City of Denton

Meeting Agenda

City Council

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

Tuesday, September 19, 2017 **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 Work Session on Tuesday, September 19, 2017 at 12:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

1. Citizen Comments on Consent Agenda Items

This section of the agenda allows citizens to speak on Consent Agenda Items only. Each speaker will be given a total of three (3) minutes to address any items he/she wishes that are listed on the Consent Agenda. A Request to Speak Card should be completed and returned to the City Secretary before Council considers this item.

2. Requests for clarification of agenda items listed on the agenda for September 19, 2017.

3. Work Session Reports

A. ID 17-981 Receive a report; hold a discussion, and give staff direction regarding the FY 2017-18 City Manager's Proposed Budget, Capital Improvement Program, and Five-Year Financial Forecast.

Attachments:
Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Presentation
Exhibit 3 - Electric Utility Debt
Exhibit 4 - TMPA Related Debt
Exhibit 5 - Revised Electric Fund Budget

B. ID 17-1156 Receive a report, hold a discussion and give staff direction on the Vendor Master File Audit.

Attachments:
September 19, 2017 - VMF Audit
City Council Presentation 091917 - VMF
VMF Audit
JD Edwards Diagram

C. ID 17-1159 Receive a report, hold a discussion, and give staff direction regarding the FY18 Annual Audit Plan

Attachments:
September 19, 2017 - FY18 Annual Audit Plan Agenda Information Sheet Temp
City Council Presentation 091917 - VMF
2017 - Tally Sheet II - Annual Risk Assessment
FY18 Audit Plan - CC

D. ID 17-1196 Receive a report and hold a discussion regarding the requirements in Denton

Development Code 35.12.10 for home occupations, specifically the requirement for a Specific Use Permit for musician's and artist's studios.

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - 35.12.10. Home Occupations..pdf
Exhibit 3 - Proposed Use Specific Regulations.pdf
Exhibit 4 - Presentation

E. ID 17-1199 Receive a report, hold a discussion, and provide direction regarding service deliveries in the downtown area.

Attachments: Exhibit 1 - Agenda Information Sheet - Deliveries Downtown
Exhibit 2 - Deliveries Downtown PowerPoint

F. ID 17-1204 Receive a report, hold a discussion and provide staff direction regarding the Denton Municipal Electric community sponsorship program.

Attachments: Exhibit 1 - Agenda Information Sheet.pdf
Exhibit 2 - Presentation.pdf
Exhibit 3 - Organizations by Type.pdf
Exhibit 4 - City-wide Sponsorships.pdf
Exhibit 5 - DME Sponsorships 2012-2016.pdf

G. ID 17-1239 Receive a report, hold a discussion, and provide a recommendation regarding the Solid Waste Department's landfill mining operation.

Attachments: Exhibit 1 - AIS SW Mining - Council Version
Exhibit 2 - Mining PowerPoint Presentation

H. ID 17-1275 Receive a report, hold a discussion, and give staff direction regarding the Resource Planning and Power Supply Strategy for Denton Municipal Electric being prepared by Enterprise Risk Consulting.

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Presentation

I. ID 17-1289 Receive a report, hold a discussion, and give staff direction regarding the establishment of a steering committee as part of the proposed renovation and adaptive use of City Hall West located at 221 North Elm.

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - CHW Project Development Process
Exhibit 3 - Presentation

J. ID 17-1291 Receive a report and hold a discussion concerning the request by Franchise Realty Interstate Corp (McDonalds) for a Specific Use Permit for a drive-through restaurant on property generally located east of North Texas Boulevard, between I-35E and Wilshire Street.

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Site Location_Aerial Map
Exhibit 3 - Zoning Map
Exhibit 4 - 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 17-112 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 direction pertaining to the potential purchase of certain real property interests out of the T.M. Downing Survey, Abstract No. 346, Denton County, Texas, and generally located within the 700 block of Audra Lane, Denton, 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 potential acquisition or condemnation 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.

B. ID 17-992 Certain Public Power Utilities: Competitive Matters --- Under Texas Government Code, Section 551.086.

Receive competitive public power competitive information and financial information from staff regarding the proposed FY 2017-2018 operating budget for Denton Municipal Electric ("DME") including without limitation, proposed rates for DME for FY 2017-2018, expected revenues, expenses, commodity volumes, and financial commitments of DME; discuss, deliberate and provide staff with direction.

C. ID 17-1311 Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive a presentation from staff regarding public power competitive and financial matters related to the City's participation in, and the overall operational and financial aspects of, the Texas Municipal Power Agency; discuss and deliberate strategies regarding same and provide staff with direction. Discuss, deliberate and provide the City's attorneys with direction regarding the proposed Amendment No. 2 to the Joint Operating Agreement

between the Texas Municipal Power Agency and the City of Bryan, the City of Denton, the City of Garland, and the City of Greenville, Texas. A public discussion of this legal matter would conflict with the duty of the City's Attorneys to the City of Denton, Texas under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas. [TMPA]..Body

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 17-1087 SepticSmart Week

B. ID 17-1283 Fire Prevention 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.

A. ID 17-1250 Isabel Cano regarding a suggestion for the use of City Hall West.

B. ID 17-1253 David Zoltner regarding the Texas Open Meetings Act - Fact and Fiction - Part 2 of 3.

C. ID 17-1295 Robert Donnelly regarding the Solid Waste Department.

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.

NOTE: If audio/visual aids during presentations to Council are needed, they must be submitted to the City Secretary 24 hours prior to the meeting.

4. BUDGET ITEMS FOR INDIVIDUAL CONSIDERATION

A. ID 17-1188 Consider adoption of an ordinance of the City of Denton, Texas, levying the ad valorem property tax of the City of Denton, Texas, for the year 2017, on all taxable property within the corporate limits of the city on January 1, 2017, and adopting a tax rate of $0.637856 per $100 of valuation for 2017; providing revenues for payment of current municipal maintenance and operation expenses and for payment of interest and principal on outstanding City of Denton debt; providing for limited exemptions of certain homesteads; providing for enforcement of collections; providing for a severability clause; and providing an effective date.

Attachments: Exhibit 1 - Agenda Information Sheet.pdf
Exhibit 2 - Ordinance.pdf

B. ID 17-1189 Consider adoption of an ordinance of the City of Denton, Texas, approving the 2017 tax rolls; and providing an effective date.

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Ordinance

C. ID 17-1194 Consider adoption of an ordinance of the City of Denton, Texas, adopting the Fiscal Year 2017-2018 Annual Program of Services (Budget) and the Capital Improvement Program of the City of Denton, Texas, for the fiscal year beginning on October 1, 2017, and ending on September 30, 2018; and declaring an effective date.

Attachments: Exhibit 1 - Agenda Information Sheet.pdf
Exhibit 2 - Ordinance.pdf

D. ID 17-1195 Consider adoption of an ordinance of the City of Denton, Texas, ratifying the adoption of the Fiscal Year 2017-2018 Annual Program of Services (Budget) and the Capital Improvement Program of the City of Denton, Texas, for the fiscal year beginning October 1, 2017, and ending on September 30, 2018 when the Budget will raise more revenue from property taxes than last year's budget; and providing an effective date.

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 -Ordinance

5. CONSENT AGENDA

Each of these items is recommended by the Staff and approval thereof will be strictly on the basis of the Staff recommendations. Approval of the Consent Agenda authorizes the City Manager or his designee to implement each item in accordance with the Staff recommendations. The City Council has received background information and has had an opportunity to raise questions regarding these items prior to consideration.

Listed below are bids, purchase orders, contracts, and other items to be approved under the Consent Agenda (Agenda Items A – AA). 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 – AA 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 17-821 Consider adoption of an ordinance of the City of Denton, Texas amending the schedule of rates for electric service contained in Ordinance No. 2016-272; amending the provisions of the Residential Service Rate (Schedule RES); amending the provisions of the Residential Renewable Energy Service Rider (Schedule RG); amending the provisions of the Residential Prepaid Service Rate (Schedule RPP); amending the provisions of the Residential Time Of Use Rate (Schedule RTOU); amending the provisions of the General Service Small Rate (Schedule GSS); amending the provisions of the General Service Medium Rate (Schedule GSM); amending the provisions of the General Service Large Rate (Schedule GSL); amending the provisions of the General Service Time Of Use Rate (Schedule TGS); amending the provisions of the Local Government Small Rate (Schedule G2); amending the provisions of the Local Government Rate (Schedule G1); amending the provisions of the Weekend Service Rate (Schedule WK); amending the provisions of the Athletic Field Rate (Schedule AF); amending the provisions of the Street Lighting Rate (Schedule LS); amending the provisions of the Traffic Lighting Rate (Schedule LT); amending the provisions of the Unmetered School Zone/Crossing Flashers Rate (Schedule UFL); amending the provisions of the Unmetered Traffic Lighting Rate (Schedule ULT); amending the provisions of the Unmetered Security Camera Rate (Schedule USC); amending the provisions of the Unmetered Wi-Fi Devices Rate (Schedule UWF); amending the provisions of the Other Lighting Rate (Schedule LO); amending the provisions of the Non Standard Street Lighting Rate (Schedule DSL); amending the provisions of the Temporary Service Rate (Schedule T1); amending the provisions of the Economic Growth Rider (Schedule EGR); amending the provisions of the GreenSense Incentive Program (Schedule GIP); amending the provisions of the Energy Cost Adjustment Rate (Schedule ECA); amending the provisions of the Renewable Cost Adjustment Rate (Schedule RCA); amending the provisions of the Transmission Cost Recovery Factor Rate (Schedule TCRF); amending the provisions of the Distributed Generation From Renewable Sources Rider (Schedule DGR); amending the provisions of the Independent Wholesale Generator Rate (Schedule IWG); amending the provisions of the Commercial Renewable Energy Service Rider (Schedule CGR); amending the provisions of the Special Facilities Rider (Schedule SFR); amending the provisions of the Dark Fiber Rate (Schedule DFR); amending the provisions of the Pole Attachment Fee (Schedule PAF); adding the provisions of the Banner Install Fee (Schedule BIF); adding the provisions of the Wireless Node Attachments (Schedule WNA); adding the provisions of the Wireless Node Unmetered (Schedule WNU); providing for a repealer; providing for a severability clause; and providing for an effective date. The Public Utilities Board recommends approval (6-0).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Electric Rate Ordinance
Exhibit 3 - Electric Rate Comparison.pdf

B. ID 17-871 Consider adoption of an ordinance of the City of Denton, Texas setting the Energy Cost Adjustment (Schedule ECA) rate, Renewable Cost Adjustment (Schedule RCA) rate,

and Transmission Cost Recovery Factor (Schedule TCRF) rate in accordance with terms and conditions of these rates as stated in the 2017 Electric Rate Service Schedule ordinance; providing for a repealer; providing for a severability clause; and providing an effective date. The PUB recommends approval (5-0).

Attachments: Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Ordinance

C. ID 17-1056 Consider adoption of an ordinance authorizing the City Manager of the City of Denton, Texas ("City") to execute, for and on behalf of the City, an Easement Grant and Abandonment Agreement ("Agreement"), as attached thereto and made a part thereof as Exhibit "A", by and between the City and JNJ Prominence Square, LP ("Landowner"), providing for (I) the grant to the City of three (3) Sanitary Sewer Easements, encumbering a 0.545 acre tract, a 0.414 acre tract and a 0.132 acre tract being more particularly described in the Sanitary Sewer Easements, being attached to and made a part of the Agreement; and (II) two (2) Temporary Construction Easements encumbering a 0.570 acre tract of land and a 0.417 acre tract of land being more particularly described in the Temporary Construction Easements, being attached to and made a part of the Agreement; and (III) the Abandonment and Release by the City of that certain Sanitary Sewer Easement, dated on November 9, 1972, from 288 Junction to the City, recorded in Volume 659, Page 569, Deed Records, Denton County, Texas, and the Partial Abandonment and Release of a portion of that certain Public Utility Easement, dated November 6, 1997 from 288 Junction to the City, recorded as Document Number 97-082593, Real Property Records, Denton County, Texas, all tracts of real property being situated in the William Lloyd Survey, Abstract No. 774 and the M.E.P. & P.R.R. Survey, Abstract 1469, generally located in the 1400 block of North Loop 288; and (IV) the construction by the City of Denton of approximately 383 linear feet of 15-inch sanitary sewer line valued at $58,000 for the benefit of the Landowner; providing a savings clause; and providing an effective date. (Cooper Creek I Sanitary Sewer Interceptor project - Parcel 3 - JNJ Prominence Square) [Public Utility Board recommends approval 6-0]

Attachments: Exhibit 1 Agenda Information Sheet.pdf

Exhibit 2- Location Map

Exhibit 3- Site Map

Exhibit 4- Ordinance

D. ID 17-1066 Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving the expenditure of funds for Altec equipment repair services for the City of Denton Fleet Services Department. Due to the risk and liability involved in repair and maintenance of aerial equipment, these units are repaired by Altec factory trained and qualified field service technicians. Therefore this system is available from only one source and in accordance with Texas Local Government Code 252.022, provides that procurement of commodities and services that are available from one source are exempt from competitive bidding; and if over $50,000 shall be awarded by the governing body; and providing an effective date (File 6434-awarded to Altec Industries, Inc. in the three (3) year not-to-exceed amount of $200,000).

Attachments: Exhibit 1-Agenda Information Sheet
Exhibit 2- Altec Repair Rate
Exhibit 3-Staff Memo
Exhibit 4-Ordinance
Exhibit 5-Contract

E. ID 17-1102 Consider adoption of an ordinance approving a utility reimbursement agreement between the City of Denton and Atmos Energy; providing for the payment of two hundred twenty thousand seventy eight dollars and ten cents ($220,078.10) to Atmos Energy for the relocation of its "F-8 (2nd)" gas pipeline located in the 1000 block of South Mayhill Road in conjunction with the current Mayhill Widening and Improvements project; authorizing the City Manager to execute the agreement; and providing an effective date. (Mayhill Widening and Improvements project - gas pipeline conflict)

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Location Map
Exhibit 3 - Site Map
Exhibit 4 - Ordinance

F. ID 17-1119 Consider adoption of an ordinance approving a Discretionary Services Agreement between the City of Denton and Oncor Electric Delivery Services Company, LLC for the rearrangement of Oncor electric facilities in conflict with the planned improvements of the current Mayhill Road project, ranging from McKinney Street north to Russell Newman Boulevard; providing for the payment of two hundred and forty eight thousand four hundred thirty seven dollars ($248,437.00); authorizing the City Manager to execute the agreement; and providing an effective date. (Mayhill Widening and Improvements project - Oncor Electric WR#3202549)

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Location Map - N Mayhill Oncor Relo
Exhibit 3 - Site Map - N Mayhill Oncor Relo
Exhibit 4 - Ordinance

G. ID 17-1120 Consider adoption of an ordinance approving a Discretionary Services Agreement between the City of Denton and Oncor Electric Delivery Services Company, LLC for the rearrangement of Oncor electric facilities in conflict with the planned improvements of the current Mayhill Road project, ranging from Edwards Road north to the 1500 Block of South Mayhill Road; providing for the payment of ninety thousand one hundred fifty six dollars ($90,156.00); authorizing the City Manager to execute the agreement; and providing an effective date. (Mayhill Widening and Improvements project - Oncor Electric WR#3202552)

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Location Map - Mayhill Road South Relocation
Exhibit 3 - Site Map S Mayhill Relo WR3202552
Exhibit 4 - Ordinance

H. ID 17-1172 Consider adoption of a resolution approving the City of Denton's GreenSense Incentive Program, the GreenSense Incentive Program Manual, and Distributed Generation Manual for FY 2017-18; and providing for an effective date. The PUB recommends approval (5-0).

Attachments:
Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Resolution
Exhibit 3 - GreenSense Incentive Program Manual
Exhibit 4 - GreenSense Incentive Program Manual (Redline)
Exhibit 5 - Distributed Generation Manual
Exhibit 6 - Solar Rebates Memo

I. ID 17-1178 Consider adoption of an ordinance adopting a Schedule of Fees for cemeteries and use of certain park facilities; superseding all prior fees in conflict with such schedule; and providing for severability and an effective date.

Attachments:
Agenda Information Sheet.docx
Park Board Excerpt.pdf
Cemetery Survey.pdf
Ordinance.pdf

J. ID 17-1201 Consider approval of a resolution of the City of Denton, Texas, approving a policy for the Employee Volunteer Impact Program (VIP); and providing an effective date.

Attachments:
Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Agenda Information Sheet from July 18th City Council meeting
Exhibit 3 - Volunteer Impact Progam description
Exhibit 4 - Volunteer Impact Program PowerPoint presentation
Exhibit 5 - Resolution with Policy Attached

K. ID 17-1211 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the purchase of electric transmission line pole hardware and conductor attachments for Denton Municipal Electric to be stocked in the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (RFP 6412-awarded to Techline, Inc. in the three (3) year not-to-exceed amount of $180,000 and Irby Utilities in the three (3) year not-to-exceed amount of $200,000 for a total three (3) year not-to-exceed amount of $380,000).

Attachments:
Exhibit 1-Agenda Information Sheet
Exhibit 2-Evaluation and Ranking Sheet
Exhibit 3 - Ordinance
Exhibit 4-Irby Contract
Exhibit 5-Techline Contract

L. ID 17-1213 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the purchase of traffic signal hardware including signal heads, backplates, tunnel visors, camera systems and cabinets for the City of Denton Traffic Division;

providing for the expenditure of funds therefor; and providing an effective date (RFP 6357-awarded to multiple vendors for a total three (3) year amount not-to-exceed amount of $1,326,093.12).

Attachments: Exhibit 1-Agenda Information Sheet
Exhibit 2-Evaluation and Ranking Sheet
Exhibit 3-Ordinance
Exhibit 4-Consolidated Traffic Controls Contract
Exhibit 5-McCain, Inc. Contract
Exhibit 6-Mobotrex Inc. Contract
Exhibit 7-Paradigm Traffic Systems, Inc. Contract
Exhibit 8-Techline, Inc. Contract
Exhibit 9-Traffic Parts Inc. Contract
Exhibit 10-Texas Highway Products LTD Contract

M. ID 17-1214 Consider adoption of an ordinance authorizing the City Manager to execute an Interlocal Agreement with the North Central Texas Council of Governments (NCTCOG) under Section 791.001 of the State of Texas Government Code, to authorize the City of Denton to obtain Digital 2017 Orthophotography data from the NCTCOG Geographic Information System; authorizing the expenditure of funds therefor; and providing an effective date (File 5590 Interlocal Agreement with the North Central Texas Council of Governments for a not-to-exceed amount of $39,865.00).

Attachments: Exhibit 1-Agenda Information Sheet
Exhibit 2-Ordinance
Exhibit 3-Contract

N. ID 17-1215 Consider adoption of an ordinance authorizing the City Manager to execute an Interlocal Agreement with the North Central Texas Council of Governments (NCTCOG) under Section 791.001 of the State of Texas Government Code, to authorize the City of Denton to participate in the NCTCOG Geographic Information Systems 2017 2-D Planimetric Mapping Update; authorizing the expenditure of funds therefor; and providing an effective date (File 5930-Interlocal Agreement with the North Central Texas Council of Governments in the not-to-exceed amount of $68,040.00).

Attachments: Exhibit 1-Agenda Information Sheet
Exhibit 2-Ordinance
Exhibit 3-Agreement

O. ID 17-1216 Consider adoption of an ordinance accepting competitive bids and awarding a public works contract for the construction of the Mockingbird Lane Reconstruction Project with geographical limits beginning at East McKinney Street north to Paisley Street and from Audra Lane south to Newport Avenue; providing for the expenditure of funds therefor; and providing an effective date (IFB 6509C-awarded to the lowest responsible bidder meeting specification, The Lane Construction Corporation in the amount of $1,103,720.75).

Attachments: Exhibit 1-Agenda Information Sheet
Exhibit 2-Bid Tabulation
Exhibit 3-Ordinance
Exhibit 4-Contract

P. ID 17-1217 Consider adoption of an ordinance of the City of Denton, Texas amending the Fiscal Year 2016-2017 Budget and Annual Program of Services of the City of Denton to allow for adjustments to the General Fund of four million, two hundred five thousand one hundred seventy three dollars ($4,205,173) for the purpose of funding improvements, equipment and other expenses, the Electric Fund of thirteen million dollars ($13,000,000) for the purpose of funding higher purchased power expenditures; declaring a municipal purpose; providing a severability clause; providing an open meetings clause; and providing for an effective date.

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Ordinance

Q. ID 17-1218 Consider adoption of an ordinance authorizing the City Manager to execute an Interlocal Participation Agreement with the Public Employee Benefit Alliance under section 791.001 of the State of Texas Government Code, and to authorize the City of Denton to participate in the Deer Oaks Employee Assistance Program; authorizing the expenditure of funds therefor; and declaring an effective date (File 6537-Cooperative Program Agreement with the Public Employee Benefit Alliance for Employee Assistance Program in the not-to-exceed amount of $87,000).

Attachments: Exhibit 1-Agenda Information Sheet
Exhibit 2-EAP Market Comparison
Exhibit 3-Ordinance
Exhibit 4-PEBA Interlocal Participation Agreement

R. ID 17-1219 Consider adoption of an ordinance of the City Council of the City of Denton, Texas, Nunc Pro Tunc, correcting an inadvertent mistake in Ordinance 2016-040 relating to the dollar amount reflected in backup provided for RFP Number 5925, awarded to Denton Lawn Sprinkler, Inc. and D&D Commercial Landscape Management; and providing an effective date.

Attachments: Exhibit 1-Agenda Information Sheet
Exhibit 2- Ordinance

S. ID 17-1237 Consider adoption of an ordinance of the City of Denton amending the schedule of fees contained in Ordinance 2017-073 by amending the public hearing notification fee as authorized by the Denton Development Code for the City of Denton, Texas; providing for a severability clause and an effective date.

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Draft Ordinance

T. ID 17-1240 Consider adoption of an ordinance of the City of Denton, Texas providing for the

schedule of miscellaneous fees, deposits, billings and procedures for administrative services to city utilities customers contained in Ordinance No. 2016-276; providing for a repealer; providing for a severability clause; providing for an effective date. The Public Utilities Board recommends approval (7-0).

Attachments: EX 1 Agenda Information Sheet.pdf

EX 2 FY 2017-2018 Miscellaneous Charges.pdf

U. ID 17-1241 Consider adoption of an ordinance of the City of Denton, Texas amending the schedule of rates for solid waste service contained in Ordinance No. 2016-273 as authorized by Chapter 24 of the Code of Ordinances of the City of Denton, Texas; providing that the provisions of Sections 26-3, 26-4, 26-5, 26-7, 26-8(a), and 26-9 of the Code of Ordinances of the City of Denton, Texas shall expressly apply to City of Denton Solid Waste and Recycling services; providing for amendments to the residential refuse & recycling collection services rates; providing for amendments to the commercial refuse and recycling collection services rates; providing for amendments to the solid waste & recycling services definitions & additional details; providing for a repealer; providing for a severability clause; and providing an effective date. The Public Utilities Board recommends approval (7-0).

Attachments: EX 1 Agenda Information Sheet.pdf

EX 2 FY 2017-2018 SWR Rate Ordinance.pdf

V. ID 17-1242 Consider adoption of an ordinance amending the schedule of water rates contained in Ordinance No. 2016-274 for water service rates and water rates; amending the wholesale treated water service rate to the upper trinity regional water district (Schedule WW); amending the wholesale raw water service rate to Upper Trinity Regional Water District (Schedule WRW); amending the wholesale raw water pass through rate to Upper Trinity Regional Water district from Lake Chapman into Lake Lewisville (Schedule WCL); amending the special facilities rider; amending the special conditions rider; providing for a repealer; providing for a severability clause; and providing for an effective date. The Public Utilities Board recommends approval (7-0).

Attachments: EX 1 Agenda Information Sheet.pdf

EX 2 FY 2017-18 Water Rate Ordinance.pdf

W. ID 17-1243 Consider adoption of an ordinance amending the schedule of wastewater rates contained in Ordinance No. 2016-275; providing for an amendment in the rates for dyno dirt products (Schedule CWM); amending the collection and transportation services permit (Schedule SWP); amending the special facilities rider; amending the special conditions rider; providing for a repealer; providing for a severability clause; and providing for an effective date. The Public Utilities Board recommends approval (7-0).

Attachments: EX 1 Agenda Information Sheet.pdf

EX 2 FY 2017-18 Wastewater Rate Ordinance.pdf

X. ID 17-1267 Consider approval of a resolution approving the City of Denton's Strategic Plan for FY2017-18; and providing for an effective date.

Attachments: AIS

Resolution

Y. ID 17-1272 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for Janitorial Services for City of Denton buildings; providing for the expenditure of funds therefore; and providing an effective date (RFP 6475-awarded to AHI Facility Services, Inc. in the five (5) year not-to-exceed amount of $3,425,000).

Attachments: Exhibit 1-Agenda Information Sheet

Exhibit 2- Evaluation and Ranking Sheet

Exhibit 3-Ordinance

Exhibit 4-Contract

Z. ID 17-1310 Consider adoption of an ordinance of the City of Denton adopting and approving fees related to implementation of Chapter 284, Tex. Local Gov't Code; and, providing an effective date.

Attachments: Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Ordinance No. 2017-243

Exhibit 3 - Proposed Ordinance

AA. ID 17-1312 Consider adoption of an ordinance of the City of Denton ("City") authorizing the Mayor to act on the City's behalf in executing an amendment to the Joint Operating Agreement ("JOA") by and between, and among Texas Municipal Power Agency, ("Agency") and the Cities of Bryan, Denton, Garland and Greenville ("Parties") and acknowledging effective notice from the Agency regarding its intent to issues transmission debt (as defined in the JOA) and approving such issuance by the Agency.

Attachments: Exhibit 1 - Agenda Information Sheet for TMPA JOA Amend 2.pdf

Exhibit 2 - Ordiance TMPA JOA Amendment 2.pdf

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

A. ID 17-945 Consider adoption of an ordinance of the City of Denton ("City") finding that a public use and necessity exists to acquire fee simple title to a 10.129 acre tract of land situated in the C.W. Byerly Survey, Abstract No. 1458, a drainage easement in a 0.430 acre tract of land and a temporary construction easement in a 0.286 acre tract of land both situated in the G. West Survey, Abstract No. 1393, City of Denton, Denton County, Texas (collectively the "Property Interests"), for the expansion, construction, maintenance, and improvement of electrical transmission lines, facilities and structures, including substations; authorizing the City to acquire the Property Interests by either agreement or through the use of the power of eminent domain to condemn the Property Interests if an agreement cannot be reached; authorizing the expenditure of funds; making the findings; providing a savings clause and an effective date. [Underwood Substation]

Attachments: Exhibit 1 - Agenda Information Sheet.pdf
Exhibit 2 - Ordinance.pdf
Exhibit 3 - Easement Maps.pdf
Exhibit 4 - Motion.pdf

B. ID 17-1144 Consider adoption of an ordinance of the City of Denton, Texas finding that a public use and necessity exists to acquire easement interests in a 0.728 acre tract of land situated in the Alexander Hill Survey, Abstract No. 623, for the public use of, expansion, construction, maintenance, and operation of an electric transmission line, ancillary facilities and structures; authorizing the City Manager, or his designee, to acquire the Property Interests by agreement including making all offers required by law; authorizing the use of the power of eminent domain to condemn the Property Interests if an agreement cannot be reached; and authorizing the City Attorney, or his designee, to file eminent domain proceedings if necessary; authorizing the expenditure of funding; makings findings; providing a savings clause, and providing an effective date. [Tract 37A - Spencer to Locust TM Line]

Attachments: Exhibit 1 - Agenda Information Sheet.pdf
Exhibit 2 - Ordinance.pdf
Exhibit 3 - Easement Map.pdf
Exhibit 4 - Motion.pdf

7. ITEMS FOR INDIVIDUAL CONSIDERATION

A. ID 17-562 Consider adoption of an ordinance approving an agreement between the City of Denton, Texas, and the Denton Chamber of Commerce regarding an economic development partnership; and providing an effective date.

Attachments: Exhibit 1 - 17-562 Agenda Information Sheet
Exhibit 2- 2016-17 Chamber Contract
Exhibit 3- 2017-18 Chamber Contract
Exhibit 4 - 17-562 presentation

B. ID 17-1208 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 operating a vehicle to provide that section 18-38 shall not regulate or prohibit reading, writing, or sending electronic messages while operating a vehicle because this activity is regulated and prohibited by state law; providing a repealer clause; providing a savings clause; providing for a penalty not to exceed $200 for violations of this ordinance; and providing for an effective date.

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Current Ordinance 2016-394
Exhibit 3 - Proposed Ordinance

C. ID 17-1209 Consider adoption of an ordinance establishing a schedule of fees for the operation of Stoke Denton Entrepreneur Center for the City's initiative to diversify Denton's economy

by supporting entrepreneurs and fostering early stage tech and tech-enabled businesses; providing a severability clause; providing for publication; and providing for an effective date.

Attachments: Exhibit 1 - AIS
Exhibit 2 - Stoke Fee Schedule Ordinance

D. ID 17-1276 Consider adoption of an ordinance approving a uniform membership agreement for the City's Stoke Denton Entrepreneur Center; authorizing the City Manager or designee to execute the membership agreement as needed; providing for a repealer; providing for a severability clause; and providing for an effective date.

Attachments: Exhibit 1 - AIS Membership
Exhibit 2 - Stoke Membership Ordinance

E. ID 17-1304 Consider adoption of an ordinance approving a uniform facilities use license agreement for the City's Stoke Denton Entrepreneur Center; authorizing the City Manager, or designee to execute the facility use license agreement as needed; providing for a repealer; providing for a severability clause; and providing for an effective date.

Attachments: Exhibit 1 - AIS Facilities Use
Exhibit 2 - Stoke Facilities Use Ordinance

F. ID 17-1210 Consider adoption of an ordinance authorizing the form of agreement for special events at Stoke Denton Entrepreneur Center; delegating the authority for the City Manager to execute said agreements; and providing for an effective date.

Attachments: Exhibit 1 - AIS Special Events
Exhibit 2 - Stoke Special Events Ordinance

G. A17-0005 Consider adoption of an ordinance of the City of Denton, Texas, setting a date, time, and place for two public hearings on the proposed annexation of certain properties generally located north of Long Road and west of FM 428 by the City of Denton, Texas, authorizing and directing the City Secretary to publish notice of such public hearings.

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Location Map
Exhibit 3 - Zoning Map
Exhibit 4 - Draft Ordinance
Exhibit 5 - Staff Presentation

8. PUBLIC HEARINGS

A. DCA17-0008a Hold a public hearing and consider adoption of an ordinance for proposed revisions to the Denton Development Code; specifically to amend Subchapters 5 and 23 pertaining to medical land use categories and definitions. The Planning and Zoning Commission voted 5-0 to approve the request. (DCA17-0008, Medical Uses).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Staff Analysis
Exhibit 3 - Subchapter 5 Zoning Districts and Limitations (Redline)
Exhibit 4 - Subchapter 23 Definitions (Redline)
Exhibit 5 - Presentation Slides
Exhibit 6 - Planning and Zoning Commission Meeting Minutes (DRAFT)
Exhibit 7 - Draft Ordinance

9. 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 _____, 2017 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.