



City of Denton

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

Meeting Agenda

City Council

Tuesday, June 26, 2018

11:00 AM

Council Chambers & Work Session Room

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in Open Session on Tuesday, June 26, 2018 at 11:00 a.m. in the City Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

- A. [ID 18-993](#) Consider adoption of an ordinance canvassing the returns and declaring the results of the Runoff Municipal Election held in the city of Denton on June 16, 2018.

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

- B. [ID 18-994](#) Oath of Office administered to newly elected Council Member.

- C. [ID 18-995](#) Election of Mayor Pro Tem.

Following the completion of the Open Session, the City Council of the City of Denton, Texas will convene in a Work Session in the Work Session Room 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 June 26, 2018.

3. Work Session Reports

- A. [ID 18-1006](#) Receive a report, hold a discussion, and give staff direction regarding the air emissions testing at Denton Energy Center conducted by Black and Veatch Corporation.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2- Air Emissions Testing Report](#)
[Exhibit 3 - Emissions Summary Presentation.pdf](#)

- B. [ID 18-1016](#) Receive a report, hold a discussion, and give staff direction regarding a review of the Solid Waste Department's landfill and collections operations by Blue Ridge Services, Inc.

Attachments: [Exhibit 1 AIS Council - Blue Ridge](#)
[Exhibit 2 - Blue Ridge Presentation](#)
[Exhibit 3 - Action Plan](#)

- C. [ID 18-898](#) Receive a report; hold a discussion, and receive departmental presentations in preparation for the FY 2018-19 Proposed Budget, Capital Improvement Program, and Five Year

Financial Forecast.

Attachments: [Exhibit 1 - Agenda Information Sheet.pdf](#)
 [Exhibit 2 PowerPoint Presentation - Development Services.pdf](#)
 [Exhibit 3 PowerPoint Presentation - Facilities Management.pdf](#)
 [Exhibit 4 PowerPoint Presentation - Fleet Services.pdf](#)
 [Exhibit 5 PowerPoint Presentation - Airport.pdf](#)
 [Exhibit 6 PowerPoint Presentation - Transportation.pdf](#)
 [Exhibit 7 PowerPoint Presentation - Legal](#)

- D. [ID 18-957](#) Receive a report, hold a discussion, and give staff direction regarding an update on the progress made by the City Hall West Steering Committee.

Attachments: [Exhibit 1- Agenda Information Sheet.docx](#)
 [Exhibit 2 - CHW Resolutions.pdf](#)
 [Exhibit 3 - CHW Presentation May 21, 2018.pdf](#)
 [Exhibit 4 - CHW Committee Presentation .pdf](#)

- E. [ID 18-996](#) Receive a report, hold a discussion, and give staff direction regarding the Boards and Commissions nominating process.

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

- F. [ID 18-997](#) Receive a report, hold a discussion, and give staff direction regarding City Council committee nominations.

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 City Council Committees Narrative](#)
 [Exhibit 3 Current Council Committee Assignments](#)

- G. [ID 18-1029](#) Receive a report, hold a discussion, and give staff direction regarding the design and construction of Industrial Park.

Attachments: [Exhibit 1 Agenda Information Sheet.pdf](#)
 [Exhibit 2 Presentation.pdf](#)
 [Exhibit 3 Option 1.pdf](#)
 [Exhibit 4 Option 2.pdf](#)
 [Exhibit 5 Option 3.pdf](#)
 [Exhibit 6 Option 4.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 18-1012](#) 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 competitive and financial public power information from staff related to a Power Purchase Agreement between the City of Denton, as the seller of power and electric energy services, and Texas Woman's University, as a buyer of power and electric energy services; discuss, deliberate, and make recommendations to City Council regarding the same. Consultation with the City's attorneys regarding legal issues associated with the above matters 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 at which the following items will be considered:

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 – F). 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 – F 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 18-423](#) Consider adoption of an ordinance of the City of Denton, a Texas home rule municipal corporation ("City"), approving a real estate exchange and abandonment agreement ("Agreement") between City and Warehouser of Denton, L.P., a Texas limited partnership ("Warehouser"), Carroll Court Properties, L.P., a Texas limited partnership ("Carroll Court"), and Tim Beaty ("Beaty"), for the abandonment, vacation, and conveyance to Warehouser by the City of a 0.039 acre right-of-way tract, and for the abandonment, vacation, and conveyance to Carroll Court of a 0.061 acre right-of-way tract all in exchange for conveyance from Warehouser of (I) a 0.038 acre fee tract, and

(II) a 0.005 acre sidewalk and utility easement, and the conveyance by Warehouser and Tim Beaty to the City of a 0.06 acre temporary pedestrian access easement, all tracts situated in the H. Cisco Survey, Abstract No. 1184, City of Denton, Denton County, Texas, authorizing the City Manager in accordance with Local Government Code 272.001(B)(3) to execute the Agreement; and providing a severability clause and effective date. (400 block East Oak Street - partial right-of-way abandonment)

Attachments: [Exhibit 1 AIS](#)
 [Exhibit 2 - Location Map](#)
 [Exhibit 3 - Site Map](#)
 [Exhibit 4 - Narrative Letter](#)
 [Exhibit 5 - Ordinance and Agreement](#)

- B. [ID 18-891](#) Consider adoption of an ordinance of the City of Denton, Texas, correcting inadvertent mistakes in Section 2(a)(21) of Ordinance No. 2015-121 relating to the prohibition of smoking near a street-front main entrance; providing for a severability clause; providing for a savings clause; and, declaring an effective date.

Attachments: [Exhibit 1- Agenda Information Sheet.pdf](#)
 [Exhibit 2- Proposed Nunc Pro Tunc Ordinance.pdf](#)
 [Exhibit 3- April 21, 2015 City Council Minutes.pdf](#)
 [Exhibit 4- Ordinance 2015-121.pdf](#)

- C. [ID 18-1022](#) Consider adoption of an ordinance of the City of Denton authorizing the city manager, or his designee, to execute an agreement with Union Pacific Railroad Company (“Railroad”) to improve existing Sycamore Street crossings, at grade, along, over, and across Railroad’s tracks and right of way at Railroad Mile Post 719.23 and at Railroad Mile Post 719.25, in which the City of Denton agrees to reimburse Railroad for fifty percent (50%) of actual labor and material costs associated with the work and materials; authorizing the expenditure of funds thereof; and providing an effective date.

Attachments: [Exhibit 1 - AIS](#)
 [Exhibit 2- Railroad Mile Post Location Map](#)
 [Exhibit 3 - Ordinance and Agreements](#)

- D. [ID 18-1039](#) Consider approval of a resolution repealing and replacing Resolution No. 2014-011 amending guidelines for public improvement districts; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Revised PID Guidelines 2018](#)

- E. [ID 18-1043](#) Consider adoption of an ordinance of the City of Denton, Texas, a home-rule municipal corporation, amending the Code of Ordinances, related to Chapter 2, titled “Administration,” Article XI, titled “Ethics,” Section 2-277(f), titled “Ineligibility;” providing for findings of fact; providing severability; providing codification; confirming proper notice and meeting; and providing for an effective date.

Attachments: [Exhibit 1-Agenda Information Sheet](#)
 [Exhibit 2-Ordinance](#)
 [Exhibit 3-Ordinance Amendment](#)

- F. [ID 18-1045](#) Consider adoption of an ordinance of the City of Denton, Texas, amending Section 22-31(13) and 22-31.1, Article II-Park Rules, Chapter 22- Parks and Recreation, Code of Ordinances of the City of Denton, Texas, to provide for clarification of smoking related to parks and parks facilities within the City of Denton; providing for a severability clause; providing for a savings clause; providing for publication; and, declaring an effective date.

Attachments: [Exhibit 1- Agenda Information Sheet.pdf](#)
 [Exhibit 2- Ordinance.pdf](#)
 [Exhibit 3- Redlined Changes.pdf](#)

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 18-418](#) 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 for Technology Infrastructure from manufacturers Cisco Systems, Inc., Dell EMC and VMware, Inc., to include products and services, and support and maintenance for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 6504- awarded to Presidio Networked Solutions Group, LLC, for one (1) year, with the option for two (2) additional one (1) year extensions, in a total not-to-exceed amount of \$10,500,000 for all years).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2a- Pricing Evaluation -Cisco](#)
 [Exhibit 2b- Pricing Evaluation -Dell](#)
 [Exhibit 2c- Pricing Evaluation -VMware](#)
 [Exhibit 3 - Contract](#)
 [Exhibit 4 - Staff Presentation](#)
 [Exhibit 5- Ordinance](#)

- B. [ID 18-975](#) Consider adoption of an ordinance of the City of Denton, Texas, authorizing the City Manager, or designee, to execute a transmission line relocation agreement with Terrano Realty, Inc., a Texas Corporation, Medanjo Partners, Ltd., a Texas Limited Partnership, and NW Realty, Inc., a Texas Corporation, for the relocation of a 138kV transmission line owned by the Texas Municipal Power Agency and maintained by the City located on the near west side of E. Loop 288 south of Shady Oaks Dr.; and, providing for an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet.docx](#)
 [Exhibit 2 - Transmission Line Relocation Agreement.pdf](#)
 [Exhibit 3 - Location Map.pdf](#)
 [Exhibit 4 - Ordinance.pdf](#)
 [Exhibit 5 - TMPA Resolution 2017-3-6.pdf](#)

- C. [ID 18-1002](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, approving a proposal for the purchase of galvanized steel transmission poles, anchor cages, and related hardware; authorizing the City Manager, or his designee, to execute a contract for the purchase of same; providing for the expenditure of funds; and providing an effective date (RFP 6744 -awarded to Texas Electric Cooperatives, Inc., in the not-to-exceed amount of \$1,102,070).

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2 - Pricing Evaluation](#)
 [Exhibit 3 - Map](#)
 [Exhibit 4 - Cost Allocation](#)
 [Exhibit 5 - Contract](#)
 [Exhibit 6 - Ordinance](#)

- D. [ID 18-999](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, providing for, authorizing, and approving the purchase of Property, Boiler & Machinery, and Business Interruption Insurance Coverage for the City of Denton, through the City's sole broker of record, McGriff, Seibels, and Williams of Texas, Inc., and in accordance with Chapter 252.024 of the Texas Local Government Code such coverage is exempt from the requirements of competitive bidding; and providing an effective date (File 6849- awarded to Swiss Re/Lexington Insurance Company (50/50 split) through McGriff, Seibels, and Williams of Texas, Inc., with a three (3) year not-to-exceed amount of \$1,399,000).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2- Coverage Comparison](#)
 [Exhibit 3 - Broker Recommendation Letter](#)
 [Exhibit 4 - Staff Presentation](#)
 [Exhibit 5 - Ordinance](#)

- E. [ID 18-959](#) Consider nominations for appointment to the City's Board of Ethics.

Attachments: [Exhibit 1- Agenda Information Sheet.pdf](#)
 [Exhibit 2- Board of Ethics Nominations rev](#)
 [Exhibit 3- Proposed Board of Ethics Timeline.pdf](#)
 [Exhibit 4- Ethics Ordinance 18-757.pdf](#)
 [Exhibit 5- Presentation.pdf](#)

- F. [ID 18-1032](#) Consider appointments to Council Committees.

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

- G. [ID 18-1033](#) Consider nominations/appointments to the City's Boards and Commissions.

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

3. PUBLIC HEARINGS

- A. [A18-0001c](#) Conduct the second of two public hearings for a voluntary annexation of approximately 47.466 acres of land generally located on the south side of E. Ryan Road, east of the intersection of E. Ryan Road and Andrew Avenue by the City of Denton, Texas. (A18-0001, Creekside, Cindy Jackson)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Site Location Map](#)
 [Exhibit 3 Existing Zoning Map](#)
 [Exhibit 4 Ordinance No. 2016-251](#)
 [Exhibit 5 Staff Presentation](#)

4 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 _____, 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.