



City of Denton

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

Meeting Agenda

City Council

Tuesday, November 1, 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, November 1, 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 November 1, 2016.

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 16-1355](#) Deliberations regarding a Personnel Matter under Government Code Section 551.074 and Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Discuss and deliberate regarding the evaluation of candidates and the appointment/employment of a City Manager and consultation, deliberation and receipt of information from the City attorneys involving legal matters relating to employment law and interviewing of candidates, where a public discussion of these legal matters would clearly conflict with the duty of the City's attorneys to the City of Denton under 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 16-745](#) Veteran's Day Proclamation
- B. [ID 16-1399](#) America Recycles Day
- C. [ID 16-1406](#) Presentation of the 2016 Gold Leaf Award for Outstanding Landscape Improvement to the City of Denton by the Texas A & M Forest Service and the Texas Chapter of the International Society of Arboriculture.

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 16-1323](#) Deborah Armintor regarding an ethics ordinance and Charter changes.
 - 2. [ID 16-1425](#) Amber Briggie regarding Serve Denton's Little Food Pantry and food insecurity in Denton.
 - 3. [ID 16-1426](#) Pat Smith regarding Serve Denton's Little Food Pantry and food insecurity in Denton.
 - 4. [ID 16-1447](#) Willie Hudspeth regarding the selection process for the Charter Review Committee and the scheduling of the Council Work Sessions.
- 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 two speakers per meeting with each speaker allowed a maximum of four (4) minutes. Such person(s) shall have filed a "Blue Card" requesting to speak during this period prior to the calling of this agenda item.

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 – K). 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 – K 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 16-1329](#) Consider approval of a resolution reviewing and adopting revisions to the Investment Policy regarding funds for the City of Denton; and providing an effective date. The Audit/Finance Committee recommends approval (3-0).

Attachments: [Exhibit 1 - Redlined Investment Policy](#)
 [Exhibit 2 - Resolution](#)

- B. [ID 16-1330](#) Consider approval of a resolution revising Administrative Policy No. 403.07 “Debt Service Management”; and providing for an effective date. The Audit/Finance Committee recommends approval (2-0).

Attachments: [Exhibit 1 - Redlined Debt Service Management Policy](#)
 [Exhibit 2 - Resolution](#)

- C. [ID 16-1361](#) Consider adoption of an ordinance of the City Council of the City of Denton, Texas, approving a grant application from Jimmy Tritt, owner of JT Clothier’s, 200 W. Oak, from the Downtown Reinvestment Grant Program not to exceed \$20,000; and providing for an effective date. The Economic Development Partnership Board recommends approval (9-0).

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

- D. [ID 16-1362](#) Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving the purchase of Commvault Simpana, an E-mail archive and retention system as awarded by the State of Texas Department of Information Resources (DIR) through the Go DIRECT Program, Contract Number DIR-SDD-2500; providing for the expenditure of funds therefor; and providing an effective date (File 6124-awarded to SHI Government Solutions in the three (3) year not-to-exceed amount of \$250,000).

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

- E. [ID 16-1373](#) Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton, Texas and the Denton County Bar Association for the purpose of Adoption Day in Denton County; providing for the expenditure of funds

therefor; and providing for an effective date. (\$550)

Attachments: [Exhibit 1 Ordinance and Service Agreement](#)

- F. [ID 16-1374](#) Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton, Texas and Denton Community Clinic for the purpose of Health Care Services; providing for the expenditure of funds therefor; and providing for an effective date. (\$1,100)

Attachments: [Exhibit 1 Ordinance and Agreement](#)

- G. [ID 16-1375](#) Consider approval of a resolution of the City Council of the City of Denton nominating PACCAR INC. to the Office of the Governor, Economic Development and Tourism (“OOGEDT”) through the Economic Development Bank (“the Bank”) as an Enterprise Project (“Project”); and providing an effective date.

Attachments: [Exhibit 1 Resolution](#)

- H. [ID 16-1393](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to execute on behalf of the City of Denton a First Amendment to an Airport Lease Agreement as approved by Ordinance 2015-324 on August 4, 2015 between the City of Denton, Texas and Mark Hicks Transport, LLC for the property located at 4901 Lockheed, Denton Enterprise Airport; and, providing an effective date. The Council Airport Committee recommends approval (3-0).

Attachments: [Exhibit 1 - Site Survey](#)

[Exhibit 2 - Ordinance with Lease](#)

- I. [ID 16-1394](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to execute on behalf of the City of Denton a Commercial Operator Airport Lease Agreement between the City of Denton, Texas and Denton Med Trans, LLC for the property located at 2200 Westcourt Road; and, providing an effective date. The Council Airport Committee recommends approval (3-0).

Attachments: [Exhibit 1 - Site Survey](#)

[Exhibit 2 - Adjacent Site Survey](#)

[Exhibit 3 - Ordinance and Lease Agreement](#)

- J. [ID 16-1395](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to execute on behalf of the City of Denton an approval of sublease for the property located at 2200 Westcourt as approved by Ordinance 2016-XXX on November 1, 2016 between the City of Denton, Texas and Denton Med Trans, LLC; and, providing an effective date. The Council Airport Committee recommends approval (3-0).

Attachments: [Exhibit 1 Ordinance and Agreement](#)

[Exhibit 2 Site Survey](#)

- K. [ID 16-1396](#) Consider approval of a resolution amending Resolution No. R2016-035 by adding additional alternate committee members to the City Council Ethics Committee; and providing for an effective date.

Attachments: [Exhibit 1 Resolution](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [SI16-0001b](#) Consider adoption of an ordinance of the City of Denton, Texas, on second reading, confirming and approving a Boundary Adjustment Agreement with the City of Corinth, Texas, adjusting a mutual boundary of the cities not exceeding 1,000 feet; providing for severability; and providing an effective date.

Attachments:[Exhibit 1 - City of Corinth Letter](#)[Exhibit 2 - Draft Boundary Adjustment Agreement](#)[Exhibit 3 - Draft Ordinance](#)

- B. [ID 16-1380](#) Consider adoption of an ordinance establishing an Economic Development Program under Chapter 380 of the Local Government Code for making grants of public money to promote economic development and to stimulate business activity in the city of Denton; approving an economic development program grant agreement with Sally Beauty Supply LLC, setting forth the various conditions precedent to Sally Beauty Supply LLC receiving the program grant; providing for a severability clause; and providing an effective date.

Attachments:[Exhibit 1 Ordinance](#)[Exhibit 2 Grant Agreement](#)[Exhibit 3 Presentation](#)

- C. [ID 16-1381](#) Consider adoption of an ordinance of the City of Denton, Texas approving an amendment to an Economic Development Program Agreement dated April 7, 2015, between the City of Denton and West Gate Business Park (WGBP) Investments, Ltd.; and providing an effective date.

Attachments:[Exhibit 1 Ordinance](#)[Exhibit 2 Agreement](#)[Exhibit 3 Presentation](#)

- D. [ID 16-1382](#) Consider adoption of an ordinance authorizing the Mayor to execute a Tax Abatement Agreement with WGBP Investments, Ltd., 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 WGBP Investments, Ltd., receiving the Tax Abatement; providing for a severability clause; and providing an effective date.

Attachments:[Exhibit 1 Ordinance](#)[Exhibit 2 Tax Abatement Agreement](#)[Exhibit 3 Presentation](#)

- E. [ID 16-1397](#) Consider appointments to a Charter Review Committee.

- F. [ID 16-1398](#) Appointment of alternates to the Council Ethics Committee.

- G. [ID 16-1402](#) Consider adoption of an ordinance of the City of Denton, Texas amending Section 18-38 of the Code of Ordinances relating to the use of wireless communication devices while driving to prohibit the use of wireless communication devices while

operating a motor vehicle; providing a repealer clause; providing for a penalty not to exceed \$200 for violations of this ordinance; and providing for an effective date. Traffic Safety Commission recommends approval (5-0).

Attachments: [Exhibit 1 - Presentation](#)
 [Exhibit 2 - Citation Data](#)
 [Exhibit 3 - Ordinance 2014-112 Amended](#)

6. 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.