



City of Denton

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

Meeting Agenda

City Council

Tuesday, April 17, 2018

1:00 PM

Work Session Room & Council Chambers

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, April 17, 2018 at 1:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

1. Citizen Comments on Consent Agenda Items

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

2. Requests for clarification of agenda items listed on the agenda for April 17, 2018.

3. Citizen Comments on Ethics Related Work Session Report Items

The City Council has agreed to suspend the Rules of Procedure for citizen comment on Work Session Report Items related to an ethics ordinance. This section of the agenda allows citizens to speak on Work Session Report Items related to an ethics ordinance only. Each speaker will be given a total of three (3) minutes to address any item related to an ethics ordinance he/she wishes that are listed on the Work Session Report. A Request to Speak Card should be completed and returned to the City Secretary before Council considers this item.

4. Work Session Reports

- A. [ID 18-606](#) Receive a report, hold a discussion, and provide direction to staff on the Denton Development Code Update, specifically regarding development standards (Module 3) and draft zoning map.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Memorandum of Development Standards \(Module 3\)](#)
 [Exhibit 3 - Public Draft of Development Standards \(Module 3\)](#)
 [Exhibit 4 - Presentation](#)

- B. [ID 18-094](#) Receive a report, hold a discussion, and give staff direction regarding the location of the Mayhill substation.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Presentation - Mayhill Substation](#)

- C. [ID 18-235](#) Receive a report, hold a discussion, and provide staff direction regarding an update to the existing Denton Municipal Electric - Energy Risk Management Policy.

- Attachments:** [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - PowerPoint Presentation](#)
 [Exhibit 3 - Updated Energy Risk Management Policy](#)
 [Exhibit 4 - Schedule for incorporating Deloitte recommendations into Energy Ris](#)

- D. [ID 18-616](#) Receive a report, hold a discussion, and give staff direction regarding an ethics ordinance from attorney Alan Bojorquez.

- Attachments:** [Exhibit 1 - Ethics AIS Work Session.pdf](#)
 [Exhibit 2- Ethics Ordinance Redline.pdf](#)
 [Exhibit 3- Ethics Ordinance.pdf](#)
 [Exhibit 4- Public Comment.pdf](#)
 [Exhibit 5- Presentation.pdf](#)

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 18-657](#) Deliberation regarding Personnel Matters - Under Government Code Section 551.074; Consultation with Attorney - Under Texas Government Code Section 551.071.

Deliberate and discuss the evaluation, duties, discipline, procedures, and contract of the City Attorney.

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 18-661](#) National Small Business 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. This section of the agenda permits any person who has registered in advance to make a citizen report regarding a public business item he or she wishes to be considered by the City Council. This is limited to no more than four (4) speakers per meeting with each speaker allowed a maximum of three (3) minutes to present their report. At the conclusion of each report, the City Council may pose questions to the speaker or may engage in discussion. Such questions or discussion shall not exceed two (2) minutes. If the City Council believes a speaker's report requires a more detailed review, the City Council will give the City Manager or City Staff direction to place the item on a future work session or regular meeting agenda and advise staff as to the background materials to be desired at such meeting.

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. 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 – P). 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 – P 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 18-528](#) Consider approval of the minutes of March 5, March 6, March 20, and March 27, 2018.

Attachments: [Exhibit 1 March 5, 2018 Minutes](#)
 [Exhibit 2 March 6, 2018 Minutes](#)
 [Exhibit 3 March 20, 2018 Minutes](#)
 [Exhibit 4 March 27, 2018 Minutes](#)

- B. [ID 18-551](#) Consider adoption of an ordinance of the City of Denton, Texas to amend the City of Denton Code of Ordinances related to Section 2-29 (City Council Rules of Procedure) Subsection (G)(4) (recording of votes) to include the recording of votes for each council member within all ordinances and resolutions; providing for a severability clause; and providing for an effective date.

Attachments: [AIS.pdf](#)
 [Ordinance.pdf](#)
 [Exhibit 2 Power Point.pdf](#)

- C. [ID 18-574](#) Consider adoption of an ordinance of the City of Denton, Texas to amend Section 2-29 (“Council Rules of Procedure”) of the City of Denton Code of Ordinances related to Section 3.B. items (“Receive Scheduled Citizen Reports from Members of the Public”) of the City Council’s regular meeting agenda; providing for a severability clause; and providing for an effective date.

Attachments: [AIS.pdf](#)
 [Exhibit 1 Ord. 2017-402.pdf](#)
 [Exhibit 2 Revised Ordinance.pdf](#)
 [Exhibit 3.pdf](#)

- D. [ID 18-577](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract through the Department of Information Resources (DIR) Cooperative Purchasing Network Contract# DIR-TSO-4025 for the supply of mobile digital computers (MDC) for Public Safety; providing for the expenditure of funds therefor; and providing an effective date (File 6718- awarded to CDW-G, in the amount of \$93,936).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Pricing Comparison and Quotes](#)
 [Exhibit 3 - Ordinance](#)

- E. [ID 18-578](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Coleman & Associates Land Surveying, for Landfill Surveying Services as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6585- Professional Services Agreement for Landfill Surveying Services awarded to Coleman & Associates Land Surveying, in the three (3) year not-to-exceed amount of \$300,000). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Evaluation and Ranking Sheet](#)
 [Exhibit 3 - Contract](#)
 [Exhibit 4 - Ordinance](#)

- F. [ID 18-580](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute an Interlocal Cooperative Purchasing Agreement with the Argyle Independent School District (ISD), under the Government Code, Chapter 791, to authorize City of Denton contracts for the purchase of various goods and services including light duty vehicles; authorizing the expenditure of funds therefor; and declaring an effective date (File 6754-Interlocal Cooperative Purchasing Agreement with the Argyle ISD).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Interlocal Cooperative Agreement](#)
 [Exhibit 3 - Ordinance.pdf](#)

- G. [ID 18-581](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract through the Buy Board Cooperative Purchasing Network Contract Number 515-16 for the purchase of two (2) replacement 2018 model Trench Rollers for the City of Denton Wastewater Collection Department; providing expenditure of funds therefor; and providing an effective date (File 6774- awarded to Kirby-Smith Machinery Inc., in the amount of \$63,250). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Pricing Comparison & Quotes](#)
 [Exhibit 3 - Ordinance](#)

- H. [ID 18-586](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a public works contract for the construction of the Denton West lift station and yard piping installation; providing for the expenditure of funds therefore; and providing an effective date (IFB 6720- awarded to WillCo Underground, in the not-to-exceed amount of \$239,500). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2- Pricing Tabulation](#)
 [Exhibit 3- Contract](#)
 [Exhibit 4- Location Map](#)
 [Exhibit 5- Ordinance](#)

- I. [ID 18-598](#) Consider approval of a resolution of the City Council of the City of Denton, Texas approving the Watershed Protection division's sponsorship agreement with Keep Denton Beautiful, Inc., in the amount of \$8,000. The Public Utility Board recommended approval (6-0).

Attachments: [Exhibit 1 - Watershed Sponsorship AIS.docx](#)
 [Exhibit 2 - resolution 18-095.pdf](#)
 [Exhibit 3 - Watershed Sponsorship signed application.pdf](#)
 [Exhibit 4 - Watershed Sponsorship Application letter.pdf](#)
 [Exhibit 5 - Tax Exempt Form.pdf](#)
 [Exhibit 6 - Keep Denton Beautiful 2017 IRS 990.pdf](#)

- J. [ID 18-599](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the approval of Change Orders No. 2 and 3 to the contract between the City of Denton and Jagoe-Public Company; providing for the expenditure of funds therefor; and providing an effective date (RFP 6218- Change Orders No. 2 and 3 in the amount of \$99,573.78 for a total contract award aggregating to \$1,571,294.78). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Original Contract](#)
 [Exhibit 3 - Change Order 1](#)
 [Exhibit 4 - Change Orders 2-3](#)
 [Exhibit 5 - Ordinance](#)

- K. [ID 18-621](#) Consider adoption of an ordinance directing the publication of Notice of Intention to issue \$10,110,000 in principal amount of Certificates of Obligation of the City of Denton for General Government projects; and providing for an effective date. Audit/Finance Committee approves 3-0.

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

- L. [ID 18-650](#) Consider adoption of an ordinance authorizing the City Manager to surrender to Bloomfield Homes, L.P. that certain irrevocable standby letter of credit dated November 12, 2013, drawn on Texas Capital Bank, N.A. in the amount of \$176,143.93 in which Bloomfield Homes, L.P. is the applicant and the City of Denton, Texas is the beneficiary and further partially releasing Bloomfield Homes, L.P. from financial obligations concerning the construction of water and wastewater lines included in that certain letter agreement dated December 29, 2000 by and between the City of Denton and Wynne/Jackson Lakes Development, L.P. as a successor in interest; and providing severability and an effective date. The Public Utilities Board recommended approval (6-0).

Attachments: [Exhibit 1 - Agenda Informaiton Sheet.docx](#)
 [Exhibit 2 - Site Map.pdf](#)
 [Exhibit 3 - City Council Agenda Information Sheet 2013.pdf](#)
 [Exhibit 4 - Letter Agreement 2000.pdf](#)
 [Exhibit 5 - Ordinance.pdf](#)

- M. [ID 18-671](#) Consider adoption of an ordinance of the City of Denton, Texas approving a City sponsorship in an amount not to exceed \$355 of in-kind services and resources for the Freedom Town 2.0 Reloaded: Movie in Fred Moore Park, on Friday, May 4, 2018, at Fred Moore Park; and providing an effective date.

Attachments: [Exhibit 1 Agenda Information Sheet.pdf](#)
 [Exhibit 2 Ordinance.pdf](#)
 [Exhibit 3 Letter of Request.pdf](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 18-618](#) Consider approval of a resolution incorporating a City of Denton Employee Ethics Policy, Reference number 10.00, within the City of Denton Personnel Policies and Procedures; repealing the City's Nepotism and Outside Employment policies, Reference number 102.08 and 108.09, of City of Denton's current policies and procedures; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ethics Policy](#)
 [Exhibit 3 - Presentation](#)
 [Exhibit 4 - Resolution](#)

- B. [ID 18-653](#) Consider adoption of an ordinance authorizing the City Manager, or his designee, to sign a Confidentiality Agreement with New Braunfels Utilities (NBU) to enable the City of Denton to review proposals received by NBU from their request for proposals for renewable power from solar energy resources.

Attachments: [Exhibit 1 - Agenda Information Sheet.pdf](#)
 [Exhibit 2 - Confidentiality Agreement.pdf](#)
 [Exhibit 3 - Amended RFP.pdf](#)
 [Exhibit 4 - Ordinance.pdf](#)

6. PUBLIC HEARINGS

- A. [ID 18-619](#) Hold a third public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Code of Ordinances, related to Chapter 2 titled “Administration” Article XI titled “Ethics” and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting.

Attachments: [Exhibit 1 - Ethics AIS Public Hearing.pdf](#)
 [Exhibit 2- Ethics Ordinance.pdf](#)
 [Exhibit 3- Presentation.pdf](#)

- B. [Z18-0005a](#) Hold a public hearing and consider adoption of an ordinance to rezone approximately 5 acres from Downtown Residential 1 (DR-1) and Downtown Residential 2 (DR-2) districts to a Downtown Commercial General (DC-G) District. The subject property is located at 610 N. I-35E, in the City of Denton, Denton County, Texas; adopting an amendment to the City’s official zoning map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted 5-0 to approve this request. (Z18-0005a, Denton Baptist Temple, Shandrian Jarvis Ugwoke).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Aerial Map](#)
 [Exhibit 4 - Zoning Map](#)
 [Exhibit 5 - Future Land Use Map](#)
 [Exhibit 6 - Proposed Zoning Map](#)
 [Exhibit 7 - Comparison of Permitted Use](#)
 [Exhibit 8 - Notification Map and Responses](#)
 [Exhibit 9 - Draft Ordinance](#)
 [Exhibit 10 - P&Z Commission Meeting Minutes](#)
 [Exhibit 11- Presentation Slides](#)

- C. [DCA18-0002](#) [a](#) Hold a public hearing and consider adoption of an ordinance regarding a proposed revision to the Denton Development Code; specifically to remove Limitation 34 in Subchapter 5 Zoning Districts and Limitations related to the square footage and number of truck bays for the Distribution Center/Warehouse, General and Warehouse, Retail uses in the Employment Center Districts; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. (DCA18-0002, Limitation 34, Hayley Zagurski).

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Subchapter 5 Zoning Districts and Limitations \(Redline\)](#)

[Exhibit 4 - Permitted Use Comparison](#)

[Exhibit 5 - EC-I Affected Properties Zoning Map](#)

[Exhibit 6 - EC-I Affected Properties Location Map](#)

[Exhibit 7 - EC-C Affected Properties Zoning Map](#)

[Exhibit 8 - EC-C Affected Properties Location Map](#)

[Exhibit 9 - Presentation](#)

[Exhibit 10 - Draft Planning and Zoning Commission Meeting Minutes](#)

[Exhibit 11 - Draft Ordinance](#)

7. 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 _____, 2018 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.