report, hold a discussion and give staff direction regarding a proposed convention center.
- B. [SI14-0009](#) Receive a report, hold a discussion and give staff direction on the Final Draft Report for the Better Block project held at 619 E. Sherman Avenue.
- Attachments: [Better Block Denton Draft Report](#)
- C. [CA11-0004a](#) Receive a report, hold a discussion, and give staff direction regarding the update to the City of Denton's Comprehensive Plan.
- Attachments: [Exhibit 1 Denton Plan 2030 Development Summary](#)  
[Exhibit 2 Final Draft Comprehensive Plan](#)  
[Exhibit 3 Draft Action Plan](#)  
[Exhibit 4 1999 Denton Plan Assessment](#)

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 14-0680](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072; 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 T.M. Downing Survey, Abstract No. 346, City of Denton, Denton County, Texas, and generally located in the 2500 block of East McKinney Street. 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. (ID 14-0681)

**B. [ID 14-0566](#)** 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.

**C. [ID 14-0610](#)** Certain Public Power Utilities: Competitive Matters - Under Texas Government Code, Section 551.086; and Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Receive a briefing and presentation from Denton Municipal Electric ("DME") staff regarding certain public power competitive, financial and commercial information relating to issues regarding a high voltage direct current (HVDC) interconnection that would allow renewable energy and other electric power products to be transferred between ERCOT and other energy grids. Consultation with the City's attorneys regarding legal issues associated with the implementation of the interconnection 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. Discuss, deliberate and provide staff with direction.

**D. [ID 14-0663](#)** Certain Public Power Utilities: Competitive Matters --- Under Texas Government Code, Section 551.086.

Receive a presentation from Denton Municipal Electric ("DME") staff regarding certain public power competitive, financial and commercial information relating to

issues regarding purchased power pricing and other public power information that is contained in the proposed Purchase Power Agreement by and between the City of Denton, Texas, who is selling power and electric energy services to the Texas Woman's University, Denton, Texas. Discuss, deliberate, and provide staff with direction regarding same.

- E. [ID 14-0696](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071

Discuss, deliberate, and receive further information regarding the purchase of certain real property interest located in the R. H. Hopkins Survey, Abstract No. 1694, City of Denton, Denton County, Texas, and generally located along the 1800 block of Colorado Boulevard and the 1500 block of Angelina Bend Drive. 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.

- F. [ID 14-0713](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consultation with the City's attorneys regarding legal issues associated with Texas Civil Practice & Remedies Code Chapter 110 (Religious Freedom) where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and 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 proceedings or potential 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 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 and Texas Flag**

"Honor the Texas Flag – I pledge allegiance to thee, Texas, one state under God, one and

indivisible.”

## **2. PROCLAMATIONS/PRESENTATIONS**

- A. [ID 14-0607](#) Cigarette Litter Prevention Month

## **3. CITIZEN REPORTS**

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

- A. [ID 14-0682](#) Isabel Cano regarding bus shelters.

## **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 –FF). 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 – FF 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 14-0622](#) Consider adoption of an ordinance approving a right-of-way use and license agreement between the City of Denton and Green Springs Water Supply Corporation that will allow and accommodate the installation of a water line across and along Burger road situated in the Sylvester Williams Survey, Abstract No. 1322, Denton County, Texas; and declaring an effective date.

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

- B. [ID 14-0627](#) Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton, Texas, and Denton Community Market; authorizing the expenditure of funds; and providing for an effective date. (\$9,150)

Attachments: [Exhibit 1 - Ordinance](#)  
[Exhibit 2 - Agreement](#)  
[Exhibit 3 - FMPP Grant info](#)

- C. [ID 14-0642](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Air Fair, Inc. for the payment and use of hotel tax revenue; and providing an effective date. (\$10,752 - Hotel Occupancy Tax Committee recommends approval 3-0)

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

- D. [ID 14-0643](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Black Chamber of Commerce for the payment and use of hotel tax revenue; and providing an effective date. (\$17,409 - Hotel Occupancy Tax Committee recommends approval 3-0)
- Attachments:      [Exhibit 1- Ordinance](#)  
                              [Exhibit 2- Contract](#)
- E. [ID 14-0644](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Chamber of Commerce (Convention and Visitors Bureau) for the payment and use of hotel tax revenue; and providing an effective date. (\$822,255 - Hotel Occupancy Tax Committee recommends approval 3-0)
- Attachments:      [Exhibit 1- Ordinance](#)  
                              [Exhibit 2- Contract](#)
- F. [ID 14-0645](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Community Market for the payment and use of hotel tax revenue; and providing an effective date. (\$10,000)
- Attachments:      [Exhibit- 1 Ordinance](#)  
                              [Exhibit- 2 Contract](#)
- G. [ID 14-0647](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Community Theatre, Inc. for the payment and use of hotel tax revenue; and providing an effective date. (\$24,161 - Hotel Occupancy Tax Committee recommends approval 3-0)
- Attachments:      [Exhibit- 1 Ordinance](#)  
                              [Exhibit - 2 Contract](#)
- H. [ID 14-0648](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Denton County, Texas for the payment and use of hotel tax revenue in support of the Denton County Office of History and Culture; and providing an effective date. (\$113,999 - Hotel Occupancy Tax Committee recommends approval 3-0)
- Attachments:      [Exhibit - 1 Ordinance](#)  
                              [Exhibit - 2 Contract](#)
- I. [ID 14-0649](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Denton Dog Days, Inc. for the payment and use of hotel tax revenue; and providing an effective date. (\$15,320 - Hotel Occupancy Tax Committee recommends approval 3-0)
- Attachments:      [Exhibit- 1 Ordinance](#)  
                              [Exhibit - 2 Contract](#)
- J. [ID 14-0650](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Festival Foundation for the payment and use of hotel tax revenue; and providing an effective date. (\$86,961 -

Hotel Occupancy Tax Committee recommends approval 3-0)

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

- K.    [ID 14-0651](#)    Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Holiday Festival Association, Inc. for the payment and use of hotel tax revenue; and providing an effective date. (\$7,700 - Hotel Occupancy Tax Committee recommends approval 3-0)

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

- L.    [ID 14-0654](#)    Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Greater Denton Arts Council for the payment and use of hotel tax revenue; and providing an effective date. (\$123,669 - Hotel Occupancy Tax Committee recommends approval 3-0)

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

- M.    [ID 14-0655](#)    Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Central Business District Association, Inc., d/b/a Denton Main Street Association for the payment and use of hotel tax revenue; and providing an effective date. (\$24,161 - Hotel Occupancy Tax Committee recommends approval 3-0)

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

- N.    [ID 14-0656](#)    Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Music Theatre of Denton for the payment and use of hotel tax revenue; and providing an effective date. (\$5,250 - Hotel Occupancy Tax Committee recommends approval 3-0)

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

- O.    [ID 14-0657](#)    Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the North Texas State Fair Association for the payment and use of hotel tax revenue; and providing an effective date. (\$77,301 - Hotel Occupancy Tax Committee recommends approval 3-0)

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

- P.    [ID 14-0658](#)    Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the North Texas Affiliation of the Susan G. Komen Breast Cancer Foundation, Inc. for the payment and use of hotel tax revenue; and providing an effective date. (\$10,000 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments:      [Exhibit -1 Ordinance](#)

[Exhibit -2 Contract](#)

- Q.    [ID 14-0659](#)    Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Tejas Storytelling Association, Inc. for the payment and use of hotel tax revenue; and providing an effective date. (\$52,747 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments:      [Exhibit -1 Ordinance](#)

[Exhibit -2 Contract](#)

- R.    [ID 14-0660](#)    Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Texas Filmmakers' Corporation for the payment and use of hotel tax revenue; and providing an effective date. (\$7,875 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments:      [Exhibit -1 Ordinance](#)

[Exhibit -2 Contract](#)

- S.    [ID 14-0683](#)    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 two (2) Model DT80K Superior Road Brooms for the City of Denton Street Department; and providing an effective date (File 5676-awarded to Underwood Equipment Company in the amount of \$113,658.38).

Attachments:      [Exhibit 1-Comparison and Quotes.pdf](#)

[Exhibit 2-Ordinance.pdf](#)

- T.    [ID 14-0684](#)    Consider adoption of an ordinance authorizing the City Manager to execute an Interlocal Agreement with the Denton County Transportation Authority (DCTA) under Section 791.001 of the State of Texas Government Code, to authorize the City of Denton to install a "Downtown Wireless System" including Wi-Fi Devices and Roof Mounts at the DCTA Transit Center; authorizing the expenditure of funds therefor; and declaring an effective date (File 5672).

Attachments:      [Exhibit 1-Ordinance.pdf](#)

[Exhibit 2-Interlocal Agreement.pdf](#)

- U.    [ID 14-0685](#)    Consider adoption of an ordinance accepting competitive proposals and awarding a public works contract for the Mack Park Playground Equipment and Construction project; providing for the expenditure of funds therefor; and providing an effective date (RFP 5654-awarded to Lea Park and Play, Inc. in the not-to-exceed amount of \$105,115.66).

Attachments:      [Exhibit 1-Evaluation and Ranking.pdf](#)

[Exhibit 2-Ordinance.pdf](#)

- V.    [ID 14-0686](#)    Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager to execute a Professional Services Agreement for surveying and consulting services relating to the assessment of the condition of City of Denton streets and the update of the City's roadway database; providing for the expenditure of funds



therefor; and providing an effective date (File 5649-awarded to IMS Infrastructure Management Services, Inc. in the not-to-exceed amount of \$213,378).

Attachments:      [Exhibit 1-Ordinance.pdf](#)  
                              [Exhibit 2-Signed Contract.pdf](#)

- W. [ID 14-0687](#)      Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving software maintenance for continued vendor support of Brazos e-ticketing hardware and software and additional pre-configured handheld devices with peripherals, which is 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 4084 awarded to Brazos Technology Corporation in the three (3) year not-to-exceed amount of \$140,000).

Attachments:      [Exhibit 1- Software Maintenance 2014-15.pdf](#)  
                              [Exhibit 2-Quote for Handheld Devices.pdf](#)  
                              [Exhibit 3-Sole Source Memo](#)  
                              [Exhibit 4-Ordinance.pdf](#)

- X. [ID 14-0688](#)      Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving software maintenance for continued vendor support for ProjectDox electronic building plan review software, which is 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 4446 awarded to Avolve Software Corporation in the three (3) year not-to-exceed amount of \$70,000).

Attachments:      [Exhibit 1-Quote.pdf](#)  
                              [Exhibit 2-Sole Source Memo.pdf](#)  
                              [Exhibit 3-Ordinance.pdf](#)

- Y. [ID 14-0689](#)      Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving software maintenance for maintenance and server patch management services for continued vendor support for Denton Municipal Electric Supervisory Control and Data Acquisition (SCADA) software modules, which is 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 4074 awarded to Open Systems International, Inc. in the three (3) year not-to-exceed amount of \$180,000).

Attachments:      [Exhibit 1-Quote.pdf](#)  
                              [Exhibit 2-Sole Source Memo.pdf](#)  
                              [Exhibit 3-Ordinance.pdf](#)

- Z. [ID 14-0690](#)      Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving software maintenance for continued vendor support for AutoCAD software modules, which is 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 5678 awarded to DLT Solutions, LLC in the three (3) year not-to-exceed amount of \$90,000).

**Attachments:**      [Exhibit 1-Quotes.pdf](#)  
                              [Exhibit 2-Sole Source Memo.pdf](#)  
                              [Exhibit 3-Ordinance.pdf](#)

- AA. [ID 14-0691](#)      Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving software maintenance for continued vendor support of the helpdesk software system (HEAT), which is 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 5439 awarded to FrontRange Solutions USA Inc. in the three (3) year not-to-exceed amount of \$90,000).

**Attachments:**      [Exhibit 1-Quote.pdf](#)  
                              [Exhibit 2-Sole Source Memo.pdf](#)  
                              [Exhibit 3-Ordinance.pdf](#)

- BB. [ID-14-0692](#)      Consider adoption of an ordinance accepting competitive proposals and awarding a contract for a Utility Payment Kiosk Solution for the City of Denton; providing for the expenditure of funds therefore; and providing an effective date (RFP 5459-awarded to US Payments, LLC in the three (3) year not-to-exceed amount of \$200,000). The Public Utilities Board recommends approval (6-0).

**Attachments:**      [Exhibit 1-Evaluation Sheet](#)  
                              [Exhibit 2-PUB Minutes.pdf](#)  
                              [Exhibit 3-Ordinance.pdf](#)  
                              [Exhibit 4-Contract.pdf](#)

- CC. [ID 14-0693](#)      Consider adoption of an ordinance accepting competitive proposals and awarding a contract for an Automated Timekeeping and Attendance Software System for the City of Denton; providing for the expenditure of funds therefore; and providing an effective date (RFP 5565-awarded to Kronos Incorporated in the three (3) year not-to-exceed amount of \$850,000). The Audit/Finance recommends approval (3-0).

**Attachments:**      [Exhibit 1-Evaluation and Pricing Sheet.pdf](#)  
                              [Exhibit 2-Ordinance](#)  
                              [Exhibit 3-Contract](#)

- DD. [ID 14-0694](#)      Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the supply of Electric Substation Medium Voltage Switchgear Buildings for Denton Municipal Electric; providing for the expenditure of funds therefore; and providing an effective date (RFP 5629-awarded to Powell Electrical Systems, Inc. in the three (3) year not-to-exceed amount of \$19,000,000). The Public Utilities Board recommends approval (6-0).

Attachments:      [Exhibit 1-PUB Agenda Sheet.pdf](#)  
[Exhibit 2-Evaluation and Ranking Sheet.pdf](#)  
[Exhibit 3-PUB Minutes.pdf](#)  
[Exhibit 4-Ordinance.pdf](#)  
[Exhibit 5-Contract.pdf](#)

- EE. [ID 14-0706](#) Consider a request for an exception to the Noise Ordinance for the purpose of the Carols and Candlelight on the Square sponsored by Faith United Methodist Church. The event will be held on the east side of the Courthouse lawn, 110 W. Hickory Street, on Sunday, December 14, 2014, from 4:30 p.m. to 6:30 p.m. An exception is specifically requested to have amplified sound on Sunday. Staff recommends approval of the request.

Attachments:      [Ltr of Request](#)

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

- A. [ID 14-0681](#) Consider adoption of an ordinance finding that a public use and necessity exists to acquire fee simple title in the surface estate only with surface restrictions for mineral owner(s) to a 1.127 acre tract situated in the T.M. Downing Survey, Abstract No. 346, located in the City of Denton, Denton County, Texas, and more particularly described on Exhibit “A” attached to the ordinance, and located generally in the 2500 block of East McKinney Street (“Property Interests”), for the public use of expansion, construction, maintenance, operation, and improvement of electric transmission and distribution lines, facilities, and structures, including substations and switch stations; authorizing the City Manager, or his designee, to make a final offer to the heirs of Annie Bell Jenkins (deceased), the heirs of James William Tyson (deceased), Nettie Jane Nickless, and Shirley Jeannene Wright McCrory, independent executor of the estate of Ruthie Francis Tyson Wright, (deceased), all being the heirs to or beneficiaries of, the estate of Robert Lee Tyson (deceased), (collectively, “Owner”) to purchase the Property Interests for the price of One Hundred Forty Six Thousand Four Hundred Ninety Three Dollars and No Cents (\$146,493.00) (proportionate to each owner), and other consideration, as set forth in the representative contract of Sale attached as Exhibit “B” to the ordinance; authorizing the filing of eminent domain proceedings to acquire the Property Interests if the final offer is not accepted; authorizing the expenditure of funds; and providing an effective date. (Denton Municipal Electric 69kV Spencer to Denton North Interchange Transmission Line Upgrade Project Parcels: P4 - Annie Bell Jenkins Heirs)

Attachments:      [Exhibit 1 Location Map](#)  
[Exhibit 2 Ordinance](#)  
[Exhibit 3 Presentation Slide](#)

## **6. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. [ID 14-0720](#) Consider adoption of an ordinance approving an Amendment to the Proposed Hotel/Convention Center Professional Services Agreement for Architect or

Engineer, Exhibit “F” of Contract No. 5447 and was attached to Ordinance No. 2013-334; providing a savings clause; and providing an effective date.

**Attachments:**      [Exhibit 1 - Ordinance and Amendment](#)  
                                 [Exhibit F - PSA Architect or Engineer 12-10-13 FINAL](#)

## **7. PUBLIC HEARINGS**

- A.    [PDA14-0003](#)    Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, amending a detailed plan for Planned Development District 142 (Stonehill Center), which planned development district was created by Ordinance No. 91-101, located at the northeast corner of the intersection of I-35 Service Road and Westgate Drive and platted as Lot 1-R, Block A, Exposition Mills Addition, in the City of Denton, Denton County, Texas; 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 recommend approval (5-1).

**Attachments:**      [Exhibit 1 Staff Analysis](#)  
                                 [Exhibit 2 Location Map](#)  
                                 [Exhibit 3 Zoning Map](#)  
                                 [Exhibit 4 Letter from the Applicant](#)  
                                 [Exhibit 5 Approved Detailed Plan](#)  
                                 [Exhibit 6 Proposed Amended Detailed Plan](#)  
                                 [Exhibit 7 Proposed Ground Sign](#)  
                                 [Exhibit 8 Notification Map](#)  
                                 [Exhibit 9 Site Photos](#)  
                                 [Exhibit 10 Planning and Zoning Commission Meeting Minutes](#)  
                                 [Exhibit 11 Ordinance](#)

## **8. CITIZEN REPORTS**

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

## **9. 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.