



# City of Denton

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

## Meeting Agenda

### City Council

---

Tuesday, July 21, 2015

11:00 AM

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, July 21, 2015 at 11:00 a.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 July 21, 2015.**

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

- A. [ID 15-536](#) Receive a report, hold a discussion, and give staff direction regarding the results of the 2015 citizen and business surveys.

Attachments: [Exhibit 1 Community Livability Report](#)  
[Exhibit 2 Business Climate Report](#)

- B. [DCA15-0002](#) Receive a report and hold discussion regarding adding "Craft Alcohol Production" to the Denton Development Code.

Attachments: [Exhibit 1 - Proposed Amendments to Subchapter 5 - Zoning Districts and Limita](#)  
[Exhibit 2 - Proposed Amendments to Subchapter 23 - Definitions](#)

- C. [ID 15-569](#) Receive a report, hold a discussion, and provide staff direction regarding promotion and advertising functions currently being performed by the Convention and Visitors Bureau (CVB).

Attachments: [Exhibit 1 FY 2014-15 CVB Original Contract](#)  
[Exhibit 2 FY 2014-15 CVB Amended Contract](#)  
[Exhibit 3 FY 2015-16 Proposed HOT Fund Budget](#)  
[Exhibit 4 HOT Survey 2015 with Notes](#)  
[Exhibit 5 Promotion and Advertising Functions for the City](#)

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 15-534](#) 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 regarding real estate matters related to the site selection for the DME Hickory substation, presently located at the intersection of West Hickory and South Bonnie Brae in the City of Denton, Texas, and concerning certain real property within the immediate vicinity, specifically Lots 1, 2, and 3 of the Oak Street Terrace Addition, and the potential acquisition of real property interests. Consultation with the City's attorneys regarding legal issues associated with the condemnation or acquisition of the real property interests 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. (Hickory Substation) [ID 15-542, 15-543, 15-544]

- B. [ID 15-558](#) 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 Easement Grant and Abandonment Agreement of certain real property interests located in the Jeremiah Fisher Survey, Abstract No. 421, City of Denton, Denton County, Texas, and generally located in the 2200 Block of E. Ryan Road, west of the Ryan Road-Teasley intersection. 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 West Lift Station Upgrade)[ID 15-559]

- C. [ID 15-560](#) 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 acquisition of real property interests situated in the S. McCracken Survey Abstract Number 417, City of Denton, Denton County, Texas (located generally within the 2200 block of E. Sherman Drive). Consultation with the City's attorneys regarding legal issues associated with the acquisition or condemnation of the real property interests referenced 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. (Fire Station No 4 Rebuild)[ID 15-561]

- D. [ID 15-527](#) Consultation with Attorneys - Under Texas Government Code, Section 551.071; Deliberations regarding Real Property - Under Texas Government Code, Section 551.072.

Discuss, deliberate and receive information from staff and provide staff with direction pertaining to the potential sale of real property interests owned by the City of Denton located in the G. Walker Survey, Abstract 1330, and Lot 1, Block 1, Lake Dallas Storage Addition, both in Denton County, Texas, and located generally south of F. M. Highway 426 (East McKinney Street) between Mayhill Road on the west and South Trinity Rd. on the east. Consultation with the City's attorneys regarding legal issues associated with the potential acquisition or condemnation of the real property interests 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. (Atmos Lake Dallas Storage Facility).

- E. [ID 15-565](#) Consultation with Attorneys - Under Texas Government Code, Section 551.071; Deliberations regarding Economic Development Negotiations - Under Texas Government Code, Section 551.087.

Receive a report and hold a discussion regarding legal and economic development issues regarding economic development incentives for a business prospective in the Cole Ranch Development. This discussion shall include commercial and financial information the City Council may receive from the business owners which the City seeks to have locate, stay, or expand in or near the territory of the City, and with which the City Council is conducting economic development negotiations, including the offer of financial or other incentives. Also hold a discussion with the City's attorneys on the referenced topic where the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

- F. [ID 15-566](#) 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.

- G. [ID 15-570](#) 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 the current Gas Well Ordinance, and proposed Gas Well Ordinance amendment, 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; current and proposed extension to moratorium on drilling and production; other concerns about municipal regulatory authority or matters relating to enforcement of the Gas Well Ordinance, both current and proposed; 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 ordinance and pending litigation styled George P. Bush, Commissioner, Texas General Land Office v. City of Denton Texas, Cause No. 15-02058-362 currently pending in the 362nd District Court of Denton County and Texas Oil and Gas Association v. City of Denton, Cause No. 14-08933-431 currently pending in the 431st District Court of Denton County 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 15-514](#) Parks Foundation presentation of a donation from the Denton Area Teachers Credit Union to the City of Denton for the Eureka 2 project.
- B. [ID 15-582](#) Resolution of Appreciation for Linda Holley

### **3. CITIZEN REPORTS**

A. Review of procedures for addressing the City Council.

B. Receive citizen reports from the following:

- A. [ID 15-541](#) Monica Jones regarding a complaint on Animal Control.
- B. [ID 15-572](#) Jerry Yensan regarding the City's interpretation of a boundary on a gas well plat.
- C. [ID 15-574](#) Luisa Feliz translating for Bolivar Diaz regarding interpretation of gas well boundaries.

#### **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 – S). 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 – S 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 15-465](#) Consider adoption of an ordinance amending Chapter 29 of the Code of the City of Denton, Texas, to provide for the adoption of the International Fire Code, 2012 Edition; providing for amendments thereto; re-establishing permit fees; providing for a penalty in the amount of \$2,000.00 for violations thereof; providing for severability; repealing all ordinances in conflict therewith; and providing for an effective date.

Attachments: [Exhibit 1 Ordinance](#)

- B. [ID 15-476](#) Consider adoption of an ordinance authorizing the City Manager, or his designee, to execute a Contract of Sale (herein so called), as attached thereto and made a part thereof as Exhibit "A", by and between the City of Denton, (the "City") and Jeffrey Craig Cook, individually and as Independent Administrator of the Estate of Herschell D. Cook, deceased (referred to collectively herein as "Seller"), regarding the sale and purchase of fee simple to a tract of land lying and being situated in the City and County of Denton, State of Texas, and being a part of Lot No. Three (3), Block Twenty (20) of the Original Town of Denton, an addition to the City of Denton, Denton County, Texas, located generally in the 100 block of Industrial Street in the City of Denton, Denton County, Texas, as more particularly described in the Contract of Sale, (the "Property Interests"), for the purchase price of One Hundred Thirty Seven Thousand Five Hundred Dollars and No/100 (\$137,500.00), and other consideration, as prescribed in the Contract of Sale; authorizing the expenditure of funds therefor; and providing an effective date. (Industrial Park Property Acquisition project: Cook)

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

- C. [SI15-0015](#) Consider adoption of an ordinance of the City of Denton, Texas to adopt the 2012 International Building Code (IBC), the 2012 International Residential Code (IRC), the 2012 International Plumbing Code (IPC), the 2012 International Mechanical Code (IMC), and the 2012 International Fuel Gas Code (IFGC) as amended by the City providing a penalty for violation; providing for severability; repealing all ordinances in conflict therewith; and providing an effective date.
- Attachments:**      [Exhibit 1 - Power Point Presented to Contractors and HaBSCo](#)  
                                 [Exhibit 2 - Answers to Questions fomr Work Session](#)  
                                 [Exhibit 3- Pricing List for Opening Limiting Devices](#)  
                                 [Exhibit 4- Proposed 2012 Building Code Adoption Ordinance](#)
- D. [ID 15-538](#) Consider approval of the minutes of May 4, May 5, May 12, May 19, May 26, June 2, June 9 and June 16, 2015.
- Attachments:**      [Exhibit 1 - May 4, 2015 minutes](#)  
                                 [Exhibit 2 - May 5, 2015 minutes](#)  
                                 [Exhibit 3 - May 12, 2015 minutes](#)  
                                 [Exhibit 4 - May 19, 2015 minutes](#)  
                                 [Exhibit 5 - May 26, 2015 minutes](#)  
                                 [Exhibit 6 - June 2, 2015 minutes](#)  
                                 [Exhibit 7 - June 9, 2015 minutes](#)  
                                 [Exhibit 8 - June 16, 2015 minutes](#)
- E. [ID 15-539](#) Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton, Texas and Greenbelt Alliance of Denton County for the purpose of capital needs; providing for the expenditure of funds; and providing for an effective date. (\$800)
- Attachments:**      [Exhibit 1 - Ordinance](#)  
                                 [Exhibit 2 - Agreement](#)
- F. [ID 15-540](#) Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton, Texas and Denton Assistance Center, Inc. for funds that will be used for “Serve Denton” Services; Providing for the expenditure of funds; and providing for an effective date. (\$1,900)
- Attachments:**      [Exhibit 1 - Ordinance](#)  
                                 [Exhibit 2 - Agreement](#)
- G. [ID 15-542](#) Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager, or his designee, to execute a contract of sale between the City of Denton, Texas (“City”), as Buyer, and Serendipity Business Interests, LLC Property (“Owner”) to acquire fee title to a 0.138-acre tract situated in the E. Pulchalski Survey, Abstract No. 996, legally described as Lot 2, of Oak Street Terrace Addition, an addition to the City of Denton, Denton County, Texas and more particularly described in Exhibit “1”, for the purchase price of Ninety Five Thousand Dollars and no cents (\$95,000.00), and other valuable consideration, as prescribed in the contract of sale (“Agreement”); authorizing the expenditure of

funds; and providing an effective date. (Hickory Street DME Substation assemblage tract: Serendipity Business Interests)

Attachments:      [Exhibit 1 Ordinance](#)

- H. [ID 15-543](#) Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager, or his designee, to execute a contract of sale between the City of Denton, Texas ("City"), as Buyer, and Mankins Property ("Owner") to acquire fee title to a 0.138-acre tract situated in the E. Pulchalski Survey, Abstract No. 996, legally described as Lot 3, of Oak Street Terrace Addition, an addition to the City of Denton, Denton County, Texas and more particularly described in Exhibit "1", for the purchase price of One Hundred Fifteen Thousand Dollars and no cents (\$115,000.00), and other valuable consideration, as prescribed in the contract of sale ("Agreement"); authorizing the expenditure of funds; and providing an effective date. (Hickory Street DME Substation assemblage tract: Mankins Property)

Attachments:      [Exhibit 1 Ordinance](#)

- I. [ID 15-544](#) Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager, or his designee, to execute a contract of sale between the City of Denton, Texas ("City"), as Buyer, and Neblett Property ("Owner") to acquire fee title to a 0.164-acre tract situated in the E. Pulchalski Survey, Abstract No. 996, legally described as Lot 1, of Oak Street Terrace Addition, an addition to the City of Denton, Denton County, Texas and more particularly described in Exhibit "1", for the purchase price of One Hundred Forty Five Thousand Dollars and no cents (\$145,000.00), and other valuable consideration, as prescribed in the contract of sale ("Agreement"); authorizing the expenditure of funds; and providing an effective date. (Hickory Street DME Substation assemblage tract: Neblett Property)

Attachments:      [Exhibit 1 Ordinance](#)

- J. [ID 15-546](#) Consider adoption of an ordinance of the City Council of the City of Denton, Texas, authorizing the City Manager to execute a professional services agreement for the design of the Hickory Creek Basin Peak Flow Detention Facility; providing for the expenditure of funds therefor; and providing an effective date (File 5768-awarded to Hazen and Sawyer, P.C. in an amount not-to-exceed \$427,368). The Public Utilities Board recommends approval (5-0).

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

[Exhibit 2-PUB Minutes](#)

[Exhibit 3-Ordinance](#)

[Exhibit 4-Contract](#)

- K. [ID 15-550](#) Consider adoption of an ordinance accepting competitive proposals and awarding a public works contract for the construction of a pre-cast security fence for the City of Denton Kings Row Substation; providing for the expenditure of funds therefor; and providing an effective date (RFP 5818-awarded to The Turner Company in the not-to-exceed amount of amount of \$340,770.85). The Public Utilities Board recommends approval (6-0).



**Attachments:**      [Exhibit 1-Pricing and Evalaution Sheet](#)

[Exhibit 2-PUB Minutes](#)

[Exhibit 3-Ordinance](#)

- L.    [ID 15-551](#)      Consider adoption of an ordinance approving a contract for the supply of decorative paint to color mulch chips for the City of Denton Beneficial Reuse Division which is only available from a single source and in accordance with Texas Local Government Code 252.022, such purchases are exempt from the requirements of competitive bidding; and providing an effective date (File 5844-awarded awarded to TH Glennon Company, Inc. in the annual estimated amount of \$25,000 for a three (3) year not-to-exceed amount of \$75,000). The Public Utilities Board recommends approval (7-0).

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

[Exhibit 2-Sole Source Letter](#)

[Exhibit 3-Staff Memo](#)

[Exhibt 4-PUB Minutes](#)

[Exhibit 5-Ordinance](#)

[Exhibit 6-Contract](#)

- M.    [ID 15-552](#)      Consider adoption of an ordinance approving a contract for the purchase of four (4) utility truck bodies for the City of Denton Wastewater Collections, Electric Operations, Water Distribution, and Traffic Control departments which are available from a single source and in accordance with Texas Local Government Code 252.022, such purchases are exempt from the requirements of competitive bidding; and providing an effective date (File 5871-awarded to General Body Manufacturing Company in the not-to-exceed amount of \$109,171). The Public Utilities Board recommends approval (6-0).

**Attachments:**      [Exhibit 1-Quote](#)

[Exhibit 2-Single Source Memo](#)

[Exhibit 3-PUB Minutes](#)

[Exhibit 4-Ordinance](#)

- N.    [ID 15-553](#)      Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the purchase of Electric Utility Overhead Distribution Pole Line Hardware for Transmission Line Under Build for Denton Municipal Electric (DME); and providing an effective date (RFP 5775-awarded to HD Supply in the three (3) year not-to-exceed amount of \$1,000,000).

**Attachments:**      [Exhibit 1-Evaluation and Ranking Sheet](#)

[Exhibit 2-Ordinance](#)

[Exhibit 3-Signed Contract](#)

- O.    [ID 15-559](#)      Consider adoption of an ordinance authorizing the City Manager of the City of Denton, Texas ("City") to execute, for and on behalf of the City, an Easement Grant and Abandonment Agreement ("Agreement"), by and between the City and DENTON WEST JOINT VENTURE ("Owner"), providing for (a.) the granting to



the City of easement for Lift Station purposes, encumbering 0.127 acre tract; and (b.) the granting to the City of easement for Ingress and Egress purposes, encumbering a 0.052 acre tract; and (c.) the granting to the City of a Street Right-of-Way deed, encumbering a 0.333 acre tract; and (d.) the abandonment (“Abandonment”) by the City of (i) that certain Sanitary Sewer Easement, from M. K. Buchanan to the City, recorded in Volume 645, Page 79, Deed Records, Denton County, Texas; and (ii) that certain Public Utility Easement, from M. K. Buchanan to the City, recorded in Volume 626, Page 123, Deed Records, Denton County, Texas; (collectively, the “Abandonment Tracts”), all tracts situated in the Jeremiah Fisher Survey, Abstract N0. 421, Denton County, Texas and being generally located at the 2200 block East Ryan Rd.; authorizing the expenditure of funds therefore; making findings; providing a savings clause; and providing an effective date. (Denton West Lift Station Upgrade) (Recommended for approval by PUB 6-0)

**Attachments:**      [Exhibit 1 Location Map](#)  
                                 [Exhibit 2 Site Map](#)  
                                 [Exhibit 3 Ordinance](#)

- P.    [ID 15-561](#)      Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager, or his designee, to execute a Contract of Sale, as attached thereto and made a part thereof as Exhibit “A”, by and between Jason Rose, (the “Owner”), and the City of Denton, Texas, (the “Buyer”), regarding the sale and purchase of fee simple to a 1.227 acre tract, more or less, situated in the S. McCracken Survey, Abstract No. 817, located in the City of Denton, Denton County, Texas, as more particularly described in the Contract of Sale, located generally in the 2100 Block of East Sherman Drive (the “Property Interests”), for the purchase price of One Hundred Sixty Five Thousand Dollars and No Cents (\$165,000.00), and other consideration, as prescribed in the Contract of Sale; authorizing the expenditure of funds therefor; and providing an effective date. (Denton Fire Station No. 4 Rebuild Project)

**Attachments:**      [Exhibit 1 Location Map](#)  
                                 [Exhibit 2 Site Map](#)  
                                 [Exhibit 3 Ordinance](#)

- Q.    [ID 15-562](#)      Consider adoption of an ordinance of the City Council of the City of Denton, Texas, affirming, Texas, affirming the commitment of the City of Denton, Texas to the North Texas Boulevard Bridge in conjunction with the 35Express project in the amount of \$396,372 and authorizing the City Manager, or his designee, to execute a letter of intent between the Texas Department of Transportation, Archer Western Contractors, LLC Granite Construction Company and Lane Construction Company and the University of North Texas to initiate final design; and providing an effective date.

**Attachments:**      [Attachment 1 NT Blvd](#)  
                                 [Exhibit 3 AGL Letter](#)  
                                 [Exhibit 4 NT Blvd](#)  
                                 [Exhibit 2 NT Blvd](#)

- R. [ID 15-564](#) Consider adoption of an ordinance concerning the removal of parking and changing of Highland Street, from North Texas Boulevard to Avenue D, from one-way, eastbound, to two-way and the changing of Avenue D, from Maple Street to Highland Street, from two-way to one way, northbound as attached to the ordinance (Exhibit 1) and providing an effective date. The Traffic Safety Commission recommends approval (5-0).

Attachments: [Exhibit 1 Ordinance](#)  
[Exhibits 2-7](#)

- S. [ID 15-571](#) Consider adoption of an ordinance of the City Council of the City of Denton, Texas authorizing the City Manager to execute a supplemental and amended engagement letter with Lloyd Gosselink Rochelle & Townsend, P.C. for Professional Legal Services relating to the pending litigation entitled the City of Denton, Texas V NRG Power Marketing, LLC; authorizing the expenditure of funds therefor; providing an effective date (File No. 5771 - in the additional amount of not-to-exceed \$500,000, aggregating not-to-exceed \$595,000). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1-Engagement Letter](#)  
[Exhibit 2-PUB Draft Minutes](#)  
[Exhibit 3-Ordinance](#)  
[Exhibit 4-Supplemental Engagement Letter](#)

## **5. PUBLIC HEARINGS**

- A. [Z15-0012](#) Hold a public hearing and consider an initial zoning of Neighborhood Residential 1 (NR-1) on approximately 4.495 acres of land generally located approximately 760 feet east of South Trinity Road and 2,600 feet north of East McKinney Street (FM 426). The Planning and Zoning Commission recommends approval (7-0).

Attachments: [Exhibit 1- Planning and Zoning Commission Report](#)  
[Exhibit 2- Site Location - Aerial Map](#)  
[Exhibit 3- Zoning Map](#)  
[Exhibit 4- Future Land Use Map](#)  
[Exhibit 5- Applicant Narrative](#)  
[Exhibit 6- NR-1 Permitted Uses](#)  
[Exhibit 7- Public Notification Map](#)  
[Exhibit 8- June 17, 2015 Planning & Zoning Commission Minutes](#)  
[Exhibit 9- Draft Ordinance](#)

- B. [S15-0002](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a Specific Use Permit (SUP) for Multi-Family Dwellings in Neighborhood Residential Mixed Use (NRMU) and Neighborhood Residential Mixed Use 12 (NRMU-12) zoning district and use classifications. The approximately 11.4 acre site is generally located on the south side of McKinney Street (FM 426), approximately 1,000 feet west of Mockingbird Lane; and 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 recommends approval (7-0) with conditions.

**Attachments:**      [Exhibit 1 - PZ Staff Report](#)  
                              [Exhibit 2 - Location-Aerial Map](#)  
                              [Exhibit 3 - Zoning Map](#)  
                              [Exhibit 4 - Future Land Use Map](#)  
                              [Exhibit 5 - Proposed Site Plan](#)  
                              [Exhibit 6 - Proposed Landscape Plan](#)  
                              [Exhibit 7 - Proposed Elevation Rendering](#)  
                              [Exhibit 8 - Proposed Street Sections](#)  
                              [Exhibit 9 - Notification Map](#)  
                              [Exhibit 10 - Project Narrative](#)  
                              [Exhibit 11 - Site Photos](#)  
                              [Exhibit 12 - SUP Ordinance](#)

- C.    [Z15-0005](#)      Hold a public hearing and consider adoption of an ordinance to the City of Denton, Texas, amending Ordinance No. 2007-032 which provided for a zoning change to a Neighborhood Residential 3 (NR-3) zoning district classification and use designation along with an overlay district, in order to modify conditions related to design criteria in the overlay on approximately 31 acres of land generally located on the southwest corner of Hinkle Drive and Windsor Street in the City of Denton, Denton County; and 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 recommends approval (6-1), subject to conditions.

**Attachments:**      [Exhibit 1 Staff Report](#)  
                              [Exhibit 2 Aerial Map](#)  
                              [Exhibit 3 Zoning Map](#)  
                              [Exhibit 4 Future Land Use Map](#)  
                              [Exhibit 5 Ordinance No 2007-032](#)  
                              [Exhibit 6 Public Notification and Community Responses](#)  
                              [Exhibit 7 June 17, 2015 Planning & Zoning Commission Minutes](#)  
                              [Exhibit 8 Draft Ordinance](#)

- D.    [Z15-0010](#)      Hold a public hearing and consider a rezoning request from Neighborhood Residential Mixed Use (NRMU) and Neighborhood Residential Mixed Use 12 (NRMU-12) zoning district to a Neighborhood Residential 6 (NR-6) zoning district on approximately 20.13 acres of land generally located northwest of the intersection of Pockrus Page Road and Post Oak Boulevard. The Planning and Zoning Commission recommends approval (7-0).

**Attachments:**      [Exhibit 1- Planning and Zoning Commission Staff Report](#)  
[Exhibit 2- Site Location - Aerial Map](#)  
[Exhibit 3- Zoning Map](#)  
[Exhibit 4- Future Land Use Map](#)  
[Exhibit 5- NR-6 Permitted Uses](#)  
[Exhibit 6- Surrounding Residential Within One Square Mile](#)  
[Exhibit 7- Applicant Narrative](#)  
[Exhibit 8- Public Notification Map](#)  
[Exhibit 9- June 17, 2015 Planning & Zoning Commission Minutes](#)  
[Exhibit 10- Draft Ordinance](#)

- E.    [DCA15-0002](#)    Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, amending “Permitted Uses” in Subchapter 35.5 of the Denton Development Code to add “Craft Alcohol Production” to the use tables with a Limitation and to amend Subchapter 23.2 “Definitions and Terms” to define the use of “Craft Alcohol Production” and allow for the definition of “Restaurant, Brewpub”; 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 recommends approval (5-0).

**Attachments:**      [Exhibit 1 Staff Report](#)  
[Exhibit 2 Proposed Amendments Subchapter 5 - Zoning Districts and Limitation:](#)  
[Exhibit 3 Proposed Amendments to Subchapter 23 - Definitions](#)  
[Exhibit 4 Craft Alcohol Ordinance](#)

## **6. CITIZEN REPORTS**

- A. Review of procedures for addressing the City Council.
- B. Receive citizen reports from the following:
  - A.    [ID 15-537](#)      Willie Hudspeth regarding City Hall.
  - B.    [ID 15-573](#)      Kent Key regarding gas well plats.
  - C.    [ID 15-575](#)      A.C. Adam regarding buffer zone area around gas wells.
  - D.    [ID 15-586](#)      Nell Yeldell regarding weeds, water and health hazards at 516 E. Prairie.

## **7. CONCLUDING ITEMS**

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the City Council or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

B. Possible Continuation of Closed Meeting topics, above posted.

#### C E R T I F I C A T E

I certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Denton, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2015 at \_\_\_\_\_ o'clock (a.m.) (p.m.)

\_\_\_\_\_  
CITY SECRETARY

NOTE: THE CITY OF DENTON CITY COUNCIL WORK SESSION ROOM AND CITY COUNCIL CHAMBERS ARE 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.