



City of Denton

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

Meeting Agenda

City Council

Tuesday, August 28, 2018

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, August 28, 2018 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 August 28, 2018.

3. Work Session Reports

- A. [ID 18-1157](#) Receive a report, hold a discussion, and give staff direction regarding the FY2018-19 Denton Economic Development Partnership agreement between the City of Denton and the Denton Chamber of Commerce.

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - 2018-19 DRAFT Chamber ED ordinance and contract REDLINE](#)

[Exhibit 3 - 2018-19 DRAFT Chamber ED ordinance and contract CLEAN](#)

[Exhibit 4 - Presentation](#)

- B. [ID 18-1335](#) Receive a report, hold a discussion, and give staff direction regarding the FY 2018-19 City Manager's Proposed Budget, Capital Improvement Program, and Five-Year Financial Forecast.

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Budget Follow-Up Memorandum](#)

- C. [ID 18-1360](#) Receive a report, hold a discussion, and give staff direction regarding the process for prioritizing and adding items to the Work Session Reports portion of the City Council Agenda.

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Presentation](#)

- D. [ID 18-1362](#) Receive a report, hold a discussion, and give staff direction regarding recent and planned changes to the development process to enhance efficiency and customer service.

Attachments: [Exhibit 1 - Agenda Information Sheet -Development Process Overview](#)
[Exhibit 2- Presentation](#)
[Exhibit 3-TML Brief on Land Use Basics](#)

- E. [ID 18-1369](#) Receive a report, hold discussion and provide staff direction regarding shared electric scooters and their potential arrival in the City of Denton.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Dallas Dockless Vehicle Ordinance](#)
[Exhibit 4 - Austin Dockless Mobility Emergency Rule](#)

- F. [ID 18-1409](#) Receive a report, hold a discussion, and give staff direction regarding homelessness initiatives and the proposed Denton Basic Services Center project made at the August 7, 2018 City Council meeting during Presentations from Members of the Public.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - DCHLT Shelter Planning Workgroup Scope](#)
[Exhibit 4 - Denton Basic Services Center Project Tentative 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 18-1422](#) Deliberations regarding Real Property - Texas Government Code Section 551.072; Consultation with Attorneys - Texas Government Code Section 551.071; Consultation with Attorneys - Under Texas Government Code Section 551.07.

Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the Lease Agreement between the City and American Biosource, LLC, dated January 7, 2014 and approved and authorized by Ordinance No. 2014-020 ("Lease Agreement"). Discuss, deliberate, and receive information from the City's attorneys and provide the City's attorneys with direction regarding legal issues associated with the Lease Agreement 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 – G). 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 – G 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 18-1073](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute an Investment Advisory contract with First Southwest Asset Management, LLC; providing for the expenditure of funds therefor; and providing an effective date (RFP 6695- awarded to First Southwest Asset Management, LLC, in the two (2) year not-to-exceed amount of \$60,000).

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

[Exhibit 2 - Pricing Evaluation](#)

[Exhibit 3 - Contract](#)

[Exhibit 4 - Ordinance](#)

- B. [ID 18-1220](#) Consider adoption of an ordinance of the City of Denton confirming the Board of Ethics' rules of procedure as required by the Code of Ordinances, Chapter 2, Article XI, Section 2-277(k); and providing an effective date.

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

[Exhibit 2- Rules of Procedure Ordinance.pdf](#)

- C. [ID 18-1345](#) Consider approval of a resolution by the City of Denton authorizing the City Manager, or designee, to accept the Domestic and Sexual Violence Initiative Grant (Grant No. 2016-VF-GX-K024) in the amount of \$450,000.00 from the International Association of

Chiefs of Police through a grant from the US Department of Justice Office of Justice Programs; for the period of January 1, 2018 through September 30, 2019; and providing an effective date.

Attachments: [Exhibit 1 - AIS - IACP Grant](#)
 [Exhibit 2 - IACP Resolution](#)
 [Exhibit 3 - IACP Sub Recipient Contract](#)
 [Exhibit 4 - Denton County Friends of the Family Sub Recipient Contract](#)
 [Exhibit 5 - Funding Explanation](#)

- D. [ID 18-1349](#) Consider adoption of an ordinance of the City of Denton, approving a City sponsorship of in-kind services and resources in an amount not to exceed \$1,000 for the Denton Fire Traditions Calendar Fundraiser on Saturday, October 13, 2018; and providing an effective date.

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

- E. [ID 18-1376](#) Consider adoption of an ordinance of the City of Denton, Texas amending the Code of Ordinances related to Chapter 2, titled "Administration," Article II, titled "Administrative Organization" Section 2-29(h) titled "Creation of Committees, Boards and Commissions," to clarify that citizen boards, commissions, committees, task forces and ad hoc boards, commissions, and committees are all subject to the procedural requirements of the Texas Open Meetings Act; 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-August 7 Work Session Presentation](#)
 [Exhibit 3-Ordinance](#)
 [Exhibit 4-Code of Ordinances Amendment Redlined](#)

- F. [ID 18-1377](#) Consider approval of a resolution of the City Council of the City of Denton, Texas, amending Resolution No. 2015-023 regarding the Denton Handbook for Boards, Commissions, and Council Committees to clarify that citizen boards, commissions, committees, task forces and ad hoc boards, commissions, and committees are all subject to the procedural requirements of the Texas Open Meetings Act; clarifying which sections of the Denton Handbook for Boards, Commissions, and Council Committees are applicable to citizen boards, commissions, committees, task forces and ad hoc committees; and declaring an effective date.

Attachments: [Exhibit 1 -Agenda Information Sheet -Handbook](#)
 [Exhibit 2-August 7 Work Session Presentation](#)
 [Exhibit 3 -Handbook Amendment Resolution](#)
 [Exhibit 4-Handbook Amendment Redline](#)

- G. [ID 18-1387](#) 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 Budgeting Software with Questica, Inc., for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 6570- awarded to Questica, Inc., for one (1) year, with the option for two (2) additional one (1) year extensions, in a total not-to-exceed amount of \$351,918 for all years).

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

2. PUBLIC HEARINGS

- A. [ID 18-1366](#) Hold a public hearing and consider adoption of an ordinance amending ordinance No. 2016-213 of the City Council of the City of Denton, Texas authorizing the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code (the "Act"), providing tax incentives, designating a liaison for communication with interested parties; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance 2016-213](#)
 [Exhibit 3 - Amended Ordinance Redline](#)
 [Exhibit 4 - Amended Ordinance Clean](#)
 [Exhibit 5 - Presentation](#)

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 18-1351](#) Consider approval of a resolution of the City Council of the City of Denton nominating Tetra Pak, Inc. to the Office of the Governor, Economic Development and Tourism ("OOGEDT") through the Economic Development Bank ("The Bank") as an Enterprise Project ("Project"); and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Tetra Pak Enterprise Zone Nominating Resolution](#)
 [Exhibit 3 - Presentation](#)

- B. [A18-0002](#) Consider adoption of an ordinance of the City of Denton, Texas, setting a date, and place for two public hearings on the proposed voluntary annexation of certain property generally located between Creekdale Drive and Hickory Creek Road, east of the railroad tracks 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 Site Location Map](#)

[Exhibit 3 Zoning Map](#)

[Exhibit 4 Draft Ordinance](#)

[Exhibit 5 Staff Presentation](#)

- C. [ID 18-1401](#) Consider nominations and appointments to the Downtown Denton TIF Reinvestment Zone No. One Board.

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

[Exhibit 2 - Ordinance No. 2010-316](#)

[Exhibit 3 - Nominations Sheet](#)

- D. [ID 18-1411](#) Consider a motion to reconsider the August 21, 2018 adoption of an ordinance approving a Detail Plan for Planned Development 176 (PD-176) District depicting an auto laundry facility on approximately 2.13 acres. The property is generally located on the west side of North FM 2499, approximately 760 feet north of Hickory Creek Road in the City of Denton, Denton County, Texas; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. (PDA18-0004a, Clean and Green Car Wash, Hayley Zagurski.)

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

[Exhibit 2 - Draft Ordinance PDA18-0004a](#)

- E. [ID 18-1412](#) Consider adoption of an ordinance of the City Council of the City of Denton, a Texas home-rule municipal corporation, providing for, authorizing, and approving the execution by the City Manager or his designee, of a base contract for sale and purchase of natural gas between the City of Denton and Tenaska Marketing Ventures, a partnership; approving the execution of such other and further related documents deemed necessary to effectuate the transactions allowed under this agreement by the City Manager or his designee; determining that specific information contained in documents involved in this transaction pertain to a “competitive electric matter” as set forth under the provisions of § 551.086 and 552.133 of the Texas Government Code, as amended; allowing the public to inspect, but not reproduce, the base Contract as redacted; providing an effective date. The Public Utilities Board recommends approval (6-0).

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

[Exhibit 2 - Ordinance.pdf](#)

[Exhibit 3 - Public Viewing Notice.pdf](#)

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 salutory 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 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.