City of Denton

Meeting Agenda

City Council

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

Tuesday, November 1, 2022 | **2:00 PM** | **Council Work Session Room & Council Chambers**

WORK SESSION BEGINS AT 2:00 P.M. 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

Individuals may speak during a Council meeting under one of the following categories:

Open Microphone:

At regular meetings only, individuals can speak on any topic that is not on the agenda for no longer than four (4) minutes per individual. This portion of the meeting occurs immediately after the start of the regular meeting session. Please note, Council members cannot engage in a discussion on topics presented during this portion and there are limited slots available for this portion of the meeting.

Comments on Agenda Items:

Public comments can be given for any item considered by the Council, EXCEPT work session reports or closed meetings. Individuals are only able to comment one time per agenda item and cannot use more than one method to comment on a single agenda item. Public comments are limited to three (3) minutes per citizen.

Public Hearing Items:

Individuals are limited to four (4) minutes per public hearing item.

Individuals may participate by using one of the following methods:

1. **In Person for Regular or Consent Agenda Items:**

   To provide in-person comments regular or consent agenda items (excluding public hearing items), Individuals must be present at the meeting and submit a speaker card (available at the meeting location) to the City Secretary prior to the item being called.

2. **In Person for Public Hearing Items:**

   For public hearing items, speaker cards are encouraged but not required.

3. **eComment:**

The agenda is 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. Using eComment, Individuals may indicate support or opposition and submit a brief comment about a specific agenda item. eComments may be submitted up until the start of the meeting at which time the ability to make an eComment will be closed. eComments will be sent directly to members of the City Council immediately upon submission and recorded by the City Secretary into the Minutes of the Meeting.

4. By Phone:

Individuals may register to provide comments by phone. Instructions and a link to register to comment by phone will be available at www.cityofdenton.com/publicmeetings until noon of the meeting date. Residents will submit contact information using the link provided and receive further instructions via email on how to join the meeting by phone and provide comments.

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, November 1, 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 22-1552 Receive a report, hold a discussion, and give staff direction regarding the rehabilitation and future use of City Hall West.

*[Council Priority; Presentation/Discussion Time: 45 minutes]

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2- City Hall West Presentation
Exhibit 3 - 2022 Master Plan Survey

B. ID 22-1761 Receive a report, hold a discussion, and give staff direction regarding citywide regulation of criminal history information on job applications.

[Estimated Presentation/Discussion Time: 45 minutes]

Attachments: Exhibit 1 - Agenda Information Sheet.pdf
Exhibit 2 - Presentation.pdf
Exhibit 3 - NELP 2021 Fair Chance Hiring Guide.pdf

C. ID 22-1999 Receive a report, hold a discussion, and give staff direction regarding the Bonnie Brae Street Project Update.

[Estimated Presentation/Discussion Time: 30 minutes]

Attachments: Exhibit 1 – Agenda Information Sheet
Exhibit 2 - 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.

NOTE: 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.

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 22-2144 Proclamation: The Salvation Army's Red Kettle Love Beyond Campaign

B. ID 22-2268 Proclamation: Homeless and Hunger Week

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 22-2259 Mr. Nicholas Woods regarding the degradation of the Solomon Hill neighborhood.

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 or a board, commission, and committee. Approval thereof will be strictly on the basis of the those 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.

For those items recommended by a specific board, commission, or committee, the agenda item will reference that recommendation. To view the video of the related board, commission, or committee meeting, as applicable, a link can be found within the applicable supporting documentation (Exhibit 1).

Listed below are bids, purchase orders, contracts, and other items to be approved under the Consent Agenda (Agenda Items A – AK). 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 22-1393 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Public Art Committee.

Attachments: Exhibit 1 - Agenda Information Sheet B&C - 11-01-2022
Exhibit 2 - Nominations List 11-01-2022

B. ID 22-1697 Consider approval of a resolution of the City of Denton adopting the City of Denton's 2023-2024 Legislative Program; and providing an effective date.

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - 2023-2024 Legislative Program
Exhibit 3 - Resolution
Exhibit 4 - October 25 Work Session Presentation

C. ID 22-2270 Consider adoption of an ordinance of the City of Denton repealing Ordinance No. 21-2193 relating to the delegation of authority to the City Manager to administer Council Contingency fund spending agreements; and providing an effective date.

Attachments: Exhibit 1 Agenda Information Sheet
Exhibit 2 Ordinance 21-2193
Exhibit 3 Ordinance

D. ID 22-2272 Consider approval of a resolution of the City of Denton delegating certain administrative duties regarding the Council Contingency fund to the Community Partnership committee; and providing an effective date.

Attachments: Exhibit 1 Agenda Information Sheet
Exhibit 2 Resolution

E. ID 22-2193 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 HDR Engineering, Inc., for professional engineering services on the Lead and Copper Public Outreach and Crisis Communication Plan for the Water Utilities Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7574-019 - Professional Services Agreement for engineering services awarded to HDR Engineering, Inc., in the not-to-exceed amount of $217,106.50). The Public Utilities Board recommends approval (6 - 0).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Ordinance and Contract

F. ID 22-2196 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 Altec Industries, Inc., through the Sourcewell Cooperative Purchasing Network Contract Number 110421-ALT, for the acquisition of Altec model Digger Derricks, Bucket Trucks, & Utility Equipment for the Electric Distribution, Electric Operations, Traffic, and Parks Departments; authorizing the expenditure of funds therefor; and providing an effective date (File 8130 - awarded to Altec Industries, Inc., in the five (5) year not-to-exceed amount of $3,000,000.00). The Public Utilities Board recommends approval (6 - 0).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Ordinance

G. ID 22-2197 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 KS2 Technologies, Inc., for the renewal of maintenance and vendor support services for the KS2 Reporting Tool and associated software modules for the Technology Services Department, which is the sole provider of this software, in accordance with Texas Local Government Code Chapter 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 8073-awarded to KS2 Technologies, 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 $150,000.00).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Ordinance and Contract

H. ID 22-2198 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 4 to the contract between the City of Denton and 2L Construction, LLC, for the construction of the West Hickory Street Paving, Lighting & Drainage Improvements Project for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (IFB 7163 - Change Order No. 4 in the not-to-exceed amount of $219,543.05 for a total contract award aggregated to $2,139,047.00).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Original Ordinance and Contract
Exhibit 3 - Change Order Nos. 1-3
Exhibit 4 - LLC Members
Exhibit 5 - Ordinance and Change Order 4

I. ID 22-2199 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 Amperon Holdings, Inc., for load forecasting services for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 8024 - awarded to Amperon Holdings, Inc., in the three (3) year not-to-exceed amount of $252,000.00). The Public Utilities Board recommends approval (6 - 0).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Pricing Evaluation
Exhibit 3 - Ordinance and Contract

J. ID 22-2200 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 Maxar Intelligence, Inc., for weather forecasting services and renewables forecasting services for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 8024 - awarded to Maxar Intelligence, Inc., in the three (3) year not-to-exceed amount of $200,000.00). The Public Utilities Board recommends approval (6 - 0).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Pricing Evaluation
Exhibit 3 - Ordinance and Contract

K. ID 22-2250 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 Red Wing Brands of America, Inc. through the U.S. General Services Administration's (GSA) MAS schedule 47QSWA22D00AB, for Safety Foot Wear for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (File 8144 - awarded to Red Wing Brands of America, Inc. in a not-to-exceed amount of $750,000.00).

Attachments: Exhibit 1 - Agenda Infromation Sheet
Exhibit 2 - Cooperative Pricing
Exhibit 3 - Ordinance

5. ITEMS FOR INDIVIDUAL CONSIDERATION

A. ID 22-2192 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., for the design services of Neighborhoods 2 and 6 for the Capital Projects/Engineering Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7599-010 - Professional Services Agreement for design services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of $5,726,000.00). The Public Utilities Board recommends approval (6 - 0).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Presentation
Exhibit 3 - Ordinance and Contract

B. ID 22-2195 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Construction Manager at Risk contract with Sundt Construction, Inc., for pre-construction services of Neighborhood 2 & 6 Improvements for the Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8055 - awarded to Sundt Construction, Inc., in the not-to-exceed amount of $452,147.00). The Public Utilities Board recommends approval (6 - 0).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Pricing Evaluation
Exhibit 3 - Ordinance and Contract
Exhibit 4 - Presentation

C. ID 22-2194 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 Mountain Cascade of Texas, LLC, for the construction of the I-35E-Mayhill Utility Relocations Project for the Water/Wastewater Utilities and Capital Projects/Engineering Department; providing

for the expenditure of funds therefor; and providing an effective date (RFQ 7968-001 - awarded to Mountain Cascade of Texas, LLC, in the not-to-exceed amount of $15,008,997.15). The Public Utilities Board recommends approval (6 - 0).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Bid Tabulation
Exhibit 3 - LLC Members
Exhibit 4 - Ordinance and Contract
Exhibit 5 - Presentation

6. 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 October 28, 2022, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

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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.