



City of Denton

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

Meeting Agenda

City Council

Tuesday, February 16, 2016

12:00 PM

Work Session Room & Council Chambers

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Closed Meeting on Tuesday, February 16, 2016 at 12:00 noon in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

1. Closed Meeting

- A. [ID 16-215](#) Deliberations regarding personnel matters - Under Texas Government Code Section 551.074.

Review and discuss the evaluation, duties, discipline, procedures, and contract for the Municipal Judge.

Following the completion of the Closed Meeting, the City Council will convene in a Work Session at 1:00 p.m. 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 February 16, 2016.

3. Work Session Reports

- A. [ID 16-162](#) Receive a report, hold a discussion regarding a resolution of the City Council of Denton, Texas to accept the Denton Enterprise Airport 2015 Master Plan for Airport development.

Attachments: [Exhibit 1- Master Plan Resolution](#)
[Exhibit 2- 2015 Master Plan Executive Summary](#)
[Exhibit 3 -Master Plan Power Point](#)

- B. [ID 16-210](#) Receive a report, hold a discussion, and give staff direction regarding the establishment of a Teen Council to provide a teen perspective on programming and community issues related to the Parks and Recreation Department.

Attachments: [Exhibit 1 - Teen Council.pdf](#)
[Exhibit 2 - 2016 Teen Council info.pdf](#)

- C. [ID 16-217](#) Receive a report and hold a discussion regarding the recall petition against Kevin Roden, Council Member for District 1, and the reasons therefor; and regarding the insufficiency of the recall petition and the City Secretary's declination of

certification to the City Council.

Attachments: [Exhibit 1 - Recall petition](#)
 [Exhibit 2 - Letter to Committee of Electors](#)

- D. [ID 16-218](#) Receive a report, hold a discussion, and give staff direction on the Denton Renewable plan, utility activities, and activities related to the future power supply plans to meet the City's growth and needs.

Attachments: [Exhibit 1 Memo regarding Scope of Work](#)

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:

- B. [ID 16-145](#) 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 DME Hickory substation, located at the intersection of West Hickory and South Bonnie Brae in the City of Denton, Texas, and specifically concerning certain real property located at 1224 N. Bonnie Brae; where discussions had, deliberation, and direction given, by the Denton City Council in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. 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 16-144]

- C. [ID 16-226](#) Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Consultation, discussion, deliberation and receipt of information from the City's attorneys involving legal matters relating to (1) the annexation or extension/renewal of non-annexation agreements for eligible properties; and (2) the extension of a non-annexation agreement for a property to be developed pursuant to Texas Local Gov't Code, Chapter 212, Subchapter G, and to provide the City's attorneys with direction, where a public discussion of these legal matters would clearly 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.

- D. [ID 16-227](#) 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, and provide staff with direction regarding Public Improvement District laws and procedure, status of Rayzor Ranch Public Improvement District No. 1, and related agreements. Consultation with the City's attorneys, regarding legal issues 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.

- E. [ID 16-240](#) 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 and discuss, deliberate, and provide staff with direction regarding the acquisition of real property interests located along Mayhill Road from E. University Drive to Colorado Blvd., in the City of Denton, Denton County, Texas; where discussion, deliberation, and direction given, by the Denton City Council in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. Consultation with the City's attorneys regarding legal issues associated with the acquisition of the real property interests described above including, but not limited to, the following eminent domain lawsuits: City of Denton v. Robert P. Donnelly and Dana Donnelly, City of Denton v. RTS & M, LLC, et al., and City of Denton v. 551 Mayhill Joint Venture, et al.; discussion of these legal matters in an open meeting would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in both present or potential administrative proceedings or lawsuits.

- F. [ID 16-254](#) Deliberations regarding Economic Development Negotiations - Under Texas Government Code Section 551.087.

Receive a report and hold a discussion regarding a proposed economic development program grant agreement between the City of Denton and WGBP Investments, LTD. This discussion shall include commercial and financial information the City Council has received from WGBP Investments, LTD, a business 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; deliberate the economic development program grant agreement between the City of Denton and WGBP Investments, LTD.

- G. [ID 16-255](#) 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 and discuss, deliberate, and provide staff with direction regarding the sale of real property located at 1224 N. Bonnie Brae St., City

of Denton, Denton County, Texas; where discussion had, deliberation, and direction given, by the Denton City Council in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. Consultation with the City's attorneys regarding legal issues associated with the acquisition of the real property interests described above; discussion of these legal matters in an open meeting would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any present or potential administrative proceeding or lawsuit.

H. [ID 16-262](#) Consultation with Attorneys - Under Texas Government Code Section 551.071

Consultation, discussion, deliberation and receipt of information from the City's attorneys involving legal matters relating to: the proposed leasing of Federal lands in the State of Texas around and near Lake Lewisville for oil and gas development; procedures for protesting of such proposed leasing, and; time limits associated with any such protest. 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.

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 16-111](#) Denton Citizen Forester
- B. [ID 16-184](#) Beulah Harris Day

- C. [ID 16-219](#) Recognition from the North Central Texas Council of Governments (NCTCOG) Public Works Council as a new Integrated Stormwater Management (ISWM) Silver designee.
- D. [ID 16-278](#) National FCCLA Week

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 16-189](#) BC Groves regarding red light cameras.

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. 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 –Z). 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 – Z 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 16-049](#) Consider adoption of an ordinance of the City of Denton, Texas providing for two-hour restricted parking spaces from 8:00 a.m. until 5:00 p.m. on Monday through Friday in the parking lot located on the west side of Railroad Avenue between Hickory Street and McKinney Street providing for an area of two-hour limited parking spaces; providing for an area of parking spaces only for the use of City of Denton employees or visitors conducting business at City Hall East; providing a repealer clause; providing a savings clause; providing for a penalty not to exceed \$500 for violations of this ordinance; providing that violations of this ordinance shall be governed by Chapter 18 of the Code of Ordinances of the City of Denton; and providing for an effective date.

Attachments: [Exhibit 1 CHE Parking - SITE MAP](#)
 [Exhibit 2 CHE Parking Ordinance](#)

- B. [ID 16-105](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for enhanced right-of-way maintenance for select City of Denton roadway rights-of-way and public land; and providing an effective date (RFP 5925-awarded to Denton Lawn Sprinkler, Inc. in the three (3) year not-to-exceed amount of \$430,860 and D&D Commercial Landscape Management in the three (3) year not-to-exceed amount of \$526,143 for a total three (3) year not-to-exceed amount of

\$957,003).

Attachments: [Exhibit 1-Evaluation and Ranking Sheet](#)
[Exhibit 2-Ordinance](#)
[Exhibit 3-D&D Commercial Contract](#)
[Exhibit 4-Denton Lawn Sprinkler Contract](#)

- C. [ID 16-114](#) Consider approval of the minutes of December 1, December 7, December 8, and December 15, 2015.

Attachments: [Exhibit 1 - December 1, 2015 Minutes](#)
[Exhibit 2 - December 7, 2015 Minutes](#)
[Exhibit 3 - December 8, 2015 Minutes](#)
[Exhibit 4 - December 15, 2015 Minutes](#)

- D. [ID 16-143](#) Consider adoption of an ordinance providing authorization for and ratification of a Beautification lease Agreement with Union Pacific Railroad for the purpose of providing right-of-way maintenance along Mingo Road from Hickory Street to Cooper Creek Road; and providing an effective date.

Attachments: [Beautification Lease with UPRR Ordinance](#)

- E. [ID 16-256](#) Consider approval of a resolution of the City Council, City of Denton, Texas, stating the conditions and circumstances for the sale of 1224 N. Bonnie Brae St., Denton, Denton County, Texas, to Jose Alfredo Rivas and the public purpose achieved by said sale.

Attachments: [Rivas Statutory Resolution - FINAL - 02122016](#)

- F. [ID 16-144](#) Consider adoption of an ordinance of the City of Denton approving the sale of 1224 N. Bonnie Brae St., Denton, Denton County, Texas ("Property"), to Jose Alfredo Rivas ("Rivas"), as Buyer, for the purchase price of One Hundred and Seventy Five Thousand Six Hundred and Ninety Eight Dollars and Eight Cents (\$175,698.08) as stated in the One to Four Family Residential Contract ("Contract"); authorizing the City Manager in accordance with Texas Local Government Code 272.001(k) to execute a deed to Rivas together with any other documents necessary to sell and convey the Property; and providing an effective date. (Hickory Street DME Substation)

Attachments: [Rivas Sales Ordinance - FINAL W EXHIBITS - 02122016](#)

- G. [ID 16-161](#) Consider adoption of an ordinance of the City Council of Denton, Texas authorizing the City Manager to execute a Water and Sewer Main Pro-Rata Reimbursement Agreement between the City of Denton, Texas and THX Properties, LLC for reimbursement of the costs of building a water and sewer main, through pro-rata charges paid to the City; authorizing the transfer of funds pursuant to the agreement; and providing an effective date. The Public Utilities Board recommends approval (7-0).

Attachments: [Exhibit 1 - Final Plat](#)
 [Exhibit 2 - Location Map](#)
 [Exhibit 3 - Cost](#)
 [Exhibit 4 - Agreement](#)
 [Exhibit 5 - Ordinance](#)

- H. [ID 16-167](#) Consider appointment of board members for Tax Increment Financing Zone Number One (Downtown TIF).

Attachments: [Exhibit 1- Ordinance](#)

- I. [ID 16-176](#) Consider a request for an exception to the Noise Ordinance for the purpose of the St. Paddy's on Walnut Street festival. Live music will be played on an outdoor stage located in the 100-115 block of Walnut Street, for the purpose of a downtown street festival on March 11, 2016. An exception is specifically requested to increase sound levels from 70 to 75 decibels and for an extension of hours from 10 p.m. to 11 p.m. Staff recommends approval.

Attachments: [Exhibit 1 Noise Exception Request](#)

- J. [ID 16-178](#) Consider approval of a resolution allowing Denton Kiwanis Club, to be allowed to sell alcoholic beverages at St. Paddy's on Walnut, March 11, 2016, 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 - Resolution and Agreement](#)

- K. [ID 16-192](#) Consider approval of a resolution allowing DI2-Denton1, LLC, DBA Lone Star Attitude Burgers, to be the sole participant allowed to sell alcoholic beverages at 35 Denton, March 12 & 13, 2016, 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 - Resolution and Agreement](#)

- L. [ID 16-194](#) Consider a request for an exception to the Noise Ordinance for the purpose of the 35 Denton Music Festival. Live music will be played in the Williams Trade Square, located on the 200 block of E. Hickory St., Dan's Silverleaf patio, located at 103 Industrial St., Harvest House patio, located at 331 E. Hickory St., and Lone Star Attitude Burger's rooftop patio located at 113 W Hickory St., on Friday, March 11, Saturday, March 12, and Sunday, March 13, 2016, from 12:00 noon to 12:00 midnight. An exception is specifically requested to increase sound levels from 70 to 75 decibels and for an extension for hours from 10 p.m. to midnight. Staff recommends approval.

Attachments: [Exhibit 1 - Sound Variance](#)
 [Exhibit 2 - Secondary Sound Variance](#)

- M. [ID 16-195](#) 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 architectural design services in support of the design of the new City of Denton Fire Station# 4 to be located at 2110 Sherman Drive; providing for the expenditure of

funds therefor; and providing an effective date (File 6045 awarded to Kirkpatrick Architecture Studio in the not-to-exceed amount of \$399,200).

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

- N. [ID 16-196](#) Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager to execute a First Amendment to a Professional Services Agreement by and between the City of Denton, Texas and Texas CMT, Inc./Gee Consultants for construction materials testing and geotechnical investigations for the City of Denton Street Department; providing for the expenditure of funds therefor; and providing an effective date (File 5351 in the additional amount not-to-exceed \$219,550; aggregating a total not-to-exceed \$277,550).

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

- O. [ID 16-197](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the purchase of electric utility distribution capacitor bank assemblies to be stocked in the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (RFP 6005-awarded to Irby Utilities in the three (3) year not-to-exceed amount of \$348,000).

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

- P. [ID 16-198](#) Consider adoption of an ordinance releasing, abandoning and vacating a 1.470 acre public drainage easement granted to the City of Denton, Texas, by Wynne/Jackson Lakes Development LP., a Texas limited partnership on June 12, 2002 and recorded as Instrument No. 2002-R0073659, Real Property Records, Denton County, Texas and located in the B.B.B. and C.R.R. Survey, Abstract No. 158, Denton County, Texas); and declaring an effective date. [Abandonment of drainage easement to allow for subdivision lot sales]

Attachments: [Exhibit 1 - Location Map](#)
 [Exhibit 2 - Site Map](#)
 [Exhibit 3 - 2002 Drainage Easement](#)
 [Exhibit 4 - Ordinance](#)

- Q. [ID 16-199](#) Consider adoption of an ordinance of the City of Denton, Texas approving and authorizing the City Manager to execute an Interlocal Cooperation Agreement between the City of Denton and Denton County for Ambulance Services and declaring an effective date.

Attachments: [Exhibit 1 County Ambulance Funding Formula](#)
 [Exhibit 2 Ordinance - Ambulance](#)

- R. [ID 16-200](#) Consider adoption of an ordinance of the City of Denton, Texas approving and authorizing the City Manager to execute an Interlocal Cooperation Agreement between the City of Denton and Denton County for Fire Protection Services; and

declaring an effective date.

Attachments: [Exhibit 1 County Fire Funding Formula](#)
 [Exhibit 2 Ordinance - Fire](#)

- S. [ID 16-202](#) Consider approval of a resolution of the City Council of the City of Denton, Texas to accept the Denton Enterprise Airport 2015 Master Plan for Airport development; and, providing an effective date. Council Airport Committee recommends approval (3-0).

Attachments: [Exhibit 1- Master Plan Resolution](#)
 [DTO 2015 Master Plan Executive Summary & Exhibits](#)
 [Exhibit 3 - Master Plan Power Point](#)

- T. [ID 16-209](#) Consider adoption of an ordinance approving assignment of a Commercial Operator Airport Lease Agreement between the City of Denton, Texas and Bert E. Mahon dated January 10, 1989 and as assigned to Harold E. Culp by City of Denton Ordinance 2009-197 dated September 1, 2009, to Petersen Hangars, LLC; and, providing an effective date. Council Airport Committee recommends approval (3-0).

Attachments: [Exhibit 1- Purchased JVC Hangars](#)
 [Exhibit 2- Purchased Culp Hangars](#)
 [Exhibit 3-Ordinance with attachment](#)

- U. [ID 16-213](#) Consider adoption of an ordinance approving assignment of a Commercial Operator Airport Lease Agreement between the City of Denton, Texas and Triangle Aviation dated April 17, 2001 and as assigned to Charles N. Davis, III by City of Denton Ordinance 2006-020 and as further assigned to Nebrig Properties, L.P. by City of Denton Ordinance 2008-254 dated October 21, 2008 to January Aviation, L.L.C.; and, providing an effective date. Council Airport Committee recommends approval (3-0).

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

- V. [ID 16-214](#) Consider adoption of an ordinance approving assignment of a commercial operator Airport lease agreement between the City of Denton, Texas and Bruce Brown dated December 6, 1994, and as assigned to Ralph Slater by City of Denton Resolution R95-014 dated February 7, 1995 to Petersen Hangars, LLC; and, providing an effective date. Council Airport Committee recommends approval (3-0).

Attachments: [Exhibit 1- Site of JVC Hangars](#)
 [Exhibit 2- Site of Slater Hangar](#)
 [Exhibit 3- Ordinance](#)

- W. [ID 16-216](#) Consider adoption of an ordinance of the City of Denton, Texas, appointing Robin A. Ramsay as Presiding Judge for the City of Denton Municipal Court of Record; establishing a term of office for the Presiding Judge beginning on the 4th day of March 2016, and extending through March 3, 2018; providing for reappointment and term of office in accordance with the Texas Constitution and applicable state

statutes; authorizing the Mayor to execute a contract for term of office; and ratifying terms of contract; and declaring an effective date.

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

- X. [ID 16-220](#) 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 engineering and design services related to the Ruddell Street Realignment Project; providing for the expenditure of funds therefor; and providing an effective date (File 6064 awarded to Graham Associates, Inc. in the not-to-exceed amount of \$532,284.25).

Attachments: [Exhibit 1-Map](#)
 [Exhibit 2-Ordinance](#)
 [Exhibit 3-Contract](#)

- Y. [ID 16-251](#) Consider adoption of an ordinance of the City of Denton, Texas setting a date, time, and place for public hearing to consider approval or denial of the land use assumptions and capital improvements plan for designated service areas in the City of Denton, and authorizing and directing the City Secretary to publish notice of such public hearing before the 30th day before the date of the hearing.

Attachments: [EX 1 - Ord Setting Public Hearing-IF](#)

- Z. [ID 16-276](#) Consider approval of a resolution of the City of Denton, Texas authorizing the Mayor to sign a Letter of Protest, pursuant to 43 C.F.R. section 3120.1-3, regarding the proposed auction by the Bureau of Land Management (“BLM”) of Parcel NM-201604-044 comprising 259 acres in and adjacent to Lewisville Lake, Denton County, Texas for purposes of oil and gas development; and providing an effective date.

Attachments: [Resolution authorizing letter of protest to bim over oil and gas leasing at lake lev](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [DCA15-0008](#) Consider adoption of an ordinance of the City of Denton, Texas, to consider
[b](#) amending “Permitted Uses” in Subchapter 35.5 of the Denton Development Code to replace “Semi-Public Halls, Clubs, and Lodges” with “Assembly Halls, Clubs, and Lodges” in the zoning uses in Subchapter 5 and to revise the definition for “Semi-Public Halls, Clubs, and Lodges” in Subchapter 23.2; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. This item was postponed from the December 15, 2015 meeting.

Attachments: [Exhibit 1 Staff Analysis](#)
 [Exhibit 2 Proposed Amendments to DDC Chapter 35.5](#)
 [Exhibit 3 November 18, 2015 P&Z Meeting Minutes](#)
 [Exhibit 4 Draft Ordinance](#)

- B. [ID 16-212](#) Consider nominations/appointments to the City’s Boards and Commissions: Traffic Safety Commission.

6. PUBLIC HEARINGS

- A. [ID 16-003](#) Hold a public hearing and consider approval of a resolution regarding the proposed site for construction, expansion, and use of an electric power transmission /distribution substation located generally south of the 2400 Block of Shady Oaks Drive, in the Mary Austin Survey, Abstract number four, in the City of Denton, Texas; as part of Denton Municipal Electric's service territory. [Brinker Substation]

Attachments: [Project Information Sheet for Brinker Substation EX1.pdf](#)
[DME System Substation Map EX2.pdf](#)
[Brinker Substation TM Line Easements Map - EX3.pdf](#)
[Brinker Substation Site Map EX4.pdf](#)
[Brinker Substation Resolution-EX5](#)

- B. [DCA15-0003](#) [b](#) Hold a public hearing and consider amendments to Subchapter 35.3 Procedures, Subchapter 35.5 Zoning Districts and Limitations, Subchapter 35.23 Definitions and Terms, and Subchapter 35.25 Electric Standards of the Denton Development Code to provide standards, procedures, and definitions related to Electric Substations and Switch Stations.

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

- C. [Z15-0031a](#) Hold a public hearing and consider adoption of an ordinance regarding a change in the zoning classification from an Industrial Center Employment (IC-E) district to a Regional Center Commercial Downtown (RCC-D) district on approximately 2.9 acres. The subject property is generally located on the west side of the I-35 Frontage Road, approximately 1,000 feet south of West University Drive (US Hwy 380), in the City of Denton, Denton County, Texas. (Z15-0031). The Planning and Zoning Commission recommended approval of this request (7-0).

Attachments: [Exhibit 1-Staff Analysis](#)
[Exhibit 2-Aerial Map](#)
[Exhibit 3-Zoning Map](#)
[Exhibit 4-Larger Context Map](#)
[Exhibit 5-Future Land Use Map](#)
[Exhibit 6-RCC-D Permitted Uses](#)
[Exhibit 7-IC-E Permitted Uses](#)
[Exhibit 8-Notification Map](#)
[Exhibit 9-Applicant Outreach Letter & Responses](#)
[Exhibit 10-Draft Ordinance](#)

- D. [DCA15-0007](#) [a](#) Hold a public hearing and consider amending Section 35.7.9.5, 35.7.10.5, and 35.7.13.5 of the Denton Development Code to include additional Façade Materials as architectural requirements to the Oak-Hickory Historic District, Bell Avenue Historic Conservation District, and the West Oak Area Historic District. The Planning and Zoning Commission recommended approval of this request (7-0). (DCA15-0007, Amended Historic District Standards)

Attachments: [Exhibit 1-Staff Analysis](#)
 [Exhibit 2-Oak-Hickory HD Map](#)
 [Exhibit 3-Bell Avenue Historic CD Map](#)
 [Exhibit 4-West Oak Area HD Map](#)
 [Exhibit 5-Ordinance](#)

- E. [Z15-0029a](#) Hold a public hearing and consider adoption of an ordinance regarding amending Subchapter 35.7.5, the Fry Street Overlay District, to create a new sub district and development standards for a mixed use building on approximately 1.7 acres. The subject property is generally located between Oak Street and Hickory Street and 125 feet west of Fry Street. The Planning and Zoning Commission recommends denial of this request (6-1). The applicant has requested that this item be postponed to next City Council meeting, March 1, 2016.

Attachments: [Exhibit 1- Staff Analysis](#)
 [Exhibit 2-Site Location](#)
 [Exhibit 3-Zoning Map](#)
 [Exhibit 4- Future Land Use Map](#)
 [Exhibit 5- Draft Fry Street Overlay District Amendment](#)
 [Exhibit 6-Fry Street Overlay District Redline](#)
 [Exhibit 7- Project Narrative](#)
 [Exhibit 8- Public Notification Map](#)

7. 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 16-230](#) William Jones regarding complaints against the Building Inspector and Police Department.
- 2. [ID 16-264](#) Willie Hudspeth regarding City Hall.

8. CONCLUDING ITEMS

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

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

C E R T I F I C A T E

I certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Denton, Texas, on the _____ day of _____, 2016 at _____ o'clock (a.m.) (p.m.)

CITY SECRETARY

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