



# 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, September 15, 2015

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, September 15, 2015 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 September 15, 2015.**

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

- A. [ID 15-650](#) Receive a report, hold a discussion, and give staff direction regarding the 2015-16 Proposed Budget, Capital Improvement Program and Five-Year Financial Forecast.

Attachments: [Exhibit 1 - Budget Resource & Expenditure Summary](#)

- B. [ID 15-821](#) Receive a report, hold a discussion, and give staff direction regarding the Denton County Veterans Coalition's request to cosponsor the Stand Down event to be held in the Civic Center and Quakertown Park located at 321 E. McKinney Street October 22, 2015; and providing an effective date.

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

- C. [SI15-0020](#) Receive a report, hold a discussion, and give staff direction regarding the implementation of a Wayfinding Signage Project.

Attachments: [Exhibit 1 - Modified Theme](#)  
[Exhibit 2 - Proposed Wayfinding Directional Signage](#)  
[Exhibit 3 - Proposed Wayfinding Gateway Signage](#)

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 15-831](#) 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 located in the Daniel Lambert Survey, Abstract Number 784, located generally at the northeast corner of Mayhill Road and Colorado Boulevard, City of Denton, Denton County, Texas. 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. (Mayhill Road Widening and Improvements project - Parcel M231 -Ray Hallford, Trustee) [ID 15-833]

- B. [ID 15-834](#) 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 generally located at the Southeast corner of E. McKinney Street and S. Mayhill Road, the affected tract located in the Morreau Forrest Survey, Abstract No. 417, City of Denton, Denton County, Texas. 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. (Mayhill Road Widening and Improvements project - Parcel M088 -BCI Real Estate Ventures, LP) [ID 15-835]

- C. [ID 15-865](#) 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 located in the S. McCracken Survey, Abstract Number 817, located generally in the 2200 block of East Sherman Street, City of Denton, Denton County, Texas. 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. (Williams Rentals LLC - Denton Fire Station No. 4 Rebuild) [ID 15-866]

- D. [ID 15-878](#) Consultation with Attorneys - Under Texas Government Code Section 551.071;

Deliberations regarding Economic Development Negotiations - Under Texas Government Code Section 551.087; and Deliberations regarding Real Property - Under Texas Government Code Section 551.072.

Discuss, deliberate, receive information from staff and provide staff with direction pertaining to legal and economic development issues related to Rail Yard Partners, LTD. and economic development incentives and the acquisition of real property interests in the H. Sisco Survey, Abstract No. 1184, Denton, Denton County, Texas, generally located in the 600 block of E. Hickory. This discussion shall include commercial and financial information the City Council has received from Rail Yard Partners, LTD. which the City Council 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 incentive 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. [ID 15-879]

- E. [ID 15-654](#) Certain Public Power Utilities: Competitive Matters --- Under Texas Government Code, Section 551.086.

Receive competitive public power competitive information and financial information from staff regarding the proposed FY 2015-2016 operating budget for Denton Municipal Electric (“DME”) including without limitation, proposed rates for DME for FY 2015-2016, expected revenues, expenses, commodity volumes, and financial commitments of DME; discuss, deliberate and provide staff with direction.

- F. [ID 15-857](#) Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086.

Receive a presentation from Denton Municipal Electric staff (“DME”) regarding public power competitive and financial matters pertaining to plans, strategies, opportunities, and developments for generation improvements to the DME system; discuss and deliberate strategies regarding same; discuss and deliberate opportunities and strategies for the City to acquire purchased power and enter into agreements regarding the same, in order to meet its future energy needs. Discuss, deliberate and provide Staff with direction.

- G. [ID 15-858](#) 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 the proposed Professional Services Agreement (the “Agreement”) by and between the City of Denton, Texas and Burns & McDonnell Engineering Company, Inc., Kansas City, Missouri, regarding contractual matters that deal with plans, studies, proposals and analyses for system improvements to the

Denton Municipal Electric system, said Agreement in the amount of \$395,652, is in addition to the original contract in the amount of \$264,648, not to exceed an aggregated contract total of \$660,300. Consultation with the City's attorneys regarding legal issues associated with the Agreement 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, provide staff with direction, consider approval and take final action on said Agreement.

- H. [ID 15-859](#) 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 the proposed three-year Professional Services Agreement (the "Agreement") by and between the City of Denton, Texas and Teague Nall & Perkins, Inc. regarding contractual matters that deal with plans, studies, proposals and analyses for system improvements to the Denton Municipal Electric system, said Agreement in the amount of \$470,000, is in addition to the original contract in the amount of \$450,000, not to exceed an aggregated contract total of \$920,000. Consultation with the City's attorneys regarding legal issues associated with the Agreement 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, provide staff with direction, consider approval and take final action on said Agreement.

- I. [ID 15-862](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consult with and provide direction to City's attorney's regarding legal issues and legal strategies associated with the City's pole attachments, pole attachment fees and outstanding pole attachment fees owed; a public discussion of these legal issues and legal strategies would conflict with the duty of the City's attorneys to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

- J. [ID 15-863](#) Consultation with Attorneys - Under Texas Government Code Section 551.071; Deliberations regarding Real Property - Under Texas Government Code Section 551.072.

Consult with and provide direction to City's attorneys regarding legal issues and legal strategies associated with access, occupation and/or use of the City's right of way for fiber, fiber conduit, and/or pole attachments by Zayo Group, LLC; a public discussion of these legal issues and legal strategies would conflict with the duty of

the City's attorneys to the City Council 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 15-576](#) Denton Hispanic Heritage Month
- B. [ID 15-771](#) Constitution Week
- C. [ID 15-855](#) DFW Solar Tour Day

### **3. PRESENTATION FROM MEMBERS OF THE PUBLIC**

- A. Review of procedures for addressing the City Council.
- B. Receive Scheduled Citizen Reports from Members of the Public.
  - 1. [ID 15-791](#) Monica Jones regarding an issue with Animal Services and an issue with Community Improvement Services.
  - 2. [ID 15-816](#) Bob Clifton regarding public servants.
  - 3. [ID 15-898](#) Don Merki regarding Uber, electric vehicle charging stations, and electric vehicles for the City.
- C. Additional Citizen Reports - This section of the agenda permits any person not registered for a citizen report to make comments regarding public business on items not listed on the agenda. This is limited to four speakers per meeting with each speaker allowed a maximum of four (4) minutes.

### **4. BUDGET ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. [ID 15-727](#) Consider adoption of an ordinance of the City of Denton, Texas, levying the ad

valorem property tax of the City of Denton, Texas, for the year 2015, on all taxable property within the corporate limits of the city on January 1, 2015, and adopting a tax rate of \$0.689750 per \$100 of valuation for 2015; providing revenues for payment of current municipal maintenance and operation expenses and for payment of interest and principal on outstanding City of Denton debt; providing for limited exemptions of certain homesteads; providing for enforcement of collections; providing for a severability clause; and providing an effective date.

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

- B.    [ID 15-728](#)      Consider adoption of an ordinance of the City of Denton, Texas, approving the 2015 tax rolls; and providing an effective date.

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

- C.    [ID 15-729](#)      Consider adoption of an ordinance of the City of Denton, Texas, adopting the Fiscal Year 2015-2016 Annual Program of Services (Budget) and the Capital Improvement Program of the City of Denton, Texas, for the fiscal year beginning on October 1, 2015, and ending on September 30, 2016; and declaring an effective date.

**Attachments:**      [Exhibit 1 - Budget Resource & Expenditure Summary](#)  
                                 [Exhibit 2 - Ordinance](#)

- D.    [ID 15-730](#)      Consider adoption of an ordinance of the City of Denton, Texas, ratifying the adoption of the Fiscal Year 2015-16 Annual Program of Services (Budget) and the Capital Improvement Program of the City of Denton, Texas, for the fiscal year beginning October 1, 2015, and ending on September 30, 2016 when the Budget will raise more revenue from property taxes than last year's budget; and providing an effective date.

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

## **5. 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 – KK). 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 – KK 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 15-598](#)      Consider adoption of an ordinance authorizing the City Manager or his designee to execute a purchase order through National Joint Powers Alliance (NJPA) Contract# 022113-CXT for the purchase of prefabricated concrete restroom buildings to be located at City of Denton North Lakes Park Fields 5 and 6, Mack Park Roberts Field, and the restroom concession at Mack Park; and providing an effective date. (File 5880-awarded to CXT, Inc. in the not-to-exceed amount of \$757,073).

Attachments:      [Exhibit 1-Staff Memo](#)  
                              [Exhibit 2-NJPA Contract Award](#)  
                              [Exhibit 3-Ordinance](#)  
                              [Exhibit 4-Signed Contract](#)

- B.    [ID 15-705](#)      Consider adoption of an ordinance approving the expenditure of funds for the purchase of a Verderflex Peristaltic Hose Pump System to be used for the application of ferric chloride for the Pecan Creek Water Reclamation Plant Phosphorous Removal Project which is available from only one source and in accordance with Texas Local Government Code 252.022, such purchases are exempt from requirements of competitive bids; providing for the expenditure of funds therefor; and providing an effective date (File 5908-awarded to Verder, Inc. in the not-to-exceed amount of \$196,207). The Public Utilities Board recommends approval (4-0).

Attachments:      [Exhibit 1-Quote](#)  
                              [Exhibit 2-Staff Memo](#)  
                              [Exhibit 3-PUB Minutes](#)  
                              [Exhibit 4-Ordinance](#)  
                              [Exhibit 5-Signed Contract](#)

- C.    [ID 15-731](#)      Consider adoption of an ordinance of the City Council of the City of Denton, Texas, amending the City's Fund Balance Policy; and providing an effective date. The Public Utilities Board recommends approval (4-0).

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

- D.    [ID 15-732](#)      Consider adoption of an ordinance of the City of Denton, Texas amending the Fiscal Year 2014-2015 Budget and Annual Program of Services of the City of Denton to allow for adjustments to the General Fund of seven hundred sixty-five thousand five hundred sixteen dollars (\$765,516) for the purpose of purchasing an ambulance for Fire Station 7 and other equipment for various City departments; declaring a municipal purpose; providing a severability clause; an open meetings clause; and an effective date.

Attachments:      [Exhibit 1 - Ordinance](#)

- E.    [ID 15-769](#)      Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the implementation of a Mobile Workforce Management Software Solution for Denton Municipal Electric (RFP 5821-awarded to Clevest Solutions, Inc. in the not-to-exceed amount of \$366,000). The Public Utilities Board recommends approval (4-0).

Attachments:      [Exhibit 1-PUB Agenda Information Sheet](#)  
                              [Exhibit 2-Evaluation Sheet](#)  
                              [Exhibit 3-PUB Minutes](#)  
                              [Exhibit 4-Ordinance](#)  
                              [Exhibit 5-Signed Contract](#)



- F. [ID 15-786](#) Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager to execute a funding agreement between the City and Fred Moore Day Nursery School to provide Community Development Block Grant funds for improvements to the facility at 821 Cross Timber Street, Denton, Texas; authorizing the expenditure of funds therefore, not to exceed \$108,927; and providing for an effective date.
- Attachments: [Exhibit 1 - Ordinance](#)
- G. [ID 15-788](#) Consider adoption of an ordinance of the City Council of the City of Denton, Texas, approving guidelines for operation of the City of Denton Home Improvement Program and eligibility criteria; authorizing expenditures in excess of \$50,000 for projects meeting program guidelines and criteria; and providing for an effective date.
- Attachments: [Exhibit 1 - Ordinance](#)
- H. [ID 15-794](#) Consider approval of a resolution of the City of Denton, Texas approving a revised City employee benefits and services policy regarding Tuition Reimbursement; and declaring an effective date.
- Attachments: [Exhibit 1- Redline Version of Tuition Reimbursement Policy](#)  
[Exhibit 2- Proposed Version of Tuition Reimbursement Policy](#)  
[Exhibit 3- Resolution](#)
- I. [ID 15-822](#) Consider adoption of an ordinance approving a city sponsorship in an amount not to exceed \$3,500.00 of in-kind services and resources for the Denton County Veterans Coalition's Stand Down event to be held in the Civic Center located at 321 E. McKinney Street October 22, 2015; and providing an effective date.
- Attachments: [Exhibit 1 - Letter of Request](#)  
[Exhibit 2 - Proposed Ordinance](#)
- J. [ID 15-828](#) Consider approval of a resolution of the City of Denton, Texas approving a revised City standards of conducts policy for employees regarding Use of Tobacco Products and Electronic Cigarettes; and declaring an effective date.
- Attachments: [Exhibit 1 - Redline Version of Tobacco Products Policy](#)  
[Exhibit 2 - Proposed Version of Use of Tobacco Products & Electronic Cigarette](#)  
[Exhibit 3 - Resolution](#)
- K. [ID 15-829](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the supply of Voluntary Dental and Vision Benefits for the City of Denton (RFP 5853-Dental Benefits awarded to Aetna Life Insurance Company in the three (3) year estimated amount of \$3,182,450 with a 9% rate cap for Year 3 and Vision Benefits awarded to Davis Vision, Inc. in the three (3) year estimated amount of \$334,100). The actual cost will be determined by the number of employees and retirees electing coverage and the level of coverage selected. This is a pass through cost that is paid by the employee.



**Attachments:**      [Exhibit 1-Dental Proposal Comparison](#)  
                                 [Exhibit 2-Vision Proposal Comparison](#)  
                                 [Exhibit 3-Ordinance](#)

- L.    [ID 15-830](#)      Consider adoption of an ordinance approving a sixth amended agreement - Greater Denton Arts Council, to the agreement originally entered into by and between the City of Denton, Texas and the Greater Denton Arts Council, dated October 15, 1990; authorizing the City Manager to execute the sixth amended agreement - Greater Denton Arts Council; approving the expenditure of funds therefor; and providing for an effective date.

**Attachments:**      [Exhibit 1 - GDAC Ordinance and Agreement](#)  
                                 [Exhibit 2 - Funding Levels for GDAC and DCT](#)

- M.    [ID 15-832](#)      Consider adoption of an ordinance approving an agreement - Denton Community Theatre by and between the City of Denton, Texas and the Denton Community Theatre, a Texas non-profit corporation; authorizing the City Manager to execute the agreement - Denton Community Theatre; approving the expenditure of funds therefor; and providing for an effective date.

**Attachments:**      [Exhibit 1 - DCT Ordinance and Agreement](#)  
                                 [Exhibit 2 - Funding Levels for GDAC and DCT](#)

- N.    [ID 15-837](#)      Consider adoption of an ordinance of the City Council of the City of Denton, Texas authorizing the City Manager to execute a sewer main cost participation agreement between the City of Denton, Texas and the Carnegie Holding Company, LLC., D/B/A CHC Development, LLC. for the City's participation in the oversizing of sewer mains; and in accordance with the terms and conditions of this ordinance; authorizing the expenditure of funds therefor; and providing an effective date (not to exceed \$33,304)

**Attachments:**      [Exhibit 1 - Location Map](#)  
                                 [Exhibit 2 - Oversized Sanitary Sewer System Difference](#)  
                                 [Exhibit 3 - Sewer Participation Agreement](#)  
                                 [Exhibit 4 - CIP Detail Sheet](#)

- O.    [ID 15-838](#)      Consider adoption of an ordinance regarding the Denton Public Library amending section 2-158 of the City of Denton, Texas, Code of Ordinances; to remove outdated formats and provide uniform check out length of time to all circulating materials; repealing all ordinances in conflict therewith; providing a severability clause; providing for a penalty clause; and providing for an effective date.

**Attachments:**      [Exhibit 1- Redline Markup for Existing Ordinance](#)  
                                 [Exhibit 2- Library Code Ordinance](#)

- P.    [ID 15-839](#)      Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the supply of Basic and Supplemental Life Insurance/Accidental Death and Dismemberment, Voluntary Short Term Disability, and Group Long Term Disability Insurance for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 5852-Basic Life

Insurance/Accidental Death and Dismemberment awarded to Dearborn National Life Insurance Company in the three (3) year estimated amount of \$1,036,000 (\$136,000 City cost and \$900,000 employee optional insurance cost) and Long Term Disability awarded to Dearborn National Life Insurance Company in the three (3) year estimated amount of \$856,555 (\$306,555 City cost and \$550,000 employee optional disability insurance cost). The actual cost will be determined by the number of employees electing coverage as well as the employee's age and salary. The coverage for Supplemental Life Insurance and Short Term Disability Insurance is voluntary and is determined by the actual voluntary employee participation. This is a pass through cost that is paid by the employee.

**Attachments:**      [Exhibit 1-Life and Disability BAFO and Evaluation](#)  
                                 [Exhibit 2-Ordinance](#)

- Q.    [ID 15-842](#)      Consider approval of a resolution approving the City of Denton's Strategic Plan, Key Performance Indicators, and Key Action Steps for FY 2015-16; and providing for an effective date.

**Attachments:**      [Exhibit 1 - FY 2014-15 Strategic Plan](#)  
                                 [Exhibit 2 - Resolution with FY 2015-16 Strategic Plan, KPIs and Key Action Steps](#)

- R.    [ID 15-843](#)      Consider adoption of an ordinance authorizing the City Manager to execute an Interlocal Agreement with the North Central Texas Council of Governments (NCTCOG) under Section 791.001 of the State of Texas Government Code, to authorize the City of Denton to participate in the NCTCOG Geographic Information Systems Planimetric Mapping Update and Contour Data; authorizing the expenditure of funds therefor; and providing an effective date (File 5590-Interlocal Agreement with the North Central Texas Council of Governments in the not-to-exceed amount of \$86,091.50).

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

- S.    [ID 15-844](#)      Consider adoption of an ordinance authorizing the City Manager to execute an Interlocal Agreement with the North Central Texas Council of Governments (NCTCOG) under Section 791.001 of the Texas Government Code, to authorize the City of Denton to obtain Digital Orthophotography data and LiDAR and contour data from the NCTCOG Geographic Information System; authorizing the expenditure of funds therefor; and providing an effective date (File 5930-Interlocal Agreement with the North Central Texas Council of Governments in the not-to-exceed amount of \$57,856.50).

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

- T.    [ID 15-845](#)      Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing and approving a thirty-six month lease agreement with Ricoh-USA, Inc. for production printing equipment for the City of Denton Reprographics division as approved by the State of Texas Department of Information Resources (DIR) Contract Number DIR-TSO-3041); providing for the expenditure of funds therefor; and providing an effective date (File 5926-Lease of Production Printing Equipment awarded to Ricoh USA, Inc. in the annual lease amount of \$85,758.36 for a thirty-six month total of \$257,275.08).

Attachments:      [Exhibit 1-Pricing Comparison](#)  
                             [Exhibit 2-BAFO and Final Pricing](#)  
                             [Exhibit 3-Ordinance](#)  
                             [Exhibit 4-Contract](#)

- U.    [ID 15-846](#)      Consider adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract through the Buy Board Cooperative Purchasing Network for the acquisition of one (1) Tymco Model 600 Street Sweeper for the City of Denton Drainage Department; and providing an effective date (File 5929-awarded to Tymco, Inc. in the amount of \$201,523.50).

Attachments:      [Exhibit 1-Single Source Memo](#)  
                             [Exhibit 2-Comparison Pricing](#)  
                             [Exhibit 3-Ordinance](#)

- V.    [ID 15-847](#)      Consider adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract through the Buy Board Cooperative Purchasing Network for the acquisition of one (1) Sewer Camera Trailer for the City of Denton Wastewater Collections Department; and providing an effective date (File 5935-awarded to R.S. Technical Services, Inc. in the amount of \$133,400).

Attachments:      [Exhibit 1-Comparison and Quotes](#)  
                             [Exhibit 2-Ordinance](#)

- W.    [ID 15-848](#)      Consider adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a purchase order through The Interlocal Purchasing System (TIPS) Cooperative Purchasing Program Contract#02042315 for the partial replacement of the roof at the City of Denton Civic Center by way of an Interlocal Agreement with the City of Denton; and providing an effective date (File 5923-awarded to CBS Mechanical, Inc. in the amount of \$153,308).

Attachments:      [Exhibit 1-Comparison](#)  
                             [Exhibit 2-Quote from CBS Mechanical](#)  
                             [Exhibit 3-Ordinance](#)  
                             [Exhibit 4-Contract](#)

- X.    [ID 15-849](#)      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 physical assessment services for the City of Denton Fire Department; providing for the expenditure of funds therefor; and providing an effective date (File 5292-awarded to Huguley Assessment Center in the three (3) year not-to-exceed amount of \$347,040).

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

- Y.    [ID 15-851](#)      Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving three (3) year service subscription for the CodeRED Emergency Notification System and CodeRED Weather Warning Service, 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 3964-awarded to Emergency Communications Network, Inc. for a three (3) year not-to-exceed amount of \$134,000).

**Attachments:**      [Exhibit 1-Service Agreement](#)  
[Exhibit 2-Addendum to Agreement](#)  
[Exhibit 3-Staff Memo](#)  
[Exhibit 4-Sole Source Memo](#)  
[Exhibit 5-Ordinance](#)  
[Exhibit 6-Signed Agreement](#)

- Z. [ID 15-854](#)** Consider adoption of an ordinance of the City of Denton, Texas, granting Oaktopia, pursuant to Section 17-20 of the Code of Ordinances of the City of Denton, Texas, an exception to the limitations imposed by that section with respect to hours of operation of an amplified loudspeaker system; and setting an effective date.

**Attachments:**      [Exhibit 1 - Oaktopia Noise Exemption Request](#)  
[Exhibit 2 - Ordinance](#)

- AA. [ID 15-856](#)** Consider approval of a resolution allowing DI2-denton1, LLC, DBA Lone Star Attitude Burgers and Oak Street Draft House LLC, to be allowed to sell alcoholic beverages at Oaktopia, September 25 - 27, 2015, 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.

**Attachments:**      [Exhibit 1- Letter of Request](#)  
[Exhibit 2- Resolution](#)

- BB. [ID 15-866](#)** Consider adoption of an ordinance authorizing the City Manager or his designee to execute a Purchase Agreement, by and between the City of Denton, Texas, ("City"), as buyer and WILLIAMS RENTALS, LLC, (the "Owner"), as seller, to acquire fee simple to (1.) a 0.529 acre tract and (2.) a 0.480 acre tract, both tracts located in the S. McCracken Survey, Abstract Number 817, in the City of Denton, Denton County, Texas; (the "Property Interests") for the purchase price of Two Hundred Ninety Nine Thousand Five Hundred Dollars and No Cents (\$299,500.00), and other consideration, as prescribed in the Purchase Agreement (the "Agreement"), as attached to the ordinance and made a part thereof as Exhibit "A", (I) authorizing the expenditure of funds therefor; (ii) providing a savings clause; and (III) providing an effective date. (Fire Station No. 4 Rebuild Project)

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

- CC. [ID 15-867](#)** Consider approval of a resolution by the City Council of the City of Denton, Texas consenting to the withdrawal of the North Texas Higher Education Authority (NTHEA) from acting for and on its behalf and rescinding its request that the authority act for and on its behalf; and providing an effective date.

Attachments:      [Exhibit 1 Resolution](#)

- DD. [ID 15-871](#)** Consider adoption of an ordinance amending the schedule of electric rates contained in Ordinance No. 2014-285 for electric service; amending the provisions of the Residential Service Rate Schedule (Schedule RES); amending the provisions of the Residential Renewable Energy Service Rider (Schedule RG); amending the provisions of the Residential Prepaid Service Schedule (Schedule RPP); adding the provisions of the Residential Time Of Use Schedule (Schedule RTOU); amending the provisions of the General Service Small Schedule (Schedule GSS); amending the provisions of the General Service Medium Schedule (Schedule GSM); amending the provisions of the General Service Large Schedule (Schedule GSL); amending the provisions of the General Time of Use Schedule (Schedule TGS); amending the provisions of the Local Government Small Schedule (Schedule G2); amending the provisions of the Local Government Schedule (Schedule G1); amending the provisions of the Weekend Service Schedule (Schedule WK); amending the provisions of the Athletic Field Schedule (Schedule AF); amending the provisions of the Street Lighting Schedule (Schedule LS); amending the provisions of the Traffic Lighting Schedule (Schedule LT); amending the provisions of the Unmetered School Zone/Crossing Flashers Schedule (Schedule UFL); amending the provisions of the Unmetered Traffic Lights Schedule (Schedule ULT); amending the provisions of the Unmetered Security Camera Schedule (Schedule USC); adding the provisions of the Unmetered Wi-Fi Devices Schedule (Schedule UWF); amending the provisions of the Other Lighting Schedule (Schedule LO); amending the provisions of the Security Lighting Schedule (Schedule DD); amending the provisions of the Decorative Downtown Lighting Schedule (Schedule DDL); amending the provisions of the Non Standard Street Lighting Schedule (Schedule DSL); amending the provisions of the Temporary Service Schedule (Schedule T1); amending the provisions of the GreenSense Energy Efficiency Rebate Program and renaming it the “GreenSense Incentive Program” (Schedule GRP); amending the provisions of the Energy Cost Adjustment Schedule (Schedule ECA); amending the provisions of the Renewable Cost Adjustment (Schedule RCA); amending the provisions of the Transmission Cost Recovery Factor Schedule (Schedule TCRF); amending the provisions of the Dark Fiber Schedule (Schedule DFR); providing for a repealer; providing for a severability clause; and providing for an effective date. The Public Utilities Board recommends approval (4-0).

Attachments:      [Exhibit 1 2016 Rate Comparison](#)  
                                 [Exhibit 2 FY 2015-2016 DME Rate Ordinance](#)

- EE. [ID 15-872](#)** Consider adoption of an ordinance amending the schedule of water rates contained in Ordinance No. 2014-287 for water service rates and water rates; amending the residential water service rate (Schedule WR); amending the commercial/industrial water service rate (Schedule WC); amending the metered water from fire hydrant rate (Schedule WFH); amending the wholesale treated water service rate to the Upper Trinity Regional Water District (Schedule WW); amending the wholesale raw water service rate to Upper Trinity Regional Water District (Schedule WRW); providing for a repealer; providing for a severability clause; and providing for an effective date. The Public Utilities Board recommends approval (4-0).

Attachments:      [Exhibit 1 Final Water Rate Ordinance](#)

- FF. [ID 15-873](#)**      Consider adoption of an ordinance amending the schedule of wastewater rates contained in Ordinance No. 2014-288; providing for an amendment in the rates for residential wastewater service (Schedule SR); amending the mobile home park wastewater service (Schedule SMH); amending the commercial and industrial wastewater service (Schedule SC); amending the commercial/industrial wastewater service which measures with dedicated water meters (sub- meters) (Schedule SCD); amending the commercial/industrial wastewater service which measures with dedicated water meters (sub-meters) (Schedule SCS); amending the equipment services facilities and restaurant & food service establishments wastewater service (Schedule SEE); amending the metered wastewater inside and outside corporate limits (Schedule SM); amending the sale of treated wastewater effluent (Schedule SGE); amending the treated effluent wastewater tap fees (Schedule STE); providing for a repealer; providing for a severability clause; and providing for an effective date. The Public Utilities Board recommends approval (4-0).

Attachments:      [Exhibit 1 Final Wastewater Rate Ordinance](#)

- GG. [ID 15-875](#)**      Consider adoption of an ordinance of the City of Denton, Texas providing for the schedule of miscellaneous fees, deposits, billings and procedures for administrative services to city utilities customers contained in Ordinance No. 2014-286; providing for a repealer; providing for a severability clause; and providing for an effective date. The Public Utilities Board recommends approval (4-0).

Attachments:      [Exhibit 1 Final Miscellaneous Rate Ordinance](#)

- HH. [ID 15-877](#)**      Consider adoption of an ordinance of the City of Denton, Texas amending the schedule of rates for solid waste service contained in ordinance no. 2014-289. as authorized by Chapter 24 of the Code of Ordinances of the City of Denton, Texas; providing that the provisions of sections 26-3, 26-4, 26-5, 26-7, 26-8(a), and 26-9 of the Code of Ordinances of the City of Denton, Texas shall expressly apply to City of Denton solid waste and recycling services; providing for amendments to the residential refuse & recycling collection services rates; providing for amendments to the commercial refuse and recycling collection services rates; providing for an amendment to the processing and disposal services rates; providing for an amendment to the definition of “container weight limits” in the solid waste & recycling services definitions; providing for a repealer; providing for a severability clause; providing an effective date. The Public Utilities Board recommends approval (4-0).

Attachments:      [Exhibit 1- FY 2015 -16 SW&R Rate Ordinance](#)

- II. [ID 15-890](#)**      Consider approval of the minutes of July 28, August 4, August 6, August 11, August 18 and August 25, 2015.

**Attachments:**      [Exhibit 1 - July 28, 2015 minutes](#)  
                                 [Exhibit 2 - August 4, 2015 minutes](#)  
                                 [Exhibit 3 - August 6, 2015 minutes](#)  
                                 [Exhibit 4 - August 11, 2015 minutes](#)  
                                 [Exhibit 5 - August 18, 2015 minutes](#)  
                                 [Exhibit 6 - August 25, 2015 minutes](#)

- JJ. [ID 15-891](#)**      Consider adoption of an ordinance approving an agreement between the City of Denton, Texas, and the Denton Chamber of Commerce regarding an Economic Development Partnership; and providing an effective date.

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

- KK. [ID 15-904](#)**      Consider adoption of an ordinance approving the expenditure of funds for the purchase of three (3) self check machines, three (3) disc media unlockers, and associated maintenance and license costs for three (3) years for the City of Denton Public Library System which are available from only one source and in accordance with Texas Local Government Code 252.022, such purchases are exempt from requirements of competitive bids; providing for the expenditure of funds therefor; and providing an effective date (File 5916-awarded to 3M Library Systems for self check machines and disc media unlockers in the amount of \$48,399.54 and three (3) year maintenance and license costs in the estimated amount of \$92,325.10 for a total award in the not-to-exceed amount of \$140,724.64).

**Attachments:**      [Exhibit 1-Quote for Self Check Machines](#)  
                                 [Exhibit 2-Maintenance Estimate Breakdown](#)  
                                 [Exhibit 3-Staff Memo](#)  
                                 [Exhibit 4-Sole Source Letter](#)  
                                 [Exhibit 5-Ordinance](#)

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

- A. [ID 15-833](#)**      Consider adoption of an ordinance finding that a public use and necessity exists to acquire fee simple title to two 0.092 acre tracts, for the public use of expanding and improving Mayhill Road, a municipal street and roadway generally located in the Daniel Lambert Survey, Abstract No. 784, City of Denton, Denton County, Texas, at the Northeast corner of Mayhill Road and Colorado Boulevard, as more particularly described on the attached “Exhibit “A” (the “Property Interests”); authorizing the filing and prosecution of eminent domain proceedings to acquire the Property Interests; authorizing the expenditure of funds therefore; making findings; providing a savings clause; and providing an effective date. (Mayhill Road Widening and Improvements project: Parcel M231 -Ray Hallford, Trustee)

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

- B. [ID 15-835](#)**      Consider adoption of an ordinance finding that a public use and necessity exists to



acquire fee simple title to a 1.509 acre tract generally located in the Morreau Forrest Survey, Abstract No. 417, City of Denton, Denton County, Texas, at the Southeast corner of E. McKinney St. and S. Mayhill Road, and more particularly described on the attached "Exhibit "A" (the "Property Interests"), for the public use of expanding and improving Mayhill Road, a municipal street and roadway; authorizing the filing and prosecution of eminent domain proceedings to acquire the Property Interests; authorizing the expenditure of funds therefore; making findings; providing a savings clause; and providing an effective date. (Mayhill Road Widening and Improvements project: Parcel M088 -BCI Real Estate Ventures, LP)

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

## **7. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A.    [ID 15-738](#)      Consider nominations/appointments to the Economic Development Partnership Board.

**Attachments:**      [Exhibit 1-EDP Board Ordinance](#)

- B.    [ID 15-880](#)      Consider nominations/appointments to the City's Boards and Commissions: Parks, Recreation and Beautification Board.

- C.    [ID 15-793](#)      Consider approval of a resolution by the City of Denton, Texas, authorizing the City Manager to submit an application and all other necessary documents to obtain a grant under the Texas Department of Housing and Community Affairs' Amy Young Barrier Removal Program, and take all other actions necessary to implement the program; and providing for an effective date.

**Attachments:**      [Exhibit 1 Resolution](#)

- D.    [ID 15-879](#)      Consider adoption of an ordinance of the City of Denton, Texas approving an Economic Development Agreement for an incentive grant between the City of Denton and Rail Yard Partners, LTD; and a Commercial Lease Agreement between the City of Denton and Rail Yard Partners, LTD. involving development at the property located at 608 East Hickory Street, Denton, Texas, 76201; providing authority for the City Manager to execute the agreements subject to final language approval by the City Attorney; and providing an effective date.

**Attachments:**      [Exhibit 1 - Rendering and Space Layout](#)  
                                 [Exhibit 2 - Downtown TIF Project Plan](#)  
                                 [Exhibit 3 - 01-16-15 TIF Meeting Minutes](#)  
                                 [Exhibit 4 - 10-14-14 EDP minutes](#)  
                                 [Exhibit 5 - Lease Agreement](#)  
                                 [Exhibit 6 - Lease Agreement - Site Plan](#)  
                                 [Exhibit 7 - Incentive Agreement w Exhibits](#)  
                                 [Exhibit 8 - Ordinance](#)

## **8. PUBLIC HEARINGS**

- A. [Z15-0008 & S15-0006](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a change in zoning classification from Neighborhood Residential 4 (NR-4) to Neighborhood Residential 2 (NR-2) and approving a Specific Use Permit (SUP) for an Equestrian Facility on approximately 1.003 acres of property, generally located on the east side of Fort Worth Drive and approximately 700 feet south of Johnson Lane; adopting an amendment to the City's official Zoning Map and providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. (Z15-0008 and S15-0006). The Planning and Zoning Commission recommends approval of this request (7-0).

**Attachments:**

[Exhibit 1 - Staff Analysis](#)  
[Exhibit 2 - Site Location, Aerial Map](#)  
[Exhibit 3 - Zoning Map](#)  
[Exhibit 4 - Future Land Use Map](#)  
[Exhibit 5 - Permitted Use in Neighborhood Residential 4](#)  
[Exhibit 6 - Permitted Uses in Neighborhood Residential 2](#)  
[Exhibit 7 - Applicant's Project Narrative](#)  
[Exhibit 8 - Zoning Exhibit](#)  
[Exhibit 9 - Public Notification Map and Community Responses](#)  
[Exhibit 10 - Planning and Zoning Commission Draft Minutes](#)  
[Exhibit 11 - Draft Ordinance](#)

- B. [ID 15-823](#) Hold a public hearing and consider adoption of an ordinance granting approval, in accordance with Chapter 26 of the Texas Parks and Wildlife Code, of the non-park use of a part of North Lakes Park for the purpose of installing and maintaining a sanitary sewer line for the Vista Del Arroyo Offsite Utilities Project; providing for a notice by the City of Denton, Texas, of non-park use for installation and maintenance of sanitary sewer line and reservation of easement in the event of sale of park; and providing an effective date. The Parks, Recreation and Beautification Board recommends approval (5-0).

**Attachments:**

[Exhibit 1 Excerpt of Park Board Minutes 8-3-15](#)  
[Exhibit 2 Sewer Reroute Construction Drawing](#)  
[Exhibit 3 Chapter 26 Legal Ad Notification](#)  
[Exhibit 4 Legal Description and Survey](#)  
[Exhibit 5 Ordinance](#)

- C. [PDA15-0003](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding amendments to a Concept Plan and Detail Plan of Planned Development 176 (PD-176) to depict a Child Day Care facility on approximately 1.38 acres. The subject property is generally located on the south side of Robinson Road, approximately 220 feet east of Teasley Lane within a Planned Development 176 (PD-176) zoning district; adopting an amendment to the City's official Zoning Map and providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date.

(PDA15-0003). The Planning & Zoning Commission recommends approval of this request (7-0), subject to the conditions.

**Attachments:**

[Exhibit 1 - PZ Staff Report](#)

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

[Exhibit 3 - Zoning Map](#)

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

[Exhibit 5 - Previous Concept Plan](#)

[Exhibit 6 - Previous Detailed Plan](#)

[Exhibit 7 - Concept Plan](#)

[Exhibit 8 - Detailed Plan](#)

[Exhibit 9 - Elevations & Rendering](#)

[Exhibit 10 - PH Notification Map](#)

[Exhibit 11 - Draft Ordinance](#)

**9. PRESENTATION FROM MEMBERS OF THE PUBLIC**

- A. Review of procedures for addressing the City Council.
- B. Receive Scheduled Citizen Reports from Members of the Public.

- 1. [ID 15-900](#) Willie Hudspeth regarding City Hall.
- 2. [ID 15-906](#) Patrick Kelley regarding a new skate park.

**10. 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 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.