



City of Denton

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

Meeting Agenda City Council

Tuesday, June 7, 2022

2:00 PM

Council Work Session Room
&
Council Chambers

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

CLOSED MEETING BEGINS IMMEDIATELY FOLLOWING THE WORK SESSION IN THE COUNCIL WORK SESSION ROOM

REGULAR MEETING BEGINS AT 6:30 P.M. IN THE COUNCIL CHAMBERS

REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL

Public comments can be given for any item considered by the council, EXCEPT work session reports or closed meetings. Citizens are only able to comment one time per agenda item and cannot use more than one method to comment on a single agenda item. Comments are limited to 3 minutes per citizen. Citizens are limited to 4 minutes per public hearing item.

Citizens are able to participate in one of the following ways:

- eComment – On June 3, 2022, the agenda was posted online at <https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>. Once the agenda is posted, a link to make virtual comments using the eComment module will be made available next to the meeting listing on the Upcoming Events Calendar. Within eComment, 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 ability to make an eComment will be closed. Similar to when a citizen submits a white card to indicate their position on an item, the eComments will be sent directly to members of the City Council immediately upon entry into the module 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, June 7, 2022, at 2:00 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:

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 22-701](#) Receive a report, hold a discussion, and give staff direction regarding Audit Project 018 - Health Insurance Operations: Follow-Up Review.
[Estimated Presentation/Discussion Time: 30 minutes]
Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Follow-Up Review of the Health Insurance Operations Audit](#)
[Exhibit 3 - Presentation](#)
- B. [ID 22-801](#) Receive a report, hold a discussion, and give staff direction regarding proposals from the Board of Ethics to amend the Ethics Ordinance and Board of Ethics Rules of Procedure.
[Estimated Presentation/Discussion Time: 60 minutes]

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Letter of Proposed Amendments](#)
[Exhibit 3 - Redlined Ethics Ordinance](#)
[Exhibit 4 - Redlined Board of Ethics Rules of Procedure](#)
[Exhibit 5 - Presentation](#)

- C. [ID 22-815](#) Receive a report, hold a discussion, and give staff direction regarding the role of City Council Committees, membership to subcommittees and other internal/external groups, and their associated nomination and appointment processes.

[Estimated Presentation/Discussion Time: 45 minutes]

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - ISR No. 2022-028 - Council Committees](#)
[Exhibit 3 - Council Committee Narrative](#)
[Exhibit 4 - Roster - Existing Assignments, Vacancies, COI](#)
[Exhibit 5 - Presentation](#)

- D. [ID 22-828](#) Receive a report, hold a discussion, and give staff direction regarding funding recommendations from the Community Services Advisory Committee (CSAC) for the proposed activities to be included in the 2022 Action Plan.

[Estimated Presentation/Discussion Time: 30 minutes]

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - 2022-23 CSAC Funding Recommendations](#)
[Exhibit 3 - 2022-23 Project Descriptions](#)
[Exhibit 4 - Presentation](#)

- E. [ID 22-419](#) Receive a report, hold a discussion, and give staff direction on pending City Council requests for:

- (1) A Council vote to increase the allotted time for public comment from four to five minutes.
- (2) A work session to discuss incentives and or requirements for EV charging electrical circuitry and infrastructure for single-family homes with garages and multifamily developments of certain sizes.
- (3) A Council vote on a resolution that directs the Denton Police Department to make investigations and criminal enforcement related to reproductive healthcare its lowest priority, and recommends against using City funds for such purposes.
- (4) Authorizing staff resources to be spent in developing a policy related to panhandling and public health policy.

[Estimated Presentation/Discussion Time: 30 minutes]

Attachments: [Exhibit 1 - Agenda Information Sheet - Pending Council Request](#)
[Exhibit 2 - Ordinance 21-1837](#)
[Exhibit 3 - Denton Reproductive Healthcare Resolution.pdf](#)
[Exhibit 4 - Presentation](#)

Following the completion of the Work Session, the City Council will convene in a Closed Meeting in the Council Work Session Room 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 22-832](#) 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 a presentation from staff regarding public power competitive and financial matters about the risks of wholesale energy supply and risk management plans, hedge plans, and strategies as each relates to the DME electric power and gas portfolio; discuss, deliberate, and provide direction to staff 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.

- B. [ID 22-1031](#) Consultation with Attorneys under Texas Government Code Section 551.071 and Deliberations Involving Medical or Psychiatric Records of Individuals under Texas Government Code Chapter 551.0785.

Receive information from staff, discuss, and provide staff with direction related to a police officer's plan benefits related to an injury in the line of duty. Consultation with the City's attorney regarding legal issues associated with benefits 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; to consider information in the medical or psychiatric records related to a police officer's injury in the line of duty.

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 Regular 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 Closed Meeting, the City Council will reconvene in Open Meeting to take action, if any, on matters discussed in closed session.

AFTER DETERMINING THAT A QUORUM IS PRESENT, THE REGULAR MEETING OF THE CITY OF DENTON CITY COUNCIL WILL CONVENE 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 22-1181](#) Proclamation: Denton LGBTQ Pride Month
- B. [ID 22-1182](#) Proclamation: Juneteenth Day

3. PRESENTATIONS FROM MEMBERS OF THE PUBLIC

- A. Review of procedures for addressing the City Council.

B. Reports from members of the public shall be received through the following two (2) methods. A total of up to seven (7) speakers are permitted to provide public comment and may include any combination of prior registration and open microphone speakers.

1) Pre-registration. 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. Each speaker is allowed a maximum of four (4) 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. If the City Council believes that 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.

- a. [ID 22-1127](#) Ms. Debbie Sims regarding continual issues with water line breaks/leaks at her hair business, Debi Do & Company Salon (1801 N. Elm Street).
- b. [ID 22-1128](#) Ms. Kathy Woods regarding the financial impact of water main issues at Debi Do & Company Salon (1801 N. Elm Street).
- c. [ID 22-1143](#) Mr. Max Folmar regarding transportation services and Go Zone.
- d. [ID 22-1210](#) Ms. Elisabeth Gould, representing Speaking At Her Best, LLC, regarding what to look out for when loving yourself wholeheartedly.
- e. [ID 22-1212](#) Mr. Stephen Dillenburg regarding follow-up to comments made on Emergency Resolution of Public Corruption.
- f. [ID 22-1213](#) Dr. David Zoltner regarding abuse of the Open Microphone by citizens who sign up

for the opportunity to speak, and by members of Council and Staff who fail to enforce decorum.

- g. [ID 22-1238](#) Mr. Gladden regarding Invalid Certification of Recall Petition by the Denton City Secretary.

2) Open Microphone. This section of the agenda permits any person who has not registered in advance for a citizen report to make comments about public business items not listed on the agenda. Such person(s) shall have registered using the “Virtual White Card” or “By Phone” process outlined by the City on its website or meeting notice.

During open microphone reports under this section of the agenda, the Council may listen to citizens speak. However, because notice of the subject of the open microphone report has not been provided to the public in advance, the Texas Open Meetings Act limits any deliberation or decision by the Council to: a proposal to place the item on a future agenda; a statement of factual information; or a recitation of existing policy. Council Members may not ask the open microphone speakers questions or discuss the items presented during open microphone reports.

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 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 – AH). 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 22-811](#) Consider approval of the minutes of May 17, 2022 (Canvassing and Regular) Meetings.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - May 17, 2022 Minutes Canvassing - Draft](#)
 [Exhibit 3 - May 17, 2022 Minutes Regular - Draft](#)

- B. [ID 22-1133](#) Consider approval of a resolution of the City of Denton providing the May 9, 2022 meeting absence of a Public Utilities Board Member be excused; and declaring an effective date.

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

- C. [ID 22-834](#) Consider adoption of an ordinance of the City of Denton repealing Ordinance No. 21-765; approving the 2022 Denton Municipal Electric - Energy Risk Management Policy; (the “2022 EMRP”); delegating authority as provided in the 2022 EMRP; authorizing and approving the subsequent execution of such other ancillary and related

documents, including, without limitation, contracts, nominations, certificates, assignments, licenses, directions, instruments, confirmations, orders, and statements as are authorized by the 2022 ERMP, which are incident to or related thereto; confirming that the City of Denton, its Mayor, its City Council members, its City Manager, its City Attorney, and its City Secretary are authorized to perform such acts and obligations as are reasonably required to consummate those future transactions which are provided for and authorized by the 2022 ERMP; finding that the purchase of electricity, natural gas, and related commodities and instruments are exempt from the requirements of competitive bidding; finding that the purchase of electric energy, natural gas, and related commodities and instruments made by the city under the terms of the 2022 ERMP are in the public welfare of the citizens and electric ratepayers of the city; authorizing the expenditure of funds therefor; and, providing an effective date. The Public Utilities Board recommends approval [7-0].

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

- D. [ID 22-953](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an Interlocal Agreement between the City of Denton and Denton Independent School District (DISD) for the widening of Riney Road as an addendum to the Bonnie Brae Phase 6 Project, for which funds will provided for by DISD.

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

- E. [ID 22-978](#) Consider adoption of an ordinance of the City of Denton approving a City co-sponsorship to the Denton Juneteenth Celebration Committee in an amount not to exceed \$20,365.89 of in-kind services and resources for the Denton Juneteenth Celebration, which will be held on Friday, June 17, 2022 through Saturday, June 18, 2022, at the Fred Moore Park; and providing an effective date.

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2- Ordinance](#)
 [Exhibit 3- Co-Sponsorship Approval Letter](#)
 [Exhibit 4- Year to Date Co-Sponsorship Awards-FY21-22](#)

- F. [ID 22-1081](#) Consider adoption of an ordinance of the City of Denton granting the Denton Juneteenth Celebration Committee a three-year noise exception for the Denton Juneteenth Celebration, to be held on June 17-19, 2022, June 16-18, 2023, and June 14-16, 2024 at Fred Moore Park; and providing an effective date.

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

- G. [ID 22-1024](#) Consider approval of a resolution of the City of Denton authorizing the City Manager to execute an agreement allowing Denton County Brewing Company to sell alcoholic beverages at the Yappy Hour event, on Friday, June 10, 2022, and Friday, August 5,

2022, at North Lakes Dog Park upon satisfying certain conditions; and providing for an effective date.

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

- H. [ID 22-1028](#) Consider adoption of an ordinance of the City of Denton granting the North Texas State Fair Association a three year noise exception for the North Texas Fair and Rodeo which will be held August 18-28, 2022, August 17-27, 2023, and August 15-25, 2024, at 2217 N. Carroll Boulevard; and providing an effective date.

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

- I. [ID 22-1029](#) Consider adoption of an ordinance of the City of Denton approving a City co-sponsorship to the North Texas State Fair Association in an amount not to exceed \$8,502.80 of in-kind services and resources for the Annual North Texas Fair and Rodeo Parade which will be held on Saturday, August 20, 2022, at 10:00 a.m., at the Downtown Square; and providing an effective date.

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2- Ordinance](#)
 [Exhibit 3- Co-sponsorship Approval Letter](#)
 [Exhibit 4- Year to Date Co-Sponsorship Awards-FY21-22](#)
 [Exhibit 5- Letter of Request](#)

- J. [ID 22-1032](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute on behalf of the City the disc golf course rental agreement for disc golf tournaments and events in the parks; and providing an effective date.

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

- K. [ID 22-1053](#) Consider approval of a resolution of the City of Denton authorizing the Original Denton District to provide a letter of support to the Texas Commission on the Arts for an application by the Denton Festival Foundation for the Arts Respond Project - Economic Development grant in the amount of \$15,000 for musician salaries related to the 2023 Arts and Jazz Festival; and providing an effective date.

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2- Resolution](#)
 [Exhibit 3- Letter of Request](#)
 [Exhibit 4- Letter of Support](#)

- L. [ID 22-1054](#) Consider approval of a resolution of the City of Denton authorizing the Original Denton District to provide a letter of support to the Texas Commission on the Arts for an application by the Greater Denton Arts Council for the Arts Respond - Cultural District

Project grant in the amount of \$10,000 for the implementation of the “63 & 93: Generations in Conversation” art exhibition, an exhibition hosting works by artists thirty-years and younger alongside artists sixty-years and older; and providing an effective date.

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2- Resolution](#)
 [Exhibit 3- Letter of Request](#)
 [Exhibit 4- Letter of Support](#)

- M. [ID 22-1055](#) Consider approval of a resolution of the City of Denton authorizing the Original Denton District to provide a letter of support to the Texas Commission on the Arts for an application by Tejas Storytelling Association for the Arts Respond - Cultural District Project grant in the amount of \$7,000 for aid in 2023 Texas Storytelling Festival expenses; and providing an effective date.

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2 - Resolution](#)
 [Exhibit 3- Letter of Request](#)
 [Exhibit 4- Letter of Support](#)

- N. [ID 22-1056](#) Consider approval of a resolution of the City of Denton authorizing the Original Denton District to provide a letter of support to the Texas Commission on the Arts for an application by Theatre Denton for the Arts Respond - Cultural District project grant in the amount of \$5,000 for renovation of the neon campus theatre sign; and providing an effective date.

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2- Resolution](#)
 [Exhibit 3- Letter of Request](#)
 [Exhibit 4- Letter of Support](#)

- O. [ID 22-1082](#) Consider approval of a resolution of the City of Denton in support of the Original Denton District’s application for the Arts Respond - Cultural District Project grant from the Texas Commission on the Arts in the amount of \$12,000 for traffic utility box art program; authorizing the Original Denton District to execute a letter of support; and providing an effective date.

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2- Resolution](#)
 [Exhibit 3 - ODD Letter of Support](#)
 [Exhibit 4- Grant Brief](#)

- P. [ID 22-1161](#) Consider approval of a resolution of the City of Denton authorizing the City Manager to execute an agreement allowing Denton County Brewing Company to sell alcoholic beverages at the Glow in the Park event, on Saturday, June 18, 2022, at the North Lakes Disc Golf Course upon satisfying certain conditions; and providing for an effective date.

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

[Exhibit 2- Resolution and Agreement](#)

- Q. [ID 22-1163](#) Consider adoption of an ordinance of the City of Denton approving a City co-sponsorship in an amount not to exceed \$2,545.70 of in-kind services and resources for the Glow in the Park event hosted by the Denton Parks Foundation, which will be held on Saturday, June 18, 2022, from 6:00 p.m. to 10:30 p.m., at the North Lakes Disc Golf Course, 2201 N Bonnie Brae St; and providing an effective date.

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

[Exhibit 2- Ordinance](#)

[Exhibit 3- Co-sponsorship Approval Letter](#)

[Exhibit 4 Year to Date Co-Sponsorship Awards-FY21-22](#)

- R. [ID 22-1103](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 5 to the contract between the City of Denton and Quality Excavation, LTD, for the construction of the McKinney Street sidewalk segment for the Downtown Storm Sewer Trunk Line PH I Project; providing for the expenditure of funds therefor; and providing an effective date (IFB 7086 - Change Order No. 5, in the not-to-exceed amount of \$65,757.40 for a total contract award aggregated to \$1,289,375.65). The Public Utilities Board recommends approval (7 - 0).

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

[Exhibit 2 - Original Ordinance and Contract](#)

[Exhibit 3 - Change Order 1](#)

[Exhibit 4 - Change Order 2](#)

[Exhibit 5 - Change Order 3](#)

[Exhibit 6 - Ordinance and Change Order 4](#)

[Exhibit 7 - Ordinance and Change Order 5](#)

- S. [ID 22-1104](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Biggs and Mathews Environmental, Inc., for the scale facility and roadway improvements at the City of Denton Landfill for the Solid Waste and Recycling Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7109-025 - Professional Services Agreement for design services awarded to Biggs and Mathews Environmental, Inc., in the not-to-exceed amount of \$160,000.00). The Public Utilities Board recommends approval (7 - 0).

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

[Exhibit 2 - Ordinance and Contract](#)

- T. [ID 22-1105](#) 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 Allegro Development Corporation, for the Energy Trading and Risk Management Application for Denton Municipal Electric, which is the sole provider of this software, in accordance with Texas Local Government Code 252.022, which provides that procurement of

commodities and services that are available from one source are exempt from competitive bidding, and if over \$50,000, shall be awarded by the governing body; providing for the expenditure of funds therefor; and providing an effective date (File 7916 - awarded to Allegro Development Corporation, in the eight (8) year not-to-exceed amount of \$1,658,561.00). The Public Utilities Board recommends approval (7 - 0).

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

- U. [ID 22-1106](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a Professional Services Agreement between the City of Denton and Freese and Nichols, Inc., amending the contract approved by the City Manager on January 18, 2021, in the not-to-exceed amount of \$96,963.00, said first amendment to provide collaborative project delivery consulting services for the Capital Improvement Projects division; providing for the expenditure of funds therefor; and providing an effective date (File 7620 - providing for an additional first amendment expenditure amount not-to-exceed \$110,725.00 with the total contract amount not-to-exceed \$207,688.00).

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

- V. [ID 22-1107](#) 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 Techline, Inc., for the purchase of roll duct, PVC conduit, fittings, and accessories for the Denton Municipal Electric Department to be stocked in the City of Denton Warehouse; providing for the expenditure of funds therefor; and providing an effective date (IFB 7973 - awarded to Techline, Inc., 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 \$10,000,000.00).

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

- W. [ID 22-1108](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a contract between the City of Denton and SHI Government Solutions, Inc., amending the contract approved by City Council on May 3, 2022, to add Technology Solutions Products & Services through The Interlocal Purchasing System (TIPS) Cooperative Program Contract # 200105; providing for the expenditure of funds therefor; and providing an effective date (File 7983 - providing for an amendment to the ordinance to add the TIPS Cooperative Program Contract #200105).

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

- X. [ID 22-1110](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Kimley-Horn and Associates, Inc., to provide regulatory permitting/approval support, process evaluation, design services, bidding assistance, and construction phase services for the Pecan Creek Water Reclamation Plant (PCWRP) Headworks Project for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7574-013 - Professional Services Agreement for design services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of \$3,828,700.00). The Public Utilities Board recommends approval (7 - 0).

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

- Y. [ID 22-1131](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Freese and Nichols, Inc., for the development of a Storm Water Master Plan assessment for the Drainage Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7599-006 - Professional Services Agreement for assessment services awarded to Freese and Nichols, Inc., in the not-to-exceed amount of \$500,000.00). The Public Utilities Board recommends approval (7 - 0).

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

- Z. [ID 22-1145](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, for the approval of a pre-qualified list for utility relocation and construction services for various Capital Investment Projects within the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7968 - for a three (3) year term).

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

- AA. [ID 22-1146](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive proposals under RFP 7982 for Voluntary Products, to include accident, critical illness with cancer, and hospital indemnity coverage; and providing an effective date (RFP 7982).

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

- AB. [ID 22-1151](#) 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 Ray McCain Services, Inc., for repairs, replacement, maintenance, and installation of automatic gates and overhead doors for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7951 - awarded to

Ray McCain Services, Inc., for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year in the not-to-exceed amount of \$750,000.00).

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

- AC. [ID 22-1154](#) 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 2L Construction, L.L.C., for the construction of the North Texas Boulevard Widening and Improvements at Apogee Stadium Project; providing for the expenditure of funds therefor; and providing an effective date (IFB 7966 - awarded to 2L Construction, L.L.C., in the not-to-exceed amount of \$802,815.83).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Bid Tabulation](#)
 [Exhibit 3 - LLC Members](#)
 [Exhibit 4 - Ordinance and Contract](#)

- AD. [ID 22-1160](#) 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 Artistic Painting Company, Inc., for interior and exterior painting services for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7952 - awarded to Artistic Painting Company, Inc., 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 \$600,000.00).

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

- AE. [ID 22-1197](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive proposals under RFP 7975 for the Channel Grinder Provision and Install for the Solid Waste Department; and providing an effective date (RFP 7975).

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

- AF. [ID 22-1170](#) Consider adoption of an ordinance of the City of Denton ratifying and authorizing the city manager, to execute an advance funding agreement with the Texas Department of Transportation for a project using funds held in the State Highway 121 subaccount-roadway improvements (off state system) providing for the extension of Mayhill Road from as a four-lane divided urban arterial roadway from IH 35 east to US 380 in the City of Denton; authorizing the expenditure of funds therefor; and providing an effective date.

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

[Exhibit 2 - Location Map](#)

[Exhibit 3 - Site Map](#)

[Exhibit 4 - Ordinance and Agreement](#)

- AG. [ID 22-1172](#)** Consider adoption of an ordinance of the City of Denton ratifying and authorizing the City Manager, to execute and deliver an Advance Funding Agreement with the Texas Department of Transportation for a project using funds held in the State Highway 121 subaccount providing for an expansion of Hickory Creek Road from a two-lane rural roadway to a four-lane divided urban roadway and intersection improvements on Hickory Creek Road from FM 1830 to Riverpass Drive in the City of Denton; authorizing the expenditure of funds therefor; and providing an effective date.

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

[Exhibit 2 - Location Map](#)

[Exhibit 3 - Site Map](#)

[Exhibit 4 - Ordinance](#)

[Exhibit 5 - Advanced Funding Agreement \(AFA\)](#)

- AH. [ID 22-1141](#)** Consider approval of a resolution by the City of Denton, a Texas home-rule municipal corporation, suspending Oncor Electric Delivery Company LLC's proposed effective date of June 17, 2022, for ninety days in connection with Oncor's statement of intent to increase rates filed on or about May 13, 2022; requiring the reimbursement of municipal rate case expenses; authorizing participation in the coalition of similarly situated cities; authorizing intervention and participation in related rate proceedings; authorizing the retention of special counsel; finding that the meeting complies with the open meetings act; making other findings and provisions related to the subject; and declaring an effective date

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

[Exhibit 2 - Resolution.pdf](#)

[Exhibit 3 - LLC Members](#)

5. PUBLIC HEARINGS

- A. [ID 22-829](#)** Hold a public hearing inviting citizens to comment on the 2022 Action Plan for Housing and Community Development.

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

[Exhibit 2 - Draft 2022-23 Action Plan for Housing and Community Development](#)

[Exhibit 3 - Presentation](#)

- B. [S22-0002b](#)** Hold a public hearing and consider making a recommendation to City Council regarding a request by Terrano Realty, Inc. for a Specific Use Permit to allow for a Multifamily Dwelling Use on approximately 11.891 acres of land, generally located on the east side of Woodrow Lane, approximately 1,365 feet south of East McKinney Street, in the City of Denton, Denton County, Texas. THE ITEM HAS BEEN POSTPONED TO THE JUNE 28, 2022 CITY COUNCIL MEETING (S22-0002b, Pathway Woodrow Lane

Multifamily, Julie Wyatt)

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

- C. [Z21-0017b](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a change in the zoning district and use classification from Residential Rural (RR) District to Planned Development (PD) District with a Light Industrial (LI) base zone on approximately 311.5 acres of land generally located on the northeast corner of Hampton Road and Masch Branch Road 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 [4-2] to recommend denial of the initial request to rezone to Light Industrial (LI) (Z21-0017b, RM Squared Denton Tract, Tina Firgens).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Existing Zoning Map](#)
[Exhibit 5 - Proposed Zoning Map](#)
[Exhibit 6 - Future Land Use Map](#)
[Exhibit 7 - Concept Plan](#)
[Exhibit 8 - Permitted Use Comparison](#)
[Exhibit 9 - Notification Map, Responses, Affidavit of Sign Posting, and Photo of I](#)
[Exhibit 10 - LLC Members List](#)
[Exhibit 11 - Draft Ordinance](#)
[Exhibit 12 - Exhibit B - Zoning Exhibit](#)
[Exhibit 13 - Exhibit C - Planned Development Standards](#)
[Exhibit 14 - Exhibit C - Attachment 1 - Planned Development Plan](#)
[Exhibit 15 - Exhibit C - Attachment 2 - Landscape Buffer Exhibit](#)
[Exhibit 16 - Presentation](#)

6. ITEMS FOR INDIVIDUAL CONSIDERATION – CONSIDERATION OF THE USE OF EMINENT DOMAIN TO CONDEMN REAL PROPERTY INTERESTS

- A. [ID 22-657](#) Consider adoption of an ordinance of the City of Denton determining the public use, need, and necessity for the acquisition of a (i) permanent water line easement and a (ii) temporary construction easement, generally located along Loop 288 and US 77 between Interstate Highway 35E to Nicosia Street, situated in the Nathan Wade Survey Abstract No. 1407, in the City and County of Denton, Texas, and more particularly described in the attached Exhibit "A" (collectively the "Property Interests"); authorizing the City Manager and City Attorney, to acquire the Property Interests by agreement, if possible, including making all offers required by law; authorizing the use of the power of eminent domain to condemn the property interests if agreements cannot be reached; authorizing the City Attorney, to file eminent domain proceedings if necessary; authorizing the

expenditure of funding; making findings; providing a savings clause; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Ordinance](#)
[Exhibit 3 - Recommended Motion](#)
[Exhibit 4 - Presentation](#)

- B. [ID 22-777](#) Consider adoption of an ordinance of the City of Denton determining the public use, need, and necessity for the acquisition of various (i) permanent sanitary sewer easements and (ii) temporary construction easements, generally located between Interstate Highway 35E and Westgate Dr., situated in the Nathan Wade Survey Abstract No. 1407, F. Baston Survey Abstract No. 43, all in the City and County of Denton, Texas, and more particularly described in the attached Exhibit “A” (collectively, the “Property Interests”); authorizing the City Manager and City Attorney to acquire the Property Interests by agreement, if possible, including making all offers required by law; authorizing the use of the power of eminent domain to condemn the property interests if agreements cannot be reached; authorizing the City Attorney, to file eminent domain proceedings if necessary; authorizing the expenditure of funding; making findings; providing a savings clause; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Ordinance](#)
[Exhibit 3 - Recommended Motion](#)
[Exhibit 4 - Presentation](#)

7. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 22-862](#) Consider approval of a resolution of the City of Denton stating no objection to a 4% housing tax credit application to the Texas Department of Housing and Community Affairs for the proposed new development of the Pathways on Woodrow to provide affordable rental housing; authorizing the Texas Housing Foundation to exercise its powers within the territorial boundaries of the City of Denton; authorizing a cooperation agreement; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Application for a Resolution of No Objection](#)
[Exhibit 3 - Resolution of No Objection](#)
[Exhibit 4 - Cooperation Agreement](#)
[Exhibit 5 - Presentation](#)

- B. [ID 22-921](#) Consider adoption of an ordinance considering all matters incident and related to the issuance, sale and delivery of up to \$89,000,000 in principal amount of “City of Denton General Obligation Refunding and Improvement Bonds, Series 2022”; authorizing the issuance of the bonds; delegating the authority to certain City officials to execute certain documents relating to the sale of the bonds; approving and authorizing instruments and procedures relating to said bonds; enacting other provisions relating to the subject; and

providing an effective date. The Public Utilities Board recommends approval (7-0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Preliminary Official Statement](#)
 [Exhibit 3 - GO Ordinance](#)
 [Exhibit 4 - Presentation](#)

- C. [ID 22-922](#) Consider adoption of an ordinance considering all matters incident and related to the issuance, sale and delivery of up to \$121,000,000 in principal amount of "City of Denton Certificates of Obligation, Series 2022"; authorizing the issuance of the certificates; delegating the authority to certain city officials to execute certain documents relating to the sale of the certificates; approving and authorizing instruments and procedures relating to said certificates; enacting other provisions relating to the subject; and providing an effective date. The Public Utilities Board recommends approval (7-0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Preliminary Official Statement](#)
 [Exhibit 3 - CO Ordinance](#)
 [Exhibit 4 - Presentation](#)

- D. [ID 22-1027](#) Consider adoption of an ordinance of the City of Denton approving a co-sponsorship to the Denton Noon Kiwanis Club in an amount not to exceed \$24,095.00 of in-kind services and resources for the 4th of July fireworks show, which will be held on Sunday, July 3, 2022, at North Lakes Park; and providing an effective date.

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2- Ordinance](#)
 [Exhibit 3- Co-Sponsorship Approval Letter](#)
 [Exhibit 4- Year to Date Co-Sponsorship Awards-FY21-22](#)
 [Exhibit 5- North Lakes Park Event Site Plan](#)
 [Exhibit 6- Presentation](#)

- E. [ID 22-1030](#) Consider adoption of an ordinance of the City of Denton granting the Denton Noon Kiwanis Club a noise exception with respect to sound levels and hours of operation for the 4th of July Fireworks show to be held on Sunday, July 3, 2022, from 9:30 p.m. to 10 p.m. at North Lakes Park; and providing an effective date.

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

- F. [ID 22-1224](#) Consider approval of a resolution of the City of Denton expressing its support of the City of Uvalde regarding the tragic events that occurred at Robb Elementary School; and providing an effective date.

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

- G. [ID 22-1149](#) Receive the certification from the City Secretary regarding the petition for the recall of

District 4 Council Member Alison Maguire.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Certification - Recall Petition](#)
 [Exhibit 4 - Presentation](#)

- H. [ID 22-1150](#) Receive the certification from the City Secretary regarding the petition for the decriminalization of marijuana.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Certification - Decriminalize Denton Petition](#)
 [Exhibit 4 - Presentation](#)

8. 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://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on June 3, 2022, 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.