



City of Denton

Meeting Agenda

City Council

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

Tuesday, November 14, 2017

12:00 PM

Work Session 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, November 14, 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 November 14, 2017.

3. Work Session Reports

- A. [ID 17-1562](#) Receive a report, hold a discussion, and give staff direction regarding a review of the Solid Waste Department's procedures and internal controls by Weaver & Tidwell, LLP.

Attachments:

[Exhibit 1 - Weaver AIS.docx](#)

[Exhibit 2 - PPT of Exec Summary for City of Denton Solid Waste Eval FINAL.ppt](#)

[Exhibit 3 -Weaver - Management Response Council.pdf](#)

- B. [ID 17-059](#) Receive a report, hold a discussion, and give staff direction regarding the Denton Energy Center Air Permit Review being conducted by Black and Veatch Corporation and additional studies or analysis to be conducted in connection with the Denton Energy Center.

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Permit and Emissions Review Draft Report](#)

[Exhibit 3 - Black & Veatch DEC Permit Presentation 171110 FINAL.pdf](#)

- C. [ID 17-1476](#) Receive a report, hold a discussion, and give staff direction regarding the Credit and Collection Policy of the City Utility System.

Attachments:

[Exhibit 1-Agenda Information Sheet.pdf](#)

[Exhibit 2-Presentation.pdf](#)

[Exhibit 3-Follow-Up Information.pdf](#)

[Exhibit 4-Deposit Map.pdf](#)

[Exhibit 5-Benchmark Cities.pdf](#)

- D. [ID 17-1538](#) Receive a report, hold a discussion, and give staff direction regarding an overview and options for Fire Department recruiting and hiring.

Attachments: [Exhibit 1 Agenda Information Sheet.pdf](#)

[Exhibit 2 Presentation](#)

- E. [ID 17-1594](#) Receive a report, hold a discussion, and give staff direction regarding how to proceed with the creation of an ethics ordinance.

Attachments: [Exhibit 1- Agenda Information Sheet](#)

[Exhibit 2- Presentation](#)

[Exhibit 3- Proposal](#)

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 17-1547](#) 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 Airport lease payments, penalties, and adjustments, where the deliberation of same in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person or potential litigation. Consultation with the City's attorneys regarding legal issues associated with Airport leases where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton, the Denton City Council, and the Council Airport Committee under the Texas Rules of Disciplinary Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceedings or potential litigation. (CPI Lease Review)

- B. [ID 17-1570](#) Deliberations regarding Real Property - Under Texas Government Code, Section 551.072; and 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 various tracts in the City of Denton, Denton County, Texas, and generally located on the west side of the 2000 block to the 2600 block of South Mayhill Road, Denton, Texas for City infrastructure improvements. Consultation with the City's attorneys regarding legal issues associated with the potential acquisition or release of real property interests in the tracts described above, and the status and strategy of litigation styled City of Denton, Texas v. Robert P. Donnelly, Cause No. 17-5939-158, currently pending in the 158th District Court of Denton County, Texas, 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 litigation.

C. [ID 17-1586](#) Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Consult with the City's attorneys regarding legal issues associated with a proposed engagement to complete an audit and investigation previously initiated by the City's former Internal Auditor, where a public discussion associated with these legal matters would clearly conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

D. [ID 17-1600](#) Deliberations regarding Real Property - Texas Government Code Section 551.072; Consultation with Attorneys - Texas Government Code Section 551.071.

Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the lease and use of 1001 S. Mayhill Rd., Buildings 101 and 102, and 1301 S. Mayhill Rd., Denton, Denton County, Texas. Consultation with the City's attorneys regarding legal issues associated with lease of lease and use of said 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.

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.

Following the completion of the Closed Meeting, the City Council will convene in a Special Called Meeting to consider the following items:

1. 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 – W). 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 – W 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 17-1372](#) Consider approval of a resolution of the City of Denton, Texas, approving the Denton Municipal Electric Sponsorship Program guidelines and application process.

Attachments: [Exhibit 1 - Agenda Information Sheet.pdf](#)
[Exhibit 2 - Sponsorship Application.pdf](#)
[Exhibit 3 - Resolution.pdf](#)

- B. [ID 17-1493](#) Consider adoption of an ordinance accepting competitive bids and awarding a contract for the supply of Water Treatment Chemicals for the Water and Wastewater Departments; providing for the expenditure of funds therefor; and providing an effective date (IFB 6530-awarded to multiple vendors with the award to the lowest responsible bidder meeting specification for each line item in the four (4) year not-to-exceed amount of \$7,076,000). The Public Utilities Board recommends approval (7-0).

Attachments: [Exhibit 1-Agenda Information Sheet.pdf](#)
[Exhibit 2-Bid Tabulation.pdf](#)
[Exhibit 3-Public Utilities Board Minutes.pdf](#)
[Exhibit 4-Ordinance.pdf](#)
[Exhibit 5-Brenntag Contract.pdf](#)
[Exhibit 6-Chemtrade Chemicals Contract.pdf](#)
[Exhibit 7-DPC Contract.pdf](#)
[Exhibit 8-Mosaic Global Sales Contract.pdf](#)
[Exhibit 9-Polydyne Contract.pdf](#)
[Exhibit 10-Pencoco Contract.pdf](#)
[Exhibit 11-Shannon Chemical Contract.pdf](#)
[Exhibit 12-Tanner Contract.pdf](#)
[Exhibit 13-TDC Contract.pdf](#)

- C. [ID 17-1501](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for Phase II of monument repair work at Oakwood and IOOF Cemeteries; providing for the expenditure of funds therefor; and providing an effective date (RFP 6294-awarded to Texas Cemetery Restoration LLC in the not-to-exceed amount of \$104,423).

Attachments: [Exhibit 1-Agenda Information Sheet.pdf](#)
[Exhibit 2-Pricing Sheet.pdf](#)
[Exhibit 3-Quotes.pdf](#)
[Exhibit 4-Oakwood Pictures.pdf](#)
[Exhibit 5-IOOF Pictures.pdf](#)
[Exhibit 6-Ordinance.pdf](#)
[Exhibit 7-Contract.pdf](#)

- D. [ID 17-1517](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement

between the City of Denton and the Denton African American Scholarship Foundation, Inc. for the payment and use of hotel tax revenue; and providing an effective date. (\$8,240 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)

- E. [ID 17-1518](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Chamber of Commerce (Convention and Visitors Bureau) for the payment and use of hotel tax revenue; and providing an effective date. (\$1,323,545 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)

- F. [ID 17-1519](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Community Market, Inc. for the payment and use of hotel tax revenue; and providing an effective date. (\$15,965 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)

- G. [ID 17-1520](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Community Theatre, Inc. for the payment and use of hotel tax revenue; and providing an effective date. (\$25,000 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)

- H. [ID 17-1521](#) Consider adoption of an ordinance authorizing the City Manager to execute an interlocal agreement between the City of Denton and Denton County for the payment and use of hotel tax revenue in support of the Denton County Office of History and Culture; and providing an effective date. (\$349,776 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)

- I. [ID 17-1522](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Festival Foundation, Inc. for the payment and use of hotel tax revenue; and providing an effective date. (\$103,000 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)

- J. [ID 17-1523](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Holiday Festival Association, Inc. for the payment and use of hotel tax revenue; and provide an effective date. (\$18,231 - Hotel

Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)

- K. [ID 17-1524](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Central Business District Association, Inc., d/b/a Denton Main Street Association for the payment and use of hotel tax revenue; and providing an effective date. (\$31,280 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)

- L. [ID 17-1525](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Greater Denton Arts Council, Inc. for the payment and use of hotel tax revenue; and providing an effective date. (\$144,200 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)

- M. [ID 17-1526](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Denton Dog Days, Inc. for the payment and use of hotel tax revenue, and providing an effective date. (\$18,629 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)

- N. [ID 17-1527](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Kiwanis Club of Denton, Breakfast, Denton, TX, for the payment and use of hotel tax revenue; and providing an effective date. (\$5,485 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)

- O. [ID 17-1528](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the North Texas State Fair Association for the payment and use of hotel tax revenue; and providing an effective date. (\$154,500 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)

- P. [ID 17-1529](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Texas Storytelling Association, Inc. for the payment and use of hotel tax revenue; and providing an effective date. (\$54,329 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)

- Q. [ID 17-1530](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Black Chamber of Commerce, Inc. for the payment and use of hotel tax revenue; and providing an effective date. (\$23,249 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)

- R. [ID 17-1531](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Music Theatre of Denton for the payment and use of hotel tax revenue; and providing an effective date. (\$5,250 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)

- S. [ID 17-1532](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Texas Filmmakers' Corporation for the payment and use of hotel tax revenue; and providing an effective date. (\$16,242 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)

- T. [ID 17-1540](#) Consider approval of the minutes of October 10, October 17, October 20, and October 24, 2017.

Attachments: [Exhibit 1 - October 10, 2017 Minutes](#)
 [Exhibit 2 - October 17, 2017 Minutes](#)
 [Exhibit 3 - October 20, 2017 minutes](#)
 [Exhibit 4 - October 24, 2017 Minutes](#)

- U. [ID 17-1587](#) Consider adoption of an ordinance authorizing the engagement of the law firm of Lynn, Ross and Gannaway, LLP, and the BKD, LLP accounting firm, to complete a previously initiated audit and investigation, pursuant to the terms of the attached contract for professional services; and further authorizing the expenditure of budgeted funds for the engagement, in an amount not to exceed \$50,000, without subsequent amendment of the approved contract; and providing an effective date.

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)

- V. [ID 17-1588](#) Consider approval of a resolution to allow a historical marker to be placed in Quakertown Park in honor of Floyd Freeman Graham and declaring an effective date.

Attachments: [Exhibit 1 AIS Marker](#)
 [Exhibit 2 Res Floyd Freeman Graham](#)
 [Exhibit 3 Beulah Harriss Marker](#)
 [Exhibit 4 Proposed Floyd Freeman Graham Narrative](#)

- W. [ID 17-1595](#) Consider adoption of an ordinance authorizing the City Manager to execute a Professional Services Agreement (PSA) for engineering services related to the review of development projects for the City of Denton, and providing an effective date (File 6629-awarded to Kimley-Horn and Associates, Inc. in the not-to-exceed amount of \$175,000).

Attachments: [Exhibit 1-Agenda Information Sheet.pdf](#)
 [Exhibit 2- Staff Memorandum.docx](#)
 [Exhibit 3-Ordinancepdf](#)
 [Exhibit 4-Contract.pdf](#)

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [A17-0005c](#) Conduct the first of two readings of an ordinance of the City of Denton for a voluntary annexation of approximately 73.47 acres of land generally located north of Long Road and west of FM 428 by the City of Denton, Texas.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Location Map](#)
 [Exhibit 3 - Zoning Map](#)
 [Exhibit 4 - Staff Presentation](#)
 [Exhibit 5 - Draft Ordinance](#)

- B. [ID 17-1499](#) Consider adoption of an ordinance accepting competitive bids and awarding a best value contract for the supply of light duty vehicles which include sedans, passenger vans, pickup trucks, and hybrid electric vehicles for various City departments; providing for the expenditure of funds therefor; and providing an effective date (IFB-BV 6577-awarded to the lowest responsible bidder meeting specification, James Wood Autopark in the three (3) year not-to-exceed amount of \$4,050,000).

Attachments: [Exhibit 1-Agenda Information Sheet.pdf](#)
 [Exhibit 2-Tabulation Sheet.pdf](#)
 [Exhibit 3-Vehicle List for FY 2017-18.pdf](#)
 [Exhibit 4-Three Year List of Projected Replacements.pdf](#)
 [Exhibit 5-Ordinance.pdf](#)
 [Exhibit 6-Contract.pdf](#)
 [Exhibit 7-Staff Presentation.pdf](#)

- C. [ID 17-1512](#) Consider adoption of an ordinance accepting a competitive proposal and awarding a contract for the management of the City's Stoke Denton Entrepreneur Center (RFP 6571); authorizing the City Manager or designee to execute the form of contract; and providing for an effective date.

Attachments: [Exhibit 1-Agenda Information Sheet.pdf](#)
 [Exhibit 2-Financial Comparison.pdf](#)
 [Exhibit 3-Ordinance.pdf](#)
 [Exhibit 4-Contract.pdf](#)
 [Exhibit 5-Presentation rev.pdf](#)

- D. [ID 17-1607](#) Consider a motion to reconsider holding a public hearing and adopting an ordinance of the City of Denton, Texas, regarding an initial zoning classification of Neighborhood Residential 6 (NR-6) District on approximately 16.39 acres. The property is generally located at the northeast corner of Mayhill Road and Mills Road. The Planning and Zoning Commission voted 7-0 to approve the request. (Z17-0023, Cope Addition). The City Council's motion to approve failed (2-4).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)

- E. [ID 17-1609](#) Consider approval of appointments to the City Hall West Steering Committee.

Attachments: [Exhibit 1 - Agenda Information Sheet.pdf](#)
 [Exhibit 2- List of Nominees \(11-10-17\)](#)

3. 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.

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 IS 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.

