



City of Denton

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

Meeting Agenda

City Council

Tuesday, August 24, 2021

2:00 PM

Council Chambers

WORK SESSION BEGINS AT 2:00 P.M. IN THE COUNCIL CHAMBERS

CITY COUNCIL CONSIDERATION OF THE CONSENT AGENDA AND ITEMS FOR INDIVIDUAL CONSIDERATION WILL BEGIN IMMEDIATELY FOLLOWING THE CLOSED MEETING IN THE COUNCIL CHAMBERS

REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL

Citizens are able to participate in one of the following ways (NOTE: Other than public hearings, citizens are only able to comment one time per agenda item; citizens cannot use both methods to comment on a single agenda item. Public comments are not held for work session reports.)

- Virtual White Card – On August 20, the agenda was posted online at www.cityofdenton.com/publicmeetings. Once the agenda is posted, a link to the Virtual White Card, an online form, will be made available under the main heading on the webpage. Within this form, citizens may indicate support or opposition and submit a brief comment about a specific agenda item. Comments may be submitted up until the start of the meeting, at which time, the Virtual White Card form will be closed. Similar to when a citizen submits a white card to indicate their position on the item, these comment forms will be sent directly to City Council members and recorded by the City Secretary.

City Council Members review comments received in advance of the meeting and take that public input into consideration prior to voting on an agenda item. The Mayor will announce the number of Comment Cards submitted in support or opposition to an item during the public comment period. Comments will not be read during the meeting. The City Secretary will reflect the number of comments submitted in favor/opposition to an item, the registrant's name, address, and (summary of) comments within the Minutes of the Meeting, as applicable.

OR

- By phone – Citizens wishing to speak over the phone during this Council meeting, may call (940) 349-7800 beginning 30 minutes prior to the meeting start time. Comments by phone will be accepted until the item is opened for discussion by the Council. When the call is initially received, a staff member will receive the caller's information and either: 1) offer to call the citizen back when it is time for them to speak, or 2) record the caller's information, support or opposition, and comment. If the caller chooses to record their support or opposition, rather than speaking during the meeting, the Mayor will announce the number of comments submitted in support or opposition to the item. If the caller wishes to receive a call back, the voice of each caller will be broadcast into the meeting during the public commenting time of their desired agenda item. Individuals will be able to comment once per agenda item, no matter the method.
- At regular meetings only, citizens can speak on any topic that is not on the agenda (Open Microphone). Alert the call taker if you wish to speak under the Open Microphone category. If you would like to give a public report, see the information below.

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 24, 2021, at 2:00 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

WORK SESSION

1. Citizen Comments on Consent Agenda Items

This section of the agenda allows citizens to speak on any item listed on the Consent Agenda prior to its consideration. Each speaker will be given a total of three (3) minutes to address any item(s). Any person who wishes to address the City Council regarding these items may do so by utilizing the "By Phone" registration process as referenced under the REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL detailed at the beginning of this agenda. Registration is required prior to the time the City Council considers this item. Registrants may call in and remain on hold or receive a call back at the time the Work Session is called to Order and are encouraged to ensure they remain accessible to accept the call.

2. Requests for clarification of agenda items listed on this agenda.

3. Work Session Reports

- A. [ID 21-1478](#) Receive a report from Texas Woman's University regarding their Master Plan and hold a discussion.

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

- B. [ID 21-1718](#) Receive a report and hold a discussion, and give staff direction on the proposed Water and Wastewater Rates for FY 2021-2022.

Attachments: [Exhibit 1 - Agenda Informaiton Sheet](#)
 [Exhibit 2 - Water and Wastewater Rate Presentation](#)

- C. [ID 21-1818](#) Receive a report, hold a discussion, and give staff direction regarding an update to the City of Denton's COVID-19 response.

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

- D. [ID 21-1091](#) Receive a report, hold a discussion, and give staff direction on pending City Council requests for:

- (1) A work session to add Denton college and university campuses to our new mask ordinance.
- (2) A resolution opposing Senate Bill 1 and House Bill 3, which are planned for consideration in the Texas Legislature's special session.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance19-2026 - City Council Request Process](#)
 [Exhibit 3 - Ordinance No. 21-1771](#)
 [Exhibit 4 - Presentation](#)

Following the completion of the Work Session, the City Council will convene in a Closed Meeting to consider specific item(s) 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 21-1717](#) Deliberations regarding Personnel Matters - Under Texas Local Government Code Section 551.074. Receive a report, hold a discussion, and give staff direction on filling the City Attorney position and the recruitment process.
- B. [ID 21-1358](#) Deliberations Regarding Certain Public Power Utilities Competitive Matters - Under Texas Government Code Section 551.086.

Receive a presentation from staff containing public power information related to a proposed power purchase agreement between the City of Denton, as the seller of power and electric energy services, and Core Scientific Inc.; discuss and deliberate actions regarding the same.

- C. [ID 21-1817](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consultation, discussion, deliberation, and receipt of information from the City's attorneys involving legal issues relating to a disaster declaration and possible litigation pertaining to the COVID-19 emergency, and to provide the City's attorneys with direction, where a public discussion of 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.

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 decision, or vote is taken in the Closed Meeting in accordance with the provisions of Section 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 Texas Government Code, Section 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 Sections 551.071-551.086 of the Texas Open Meetings Act.

NOTE: Any item for which a formal action at the Special Called Meeting has been taken by Council may be subject to a request for a motion for reconsideration at any time during the meeting, at the Concluding Items Section, or after the meeting. In order to comply with the Texas Open Meetings Act, a request for a motion for reconsideration made during, at the end of, or after a Council meeting will be placed on the agenda and considered at the next official meeting of the City Council.

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 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 – L). 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, the Consent Agenda Items 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 21-1685](#) Consider the approval of the minutes for August 3, August 10, and August 12, 2021.

Attachments: [Exhibit 1 – Agenda Information Sheet](#)
 [Exhibit 2 – August 3, 2021 Minutes Draft](#)
 [Exhibit 3 – August 10, 2021 Minutes Draft](#)
 [Exhibit 4 – August 12, 2021 Minutes Draft](#)

- B. [ID 21-1351](#) Consider nominations/appointments to the City’s Boards, Commissions, and Committees: Airport Advisory Board, Board of Ethics, Community Services Advisory Committee, Parks, Recreation & Beautification Board, and Public Art Committee.

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

- C. [ID 21-1508](#) Consider approval of a resolution of the City of Denton authorizing and approving execution of a Memorandum of Understanding with the Denton Black Chamber of Commerce to collaborate on business support activities within the City of Denton; and providing an effective date. The Economic Development Partnership Board recommends approval (6-0).

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

- D. [ID 21-1696](#) Consider adoption of an ordinance authorizing the City Manager to execute a Joint Funding Agreement for Water Resource Investigations with the United States Geological Survey (USGS) related to continued support of the Hickory Creek Streamflow Station in the amount of \$4,700.00 (Agreement Number: 22SJFATX161000); authorizing the expenditure of funds therefor; and providing an effective date.

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

- E. [ID 21-1594](#) Consider adoption of an ordinance of the City of Denton authorizing a second amended and restated service agreement between the City of Denton, Texas, and Kiwanis Youth Services, Inc., for the purpose of 4th of July Fireworks Show sponsorship; and providing for an effective date. (Community Partnership Committee 3-0)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance](#)
 [Exhibit 3 - Ordinance 20-1735](#)

- F. [ID 21-1559](#) Consider approval of a resolution of the City of Denton approving and adopting

Administrative Policy No. 402.10 “Grant Administration”; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Resolution](#)
 [Exhibit 3 - Grant Policy](#)
 [Exhibit 4 - Standard Operating Procedures](#)
 [Exhibit 5 - Grant Process](#)

- G. [ID 21-1832](#) Consider adoption of an ordinance of the City of Denton, a Texas Home-Rule Municipal Corporation, authorizing the City Attorney to execute an engagement letter with Stanton LLP for Professional Legal Services relating to the City’s Declared State of Local Disaster due to COVID-19 and Orders issued pursuant thereto, and, as needed, associated litigation; providing for the expenditure of funds in a not to exceed amount of \$100,000.00; and providing an effective date.

Attachments: [Exhibit 1 - AIS](#)
 [Exhibit 2 - Ordinance](#)

- H. [ID 21-1705](#) Consider adoption of an ordinance of the City Of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an agreement with Global Waterjet, LLC, for the art design and production services of the public art sculpture installation to be located at Fire Station 3, 1401 Underwood Street; providing for the expenditure of funds therefor; and providing an effective date (File 7706 - awarded to Global Waterjet, LLC, in the not-to-exceed amount of \$55,452.36).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - LLC Members](#)
 [Exhibit 3 - Ordinance and Contract](#)

- I. [ID 21-1706](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Petrosys Solutions, Inc. dba PSI Technology, through the Department of Information Resources (DIR) Cooperative Purchasing Network Contract No. DIR-TSO-3983, for the Everbridge Mass Notification Pro System which notifies residents of emergency situations for the Fire Department; providing for the expenditure of funds therefor; and providing an effective date (File 7774 - awarded to Petrosys Solutions, Inc. dba PSI Technology, in the not-to-exceed amount of \$275,879.00).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Cost Comparison](#)
 [Exhibit 3 - Quote](#)
 [Exhibit 4 - Ordinance](#)

- J. [ID 21-1707](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a second amendment to a contract between the City of Denton and Floyd Smith Concrete, Inc., amending the contract approved by City Council on October 17, 2017, in the not-to-exceed amount of \$21,976,261.84; amended by Amendment 1 approved by the City Council; said second amendment is for

additional miscellaneous concrete related repair and installation projects throughout the City by the Streets Department; providing for the expenditure of funds therefor; and providing an effective date (File 6547 - providing for an additional second amendment expenditure amount not-to-exceed \$1,980,000.00, with the total contract amount not-to-exceed \$24,176,495.71).

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

- K. [ID 21-1694](#) Consider approval of a resolution of the City of Denton allowing the Denton Parks Foundation to sell alcoholic beverages at Dog Days of Denton, on Saturday, September 11, 2021, from 9:00 a.m. to 3:00 p.m., at the Quakertown Park and the Civic Center Pool, upon satisfying certain conditions; authorizing the Interim City Manager, or her designee, to execute an agreement in conformity with this resolution; and providing for an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet .pdf](#)
 [Exhibit 2 - Resolution and Agreement .pdf](#)

- L. [ID 21-1695](#) Consider adoption of an ordinance of the City of Denton approving a City co-sponsorship in an amount not to exceed \$15,201 of in-kind services and resources for the Dog Days of Denton, which will be held on Saturday, September 11, 2021, from 9:00 a.m. to 3:00 p.m., at the Civic Center Pool and Quakertown Park; and providing an effective date.

Attachments: [Exhibit 1 Agenda Information Sheet.pdf](#)
 [Exhibit 2 Ordinance.pdf](#)
 [Exhibit 3 Co-Sponsorship Approval Letter.pdf](#)
 [Exhibit 4 Year to Date Co-Sponsorship Awards-FY 2021.pdf](#)

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 21-1270](#) Consider appointments to the Development Code Review Committee.

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

- B. [ID 21-1345](#) Consider approval of a resolution of the City of Denton providing for removal for cause of a Member of the Health and Building Standards Commission, in accordance with Article XIV, Section 14.16 of the Denton City Charter; providing notice; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Notification Letter to Member](#)
 [Exhibit 3 - Proposed Resolution & Redacted Exhibit](#)
 [Exhibit 4 - Presentation](#)

- C. [ID 21-1823](#) Consider approval of a resolution of the City of Denton nominating PACCAR, Inc., to the Office of the Governor Economic Development and Tourism through the Economic Development Bank as an Enterprise Project; and providing an effective date. The Economic Development Partnership Board recommends approval (9-0).
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Resolution](#)
[Exhibit 3 - TEZ Program Overview](#)
[Exhibit 4 - Presentation](#)
- D. [ID 21-1704](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a contract with Gomez Floor Covering, Inc. dba GFC Contracting, to provide new installations, renovations, remodels, and maintenance for flooring services for various City of Denton departments, on behalf of Facilities Management; providing for the expenditure of funds therefor; and providing an effective date (RFP 7719 - awarded to Gomez Floor Covering, Inc. dba GFC Contracting, for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$5,000,000.00).
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Ordinance and Contract](#)
- E. [ID 21-1831](#) Consider adoption of an ordinance of the City of Denton confirming the effective period of the declared state of local disaster related to the COVID-19 emergency as provided in Ordinance No. 21-1290; superseding and replacing the Thirteenth Order of Council issued August 12, 2021 approved by Ordinance No. 21-1771; providing a repealer clause; providing for severability; and providing an effective date.
- Attachments: [Ordinance - Declaration 8-24-21 - Final signed flat](#)
[Fourteenth Order of Council - final](#)
- F. [ID 21-1486](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a lease with Core Scientific, Inc. for approximately 30 acres of City-owned property located in the Moses H. Davis Survey, Abstract No. 377, and in the Johnson, Green, Myers, and Brummett Survey, Abstract No. 1699, all in the City and County of Denton, Texas; and providing an effective date.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Ordinance](#)
[Exhibit 3 - Presentation](#)
- G. [ID 21-1364](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, approving a power purchase agreement between the City and Core Scientific Inc., a Delaware corporation; providing for the expenditure of funds; and providing for an Effective Date.

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

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.

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 official website (<https://www.cityofdenton.com/en-us/government/open/agendas-minutes>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on August 20, 2021, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS 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 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.