



City of Denton

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

Meeting Agenda

City Council

Tuesday, April 5, 2016

2:00 PM

Work Session Room & Council Chambers

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, April 5, 2016 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 April 5, 2016.

3. Work Session Reports

- A. [ID 16-308](#) Receive a report, hold a discussion, and give staff direction regarding a proposed citywide sample tree inventory and tree canopy analysis for Denton.

Attachments: [Exhibit 1 - KDB Board Resolution for Tree Inventory 1.21.16](#)
[Exhibit 2 - Proposal for Tree Canopy Analysis and Sample Inventory](#)

- B. [ID 16-446](#) Receive a report, hold a discussion, and give staff direction regarding the City's budgeting of special revenue funds and the Capital Improvement Program of the City.

Attachments: [Exhibit 1 Budget Presentation](#)

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 16-496](#) 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 annexation or extension/renewal of non-annexation agreements for eligible properties, 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.

B. [ID 16-505](#) 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 the potential acquisition of real property located at 301 E. McKinney, Denton, Texas where deliberation 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 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 County Courthouse Annex property tract(s) - no action item]

C. [ID 16-507](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff, discuss, deliberate, and provide staff with direction and recommendations regarding (i) pending complaints before the Texas Public Utility Commission (Extenet Network Systems, Inc. against the City of Houston - No. 45280; and, Crown Castle NG Central, LLC against the City of Dallas - No. 45470) regarding the imposition of license agreements and fees for the use of public right-of-way and the potential impact on the City; (ii) negotiations with Zayo Group, LLC, and its use of City right-of-way for fiber placement under Denton ISD's agreement with the City; and, (iii) claims for unpaid pole attachment fees by Verizon. 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.

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 16-112](#) Denton Arbor Day
- B. [ID 16-519](#) Don't Die of Doubt

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 16-420](#) Dalton Allen regarding establishing a Denton forensics center.
 - 2. [ID 16-433](#) Zac Youngblood regarding Renewable Denton.
- 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 – 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 16-294](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the purchase of water and sewer inventory parts to be stocked in the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (RFP 5847-awarded to multiple vendors in the three (3) year not-to-exceed amount of \$6,000,000).

Attachments: [Exhibit 1 - Water and Sewer Inventory](#)
 [Exhibit 2-Ordinance](#)
 [Exhibit 3-Morrison Supply Contract](#)
 [Exhibit 4-Metron-Farnier, LLC Contract](#)
 [Exhibit 5-HD Supply Contract](#)
 [Exhibit 6-Fortiline Contract](#)
 [Exhibit 7-ACT Pipe Contract](#)

- B. [ID 16-390](#) Consider adoption of an ordinance approving and authorizing the concession to Fair

2000, Inc. to sell alcoholic beverages at designated locations during the 2016, 2017 and 2018 Denton Air Fair, Inc. Air Show events, upon certain conditions; and providing an effective date.

Attachments: [Exhibit 1 Ordinance](#)

- C. [ID 16-411](#) Consider approval of the minutes of February 1, 2, 9, 16 and 23, 2016.

Attachments: [Exhibit 1 February 1, 2016 Minutes](#)
 [Exhibit 2 February 2, 2016 Joint DISD Minutes](#)
 [Exhibit 3 February 2, 2015 Minutes](#)
 [Exhibit 4 February 9, 2016 Minutes](#)
 [Exhibit 5 February 16, 2016 Minutes](#)
 [Exhibit 6 February 23, 2016 Minutes](#)

- D. [ID 16-412](#) Consider adoption of an ordinance authorizing the City Manager, or his designee to present an offer to the City of Garland (“Owner”) for the purchase of an electric utility and access easement located in the City of Denton, Denton County, Texas, and being generally located in the 1700 block of Spencer Road (“Property Interest”) by executing a purchase agreement from the City of Denton (“City”), as buyer, to the Owner, as seller, for the acquisition of the Property Interest for the amount of Two Hundred and Thirty Two Thousand Two Hundred and Two Dollars and Forty Cents (\$232,202.40), and other consideration, including Twenty Five Thousand Dollars (\$25,000.00) for the relocation and construction of a hazardous materials storage building, as set forth in the Purchase Agreement (“Agreement”) attached hereto and made a part hereof as part of Exhibit “1”, authorizing the expenditure of funds therefor; and providing an effective date.

Attachments: [Garland Easement Offer Ordinance W Exhibits 03312016](#)

- E. [ID 16-427](#) Consider adoption of an ordinance of the City of Denton, Texas, authorizing the City Manager to execute a contract with the Denton Independent School District for the 2016 Summer Food Service Program; authorizing the expenditure of funds to administer the program; and providing an effective date.

Attachments: [Exhibit 1. Ordinance](#)

- F. [ID 16-442](#) Consider approval of a resolution of the City Council of the City of Denton, Texas, amending a policy for tax abatement for the City of Denton to establish guidelines and criteria governing incentive agreements and tax abatement agreements, and declaring an effective date.

Attachments: [Resolution and 2016 Tax Abatement and Incentive Policy](#)

- G. [ID 16-450](#) Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton, Texas and the University of North Texas for the purpose of hosting the African Cultural Festival; providing for the expenditure of funds therefor; and providing an effective date. (\$600)

Attachments: [Ordinance-Agreement for African Cultural Festival](#)

- H. [ID 16-451](#) Consider adoption of an ordinance of the City of Denton authorizing the City

Manager or his designee to execute a contract through the Houston-Galveston Area Council of Governments (H-GAC) for the acquisition of one (1) Backhus model A60 compost turner for the City of Denton Beneficial Reuse Department; and providing an effective date (File 6077-awarded to Ecoverve Industries, LTD. in the amount of \$463,693). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1-Comparison and Quotes](#)
 [Exhibit 2-PUB Minutes](#)
 [Exhibit 3-Ordinance](#)

- I. [ID 16-452](#) Consider adoption of an ordinance ratifying the expenditure of funds by the City Manager for the emergency repair of a 27 inch water main which provides potable water to the City of Denton and in accordance with provisions of Section 252.022 of the Local Government Code exempting such purchases from requirements of competitive bidding; and providing an effective date (File 6061-awarded to Forterra Pipeline Services in the amount of \$57,378). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1-Emergency Declaration Form](#)
 [Exhibit 2-PUB Minutes](#)
 [Exhibit 3-Ordinance](#)

- J. [ID 16-453](#) Consider adoption of an ordinance ratifying the expenditure of funds by the City Manager for the emergency replacement of the McKenna Park water storage tank roof and in accordance with provisions of Section 252.022 of the Local Government Code exempting such purchases from requirements of competitive bidding; and providing an effective date (File 6041-awarded to Pittsburgh Tank and Tower Company, Inc. in the not-to-exceed amount of \$345,658.25). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1-Declaration of Emergency](#)
 [Exhibit 2-Evaluation Report](#)
 [Exhibit 3-Pricing Comparison](#)
 [Exhibit 4-PUB Minutes](#)
 [Exhibit 5-Ordinance](#)
 [Exhibit 6-Contract](#)

- K. [ID 16-454](#) Consider adoption of an ordinance accepting competitive proposals and awarding a public works contract for the replacement of the existing interior access to the heating, ventilation and air conditioning system (HVAC) mechanical platform at the City of Denton Solid Waste and Recycling Administration building located at 1527 South Mayhill Road; providing for the expenditure of funds therefor; and providing an effective date (RFP 6015-awarded to Denco Construction Specialists Corporation in the amount of \$397,833). The Public Utilities Board recommends approval (5-0).

Attachments: [Exhibit 1- Evaluation and Pricing Sheet](#)
 [Exhibit 2-Public Utilities Board Minutes](#)
 [Exhibit 3-Ordinance](#)

- L. [ID 16-455](#) Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager to execute a Second Amendment to a Professional Services Agreement for the development of a model for phosphorous removal at the Pecan Creek Water Reclamation Plant, by and between Hazen and Sawyer, P.C. and the City of Denton, Texas; providing for the expenditure of funds therefor; and providing an effective date (File 5718 in the additional amount not-to-exceed \$124,650; aggregating a total not-to-exceed \$282,175). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1-Original Contract and First Amendment](#)
[Exhibit 2-Public Utilities Board Minutes](#)
[Exhibit 3-Ordinance](#)
[Exhibit 4-Second Amendment](#)

- M. [ID 16-456](#) 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 for the design of the Hickory Creek Basin Peak Flow Facility, by and between Hazen and Sawyer, P.C. and the City of Denton, Texas; providing for the expenditure of funds therefor; and providing an effective date (File 5768 in the additional amount not-to-exceed \$112,758; aggregating a total not-to-exceed \$540,126). The Public Utilities Board recommends approval (5-0).

Attachments: [Exhibit 1-Original Contract](#)
[Exhibit 2-Map](#)
[Exhibit 3-Public Utilities Board Minutes](#)
[Exhibit 4-Ordinance](#)
[Exhibit 5-First Amendment](#)

- N. [ID 16-457](#) Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager to execute a Second Amendment to a Professional Services Agreement for electrical substation design and other engineering related consulting services for Capital Improvement Plan projects and other technical support for Denton Municipal Electric, by and between Black & Veatch Corporation and the City of Denton, Texas; providing for the expenditure of funds therefor; and providing an effective date (File 5089 in the additional amount not-to-exceed \$2,220,000; aggregating a total not-to-exceed \$3,565,400). The Public Utilities Board recommends approval (5-0).

Attachments: [Exhibit 1-PUB Agenda Information Sheet](#)
[Exhibit 2-Original Agr and First Amendment](#)
[Exhibit 3-Public Utilities Board Minutes](#)
[Exhibit 4-Ordinance](#)
[Exhibit 5-Second Amendment](#)

- O. [ID 16-458](#) Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager to execute a Professional Services Agreement for professional engineering related to the preparation, development, and submittal of the Municipal Solid Waste Permit #1590A amendment for the City of Denton Municipal Solid Waste Facility; providing for the expenditure of funds therefor; and providing an effective date (File

6097-awarded to Parkhill Smith and Cooper in the not-to-exceed amount of \$274,150). The Public Utilities Board recommends approval (5-0).

Attachments: [Exhibit 1-Public Utilities Board Minutes](#)
 [Exhibit 2-Ordinance](#)
 [Exhibit 3-Contract](#)

- P. [ID 16-459](#) 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 Teague Nall and Perkins, Inc. for engineering services relating to the Fort Worth Drive Utility Relocations Design Project; authorizing the expenditure of funds therefor; providing an effective date (File 6073 in the additional amount not-to-exceed \$440,790; aggregating a total not-to-exceed \$533,290). The Public Utilities Board recommends approval (5-0).

Attachments: [Exhibit 1-Original Contract](#)
 [Exhibit 2-Public Utilities Board Minutes](#)
 [Exhibit 3-Ordinance](#)
 [Exhibit 4- First Amendment](#)

- Q. [ID 16-460](#) Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving the expenditure of funds for the purchase of the untitled sculpture “black granite fountain” by artist Jesus Moroles, 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 6081-awarded to the Red and White Gallery in the amount of \$65,000). The Public Art Committee recommends approval (7-0).

Attachments: [Exhibit 1-Staff Memo](#)
 [Exhibit 2-Appraisal Report](#)
 [Exhibit 3-Public Art Committee Minutes](#)
 [Exhibit 4-Ordinance](#)

- R. [ID 16-461](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the supply of work truck bodies for medium duty vehicles for various City of Denton departments; providing for the expenditure of funds therefor; and providing an effective date (RFP 5976-awarded to Kaffenbarger Truck Equipment Co. in the three (3) year not-to-exceed amount of \$1,060,791).

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

- S. [ID 16-462](#) Consider adoption of an ordinance of the City of Denton, Texas authorizing the approval of a First Amendment to a contract for concrete repair and installation services, by and between Floyd Smith Concrete, Inc. and the City of Denton, Texas, providing for the expenditure of funds therefor; and providing an effective date (RFP 5241-providing for an additional expenditure amount of \$475,000 for a total

contract amount not-to-exceed \$10,475,000). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1-Map](#)
 [Exhibit 2-Original Contract](#)
 [Exhibit 3-Floyd Smith Quotes](#)
 [Exhibit 4- PUB Minutes](#)
 [Exhibit 5-Ordinance](#)
 [Exhibit 6-First Amendment](#)

- T. [ID 16-466](#) Consider adoption of an ordinance of the City Council of Denton, Texas, repealing Ordinance No. 2016-081 relating to the Texas Municipal Power Agency; providing a savings clause; providing an effective date.

Attachments: [Ordinance2016-081_31MAR](#)

- U. [ID 16-467](#) Consider approval of an ordinance adopted concurrently with the Cities of Bryan, Denton, Greenville, and Garland, electing the provisions of Subchapter C-1 of Chapter 163, Texas Utilities Code, providing for alternative governance of the Texas Municipal Power Agency; providing findings of fact; providing an effective date.

Attachments: [TMPA concurrent ordinance 5apr16 final.pdf](#)

- V. [ID 16-474](#) Consider adoption of an ordinance approving a City sponsorship in an amount not to exceed \$15,500 of in-kind services and resources for the 2016 Denton Air Show to be held at the Denton Enterprise Airport on June 18, 2016; and providing an effective date.

Attachments: [Exhibit 1 Letter of Request.pdf](#)
 [Exhibit 2 Authorized versus Actual.pdf](#)
 [Exhibit 3 2015-16 Running Total of Requested Support.pdf](#)
 [Exhibit 4 Air Show Ordinance.pdf](#)

- W. [ID 16-475](#) Consider adoption of an ordinance approving a City sponsorship in an amount not to exceed \$16,000 of in-kind services and resources for the Denton Cinco de Mayo Festival, to be held in Quakertown Park on May 14, 2016; and providing an effective date.

Attachments: [Exhibit 1 Letter of Request](#)
 [Exhibit 2 Authorized versus Actual Costs](#)
 [Exhibit 3 2015-16 Running Total of In-kind Support](#)
 [Exhibit 4 Ordinance](#)

- X. [ID 16-476](#) Consider adoption of an ordinance approving assignment of a commercial operator Airport lease agreement between the City of Denton, Texas and Jim Osborne dated October 20, 1998, to Hangars Plus, L.L.C.; and providing an effective date.

Attachments: [Exhibit 1- Site Map](#)
 [Exhibit 2- Ordinance and Lease Agreement](#)

- Y. [ID 16-477](#) Consider approval of a resolution allowing Mi Casita's Mexican Food to be the sole

participant allowed to sell alcoholic beverages at the Cinco de Mayo Celebration on May 14, 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. Parks, Recreation and Beautification Board recommend approval with a vote of 7-0.

Attachments: [Exhibit 1 Letter of Request](#)
 [Exhibit 2 Park Board Minutes](#)
 [Exhibit 3 Resolution and Contract](#)

- Z. [ID 16-478](#)** Consider adoption of an ordinance approving a City sponsorship in an amount not to exceed \$20,000 of in-kind services and resources for the 18th Annual Denton Blues Festival to be held at the Quakertown Park on September 17-18, 2016; and providing an effective date.

Attachments: [Exhibit 1 Letter of Request](#)
 [Exhibit 2 Budget vs Actual](#)
 [Exhibit 3 2015-16 Running Total of Requested Support](#)
 [Exhibit 4 Ordinance](#)

- AA. [ID 16-479](#)** Consider adoption of an ordinance approving a City sponsorship in an amount not to exceed \$19,000 of in-kind services and resources for the Denton Juneteenth Celebration to be held in Fred Moore Park on June 17-18, 2016; and providing an effective date.

Attachments: [Exhibit 1 Letter of Request](#)
 [Exhibit 2 Budget vs Actual](#)
 [Exhibit 3 2015-16 Running Total of Requested Support](#)
 [Exhibit 4 Ordinance](#)

- BB. [ID 16-481](#)** Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas generally identified as DH1, generally located east of H. Lively Road, south side of FM 2449, west side of John Paine Road; providing for severability and an effective date.

Attachments: [DH-1 Ordinance](#)

- CC. [ID 16-482](#)** Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas generally identified as DH2, generally located on the south side of University Drive, west and east sides of Thomas J. Egan Road, north of Jim Christal Road, west of Masch Branch Road; providing for severability and an effective date.

Attachments: [DH-2 Ordinance](#)

- DD. [ID 16-483](#)** Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural,

wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas generally identified as DH3, generally located on the south side of Spring Side Road, north, south and west of Corbin Road, west of I-35; providing for severability and an effective date.

Attachments: [DH-3 Ordinance](#)

- EE. [ID 16-484](#) Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas generally identified as DH4, generally located on the east side of Bonnie Brae Street, west of Fort Worth Drive, east and west of Vintage Boulevard; providing for severability and an effective date.

Attachments: [DH-4 Ordinance.pdf](#)

- FF. [ID 16-485](#) Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas generally identified as DH5, generally located on the east side of Fort Worth Drive, west side of Country Club Drive, north of Brush Creek Road; providing for severability and an effective date.

Attachments: [DH-5 Ordinance.pdf](#)

- GG. [ID 16-487](#) Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas generally identified as PAA1, generally located on the south side of Jim Christal Road, the north side of Tom Cole Road, west of Masch Branch Road; providing for severability and an effective date.

Attachments: [PAA1 Ordinance.pdf](#)

- HH. [ID 16-488](#) Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas generally identified as PAA2, generally located on the south side of FM 1173, north W. University Drive, west of I-35; providing for severability and an effective date.

Attachments: [PAA2 Ordinance.pdf](#)

- II. [ID 16-489](#) Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas generally identified as PAA3, generally located on the south side of Ganzer Road, north and south of Barthold Road, north of FM 1173, west of I-35; providing for severability and an effective date.

Attachments: [PAA3 Ordinance.pdf](#)

- JJ. [ID 16-490](#)** Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas generally identified as PAA4, generally located on the south side of Milan Road, north of Loop 288, east of I-35; providing for severability and an effective date.

Attachments: [PAA4 Ordinance.pdf](#)

- KK. [ID 16-497](#)** Consider adoption of an ordinance authorizing the City of Denton ("City"), as Buyer, to accept a counter-offer from B.M.A.J., Inc., a Texas corporation ("Owner"), as Seller, for the purchase of fee simple title to the surface estate, including a waiver of surface use to the mineral estate, of a portion of Lot 1, Block 1 Royal Inn Addition, an Addition to the City of Denton, Denton County, Texas, and being generally located in the 1200 block of North Interstate Highway 35 East ("Property Interests"), for the price of One Million Seven Hundred Fifty Thousand Dollars and no cents (\$1,750,000.00), and other consideration, as prescribed in the Counter-Offer ("Counter-Offer") attached as Exhibit "A"; directing the City Manager, or his designee, to execute the acceptance of the Counter-Offer and related documents completing the transaction; authorizing the expenditure of funds; and providing an effective date. (Fire Station Number 3 Rebuild project: B.M.A.J. Inc.)

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

[Exhibit 2 - Site Map](#)

[Exhibit 3 - Ordinance](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 16-444](#)** Consider adoption of an ordinance considering all matters incident and related to the issuance, sale and delivery of up to \$93,840,000 in principal amount of "City of Denton Certificates of Obligation, Series 2016" (including up to \$8,195,000 for General Government activities, up to \$15,835,000 for Solid Waste Fund activities, and up to \$69,810,000 for Electric, Water and Wastewater Fund activities); authorizing the issuance of the Certificates; delegating the authority to certain City officials to execute certain documents relating to the sale of the Certificates; approving and authorizing instruments and procedures relating to said Certificates; and enacting other provisions relating to the subject.

Attachments: [Exhibit 1 Preliminary Official Statement](#)

[Exhibit 2 Ordinance](#)

- B. [ID 16-445](#)** Consider adoption of an ordinance considering all matters incident and related to the issuance, sale and delivery of up to \$32,710,000 in principal amount of "City of Denton General Obligation Refunding and Improvement Bonds, Series 2016"; authorizing the issuance of the Bonds; delegating the authority to certain City officials to execute certain documents relating to the sale of the Bonds; approving and authorizing instruments and procedures relating to said Bonds; and enacting

other provisions relating to the subject.

Attachments: [Exhibit 1 Preliminary Official Statement](#)
 [Exhibit 2 Ordinance](#)

- C. [ID 16-471](#) Consider adoption of six (6) ordinances of the City of Denton, Texas, on first reading to involuntarily annex land contained in six (6) of the fifteen (15) annexation areas, specifically land located within DH2, DH3, DH4, DH14, PAA3 and PAA4; providing for a penalty in the maximum amount of \$2000.00 for violations thereof, severability and an effective date.

Attachments: [Location Map and General Descriptions](#)
 [Draft Service Plan](#)

6. PUBLIC HEARINGS

- A. [Z15-0029c](#) Continue 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 (6-1). A supermajority vote by Council is required for approval. The applicant has requested that this item be withdrawn because they are proposing additional amendments.

Attachments: [Staff Analysis](#)
 [Site Location](#)
 [Zoning Map](#)
 [Future Land Use Map](#)
 [Draft Fry Street Overlay District Amendment](#)
 [Fry Street Overlay District Redline](#)
 [Project Narrative](#)
 [Public Notification Map](#)
 [January 27, 2016 Planning and Zoning Commission Minutes](#)

- B. [Z15-0034a](#) Hold a public hearing and consider adoption of an ordinance regarding a change in the zoning classification from a Neighborhood Residential 4 (NR-4) district to an Employment Center Industrial (EC-I) district on approximately 5.1 acres. The subject property is generally located on the south side of Morse Street, approximately 295 feet west of South Woodrow Lane, in the City of Denton, Denton County, Texas. (Z15-0034). The Planning and Zoning Commission recommended approval of this request (7-0).

Attachments:[Staff Analysis](#)[Location Map](#)[Zoning Map](#)[Zoning Change Map](#)[Future Land Use Map](#)[NR-4 Permitted Uses](#)[EC-I Permitted Uses](#)[Notification Map](#)[Applicant Outreach & Response Letter](#)[Planning and Zoning Commission Work Session Minutes 3-9-16](#)[Planning and Zoning Commission Meeting Minutes 3-9-16](#)[Ordinance](#)

- C. [S15-0018a](#) Hold a public hearing and consider adoption of an ordinance regarding a Specific Use Permit (SUP) to allow Multi-Family Dwellings in a Neighborhood Residential Mixed Use 12 (NRMU-12) district, being on approximately 0.8 acres. The subject property is generally located on the southeast corner of Taliaferro Street and North Elm Street., in the City of Denton, Denton County, Texas. (S15-0018). The Planning and Zoning Commission recommended approval of this request (7-0).

Attachments:[Staff Analysis](#)[Location Map](#)[Zoning Map](#)[Future Land Use Map](#)[Site Plan](#)[Elevations](#)[Landscape Plan](#)[Notification Map](#)[Planning and Zoning Commission Minutes 3-9-16](#)[Ordinance](#)

- D. [Z16-0001c](#) Hold a public hearing and consider a rezoning from a Neighborhood Residential 2 (NR-2) District to a Neighborhood Residential Mixed Use (NRMU) District. The approximately 6.262 acre subject property is generally located at the northwest corner of North Bonnie Brae Street and West Windsor Drive, in the City of Denton, Denton County, Texas. The Planning and Zoning Commission recommends approval (7-0).

Attachments: [Staff Analysis](#)
 [Aerial Map](#)
 [Zoning Map](#)
 [Future Land Use Map](#)
 [NR-2 Permitted Uses](#)
 [NRMU Permitted Uses](#)
 [Applicant Narrative](#)
 [Notification Map & Responses](#)
 [March 9, 2016 Planning and Zoning Commission Meeting Minutes](#)
 [Draft Ordinance](#)

- E. [A15-0016c](#) Hold the first of two public hearings for annexation of an approximately 23.24 acre property generally located on the west side of Geesling Road, approximately 700 feet south of East University Drive (US 380), within the Moreau Forrest Survey, Abstract No. 417, in Denton County, Texas.

Attachments: [Location Map](#)
 [Zoning Map](#)

- F. [ID 16-463](#) Hold the first of two public hearings to consider annexing eight (8) properties, identified by the following property identification numbers (DH-2: 60756 and 60759), (DH-3: 41547), (PAA1: 651278), (PAA3: 315334 and 60790) and (PAA4: 202610 and 37729), which received a Non-Annexation Agreement in 2010, and a one year extension in 2015. The properties that were proposed to be annexed all have signed Non-Annexation Agreements.

Attachments: [Draft Service Plan](#)

- G. [ADP16-0002](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding an Alternative Environmentally Sensitive Area Plan to allow for commercial development to encroach into an existing Environmentally Sensitive Area (ESA). The approximately 39 acre property is generally located on southbound I-35E and approximately 2200 feet south of Lillian B Miller Parkway within a Regional Center Commercial Downtown (RCC-D) zoning district; 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 recommended approval with conditions (4-3). (ADP16-0002, Buc-ee's Travel Center)
[d](#)

Attachments: [Staff Analysis](#)
 [Aerial Map](#)
 [Zoning Map](#)
 [ESA Mitigation Plan](#)
 [Proposed ESA Tree Canopy Map](#)
 [Runoff Treatment Area Map](#)
 [Stormceptor Information Sheet](#)
 [Stormceptor Diagram](#)
 [Public Notification Map and Responses](#)
 [Draft Ordinance](#)

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 16-414](#) Willie Hudspeth regarding the lack of sidewalks near Ryan High School, citizen reports at the end of the meetings, and the Ethics Ordinance.

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.