



City of Denton

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

Meeting Agenda

City Council

Tuesday, May 3, 2016

4:00 PM

Council Chambers & City Hall Conference Room

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, May 3, 2016 at 4:00 p.m. in the Council Chambers 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 May 3, 2016.

3. Work Session Reports

- A. [ID 16-551](#) Receive a report, hold a discussion and give staff direction on a funding recommendation reports from the Community Development Advisory Committee (CDAC) and the Human Services Advisory Committee (HSAC); and the proposed 2016-17 Action Plan for Housing and Community Development.

Attachments: [Exhibit 1 HSAC Recommendations](#)
 [Exhibit 2 CDAC Recommendations](#)

- B. [ID 16-588](#) Receive a report, hold a discussion, and give staff direction regarding organizational programs that aim to increase the efficiency, effectiveness, and productivity of City of Denton operations.

Attachments: [Exhibit 1 TML Texas Town and City Article](#)
 [Exhibit 2 Presentation](#)

Following the completion of the Work Session, the City Council will convene in a Closed Meeting in the City Hall Conference Room 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 16-541](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071. Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the potential purchase of a 25.63 acre tract, generally located on the north side of Tom Cole Road and being west of and adjacent to City of Denton Enterprise Airport property and being situated in the Wm. Wilburn

Survey, Abstract 1419, Denton County, Texas. Consultation with the City's attorneys regarding legal issues associated with the potential acquisition and condemnation of the real property described above where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation. (Denton Enterprise Airport - West Parallel Runway project: Eagle Farms/Porter - no action item)

- B. [ID 16-542](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071. Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the potential purchase of a 29.444 acre tract, generally located and adjacent to the southwest boundaries of the City of Denton Enterprise Airport property and being situated in the J. McDonald Survey, Abstract 873, Denton County, Texas. Consultation with the City's attorneys regarding legal issues associated with the potential acquisition and condemnation of the real property described above where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation. (Denton Enterprise Airport - West Parallel Runway project: SLF II Cole Properties, LP - no action item)

- C. [ID 16-599](#) 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.

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 16-523](#) Hallie’s Heroes Day
- B. [ID 16-569](#) Bike Month
- C. [ID 16-571](#) Motorcycle Safety and Awareness Month
- D. [ID 16-573](#) National Children’s Mental Health Awareness Day
- E. [ID 16-574](#) Denton County MHMR Connections Fundraising Event
- F. [ID 16-582](#) Building Safety Month

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 16-583](#) David Zoltner regarding "Decorum" and Rule of Procedure 2-29 (c)(3)h.
- 2. [ID 16-590](#) Isabel Cano regarding sidewalks.

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 – N). 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 – N 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 16-536](#) Consider adoption of an ordinance approving the expenditure of funds for a software license upgrade and three (3) year software maintenance for continued vendor support for Cityworks software for the Water and Wastewater Asset Work

Order Software System 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 5194-awarded to Azteca Systems, Inc. in the three (3) year not-to-exceed amount of \$180,000).

Attachments: [Exhibit 1-Quote](#)
 [Exhibit 2-Sole Source Letter](#)
 [Exhibit 3-Ordinance](#)
 [Exhibit 4-Draft Contract](#)

- B. [ID 16-540](#) Consider adoption of an ordinance of the City of Denton, authorizing the execution of a real estate sales contract (“contract”) between the City of Denton (“City”), as buyer, and DW Carmel, LLC (“owner”), as seller, for the purchase of a 6.394 acre tract, more or less, being situated in the Gideon Walker Survey, Abstract no. 1330, located in Denton, Denton County, Texas, also known as Lot 1, Block KK, Villages of Carmel Phase 5B a pending subdivision plat, Denton County Texas, and known locally as the 5400 block of Edwards Road, Denton, Denton County, Texas, and is more particularly described in the contract attached as Exhibit “A”, for the purchase price of Two Hundred Seventy Eight Thousand Three Hundred Twenty Five Dollars and no/100 (\$278,325.00); authorizing the expenditure of funds therefor; and, providing an effective date.

Attachments: [Exhibit 1 - Location Map - Villages of Carmel Area 6.394 acre Park Property pur](#)
 [Exhibit 2 - Site Map - Villages of Carmel Area 6.394 acre Park Property purchas](#)
 [Exhibit 3 - Ordinance](#)

- C. [ID 16-545](#) Consider appointment of board members for Tax Increment Financing Zone Number One (Downtown TIF).
- D. [ID 16-546](#) Consider approval of a resolution approving the Downtown Tax Increment Fund (Downtown TIF #1) 2015 Annual Report.

Attachments: [Exhibit 1- Resolution](#)
 [Exhibit 2- 2015 Annual Report](#)

- E. [ID 16-559](#) Consider adoption of an ordinance of the City of Denton, Texas amending the Fiscal Year 2015-2016 Budget and Annual Program of Services of the City of Denton to allow for adjustments to the Tree Mitigation Fund of ninety two thousand eight hundred and fifty dollars (\$92,850); declaring a municipal purpose; providing a severability clause; providing an open meetings clause; and providing for an effective date.

Attachments: [Exhibit 1 - Ordinance](#)

- F. [ID 16-560](#) 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 additional security cameras for various City departments and for the maintenance of all cameras in the network; and providing an effective date (File 6105-awarded to Sigma Surveillance, Inc. dba STS 360, LLC. in the three (3) year not-to-exceed amount of \$961,808.72).

Attachments: [Exhibit 1-Comparison](#)
 [Exhibit 2-Camera List](#)
 [Exhibit 3-Ordinance](#)

- G. [ID 16-561](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for cleaning services for the City of Denton Downtown Square and Cedar, Hickory, and Industrial Streets; providing for the expenditure of funds therefor; and providing an effective date (RFP 6011-awarded to Entrust One Facility Services, Inc. in the three (3) year not-to-exceed amount of \$255,000).

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

- H. [ID 16-562](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for Electric Substation Relay Panels for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 6056-awarded to Schweitzer Engineering Laboratories, Inc. in the three (3) year not-to-exceed amount of \$860,000). The Public Utilities Board recommends approval (7-0).

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

- I. [ID 16-564](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for wood grinding services for the City of Denton Beneficial Reuse Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 6066-awarded to Thelin Recycling Company, LP in a three (3) year amount not to exceed \$750,000). The Public Utilities Board recommends approval (7-0).

Attachments: [Exhibit 1-Evaluation and Ranking Sheet](#)
 [Exhibit 2-Public Utilities Board Minutes](#)
 [Exhibit 3-Ordinance](#)
 [Exhibit 4-Contract](#)

- J. [ID 16-565](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for electrical services for City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 6003-awarded to C&G Electric, Inc. in a three (3) year amount not to exceed \$450,000).

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

- K. [ID 16-567](#) Consider adoption of an ordinance accepting competitive proposals and awarding a

contract for Employee Benefits Consulting Services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 6063-awarded to McGriff, Seibels & Williams of Texas, Inc. in a three (3) year amount not to exceed \$145,500).

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

- L. [ID 16-568](#) Consider adoption of an ordinance of the City of Denton, Texas prohibiting parking on the south side of Highland Street from its intersection with Bernard Street to its intersection with IOOF Street; 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. The Traffic Safety Commission recommends approval (4-0).

Attachments: [Exhibit 1 - Petition](#)
 [Exhibit 2 - Location Map](#)
 [Exhibit 3 - On Street Parking Conditions](#)
 [Exhibit 4 - Ordinance](#)

- M. [ID 16-575](#) Consider approving the donation of 13 oil and watercolor prints by the late Martha Robbins as Public Art pursuant to the City of Denton's Donations of Public Art Policy. The Public Art Committee recommends approval (7-1).

Attachments: [Exhibit 1 - Excerpt of Public Art Committee Minutes dated March 3, 2016](#)
 [Exhibit 2 - Proposed Public Art](#)

- N. [ID 16-584](#) Consider adoption of an ordinance of the City of Denton, Texas, authorizing the execution of a contract for sale of real estate ("Contract"), between the City of Denton, Texas ("City"), as buyer, and Denton County, Texas ("County"), as seller, for the purchase a 1.083 acre tract, more or less, located in the B.B.B. & C. Railroad Company Survey, Abstract No. 185, Denton County, Texas, and located generally on the north side of the 300 block of East McKinney Street, Denton, Denton County, Texas, and more particularly described in the Contract of Sale attached to the ordinance as Exhibit "A", for the purchase price of One Million and No/100 Dollars (\$1,000,000.00); and providing an effective date. (Denton County Courthouse Annex property purchase - 301 East McKinney Street)

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

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 16-557](#) Consider adoption of an ordinance approving a First Amendment to a Tax Abatement Agreement between the City of Denton and Peterbilt Motors Company setting forth all the required terms of the Tax Abatement Agreement in accordance with the terms of Chapter 312 of the Texas Tax Code; setting forth the various

conditions precedent to Peterbilt Motors Company, receiving the Tax Abatement; providing for a severability clause; and providing an effective date.

Attachments: [Exhibit 1- 2016 Request Letter](#)
 [Exhibit 2- Draft Ordinance](#)
 [Exhibit 3- Draft Amendment](#)

6. PUBLIC HEARINGS

- A. [ID 16-428](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, adopting Standards of Care for Youth/Teen Programs administered by Denton's Parks and Recreation Department pursuant to Texas Human Resources Code Section 42.041 (b) (14); and providing an effective date. (The Parks, Recreation and Beautification Board recommended approval 6-0).

Attachments: [Exhibit 1 - March 7, 2016, Excerpt of Park Board Minutes.docx](#)
 [Exhibit 2 - April 4, 2016, Excerpt of Draft Park Board Minutes.docx](#)
 [Exhibit 3 - Proposed Ordinance incorporating Standards of Care.pdf](#)

- B. [ID 16-522](#) Hold a public hearing inviting citizens to comment on the City of Denton's 2016-17 Action Plan for Housing and Community Development.

Attachments: [Exhibit 1 Draft 2016 Action Plan](#)

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 16-539](#) Willie Hudspeth regarding code enforcement, ethics ordinance and citizen reports at the end of the meeting.

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 CHAMBERS AND CITY HALL CONFERENCE ROOM 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.