



City of Denton

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

Meeting Agenda

City Council

Tuesday, September 18, 2018

1:00 PM

Work Session Room & Council Chambers

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, September 18, 2018 at 1:00 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 September 18, 2018.

3. Work Session Reports

- A. [ID 18-1361](#) Receive a report from Texas Woman's University regarding their Master Plan, hold a discussion, and give staff direction.

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

- B. [ID 18-1368](#) Receive a report, hold a discussion and give staff direction regarding alignment options for the Bonnie Brae Phase 4 Widening and Improvements project from IH 35 E to Scripture.

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

- C. [ID 18-1450](#) Receive a report, hold a discussion, and provide staff direction regarding City Council priorities for upcoming work session report topics.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Planned Work Session Topic Descriptions](#)
[Exhibit 3 - Work Session Schedule](#)
[Exhibit 4 - Presentation](#)

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 18-1532](#) Deliberate regarding Real Property - Under Texas Government Code 551.072;
Consultation with Attorneys - Under Texas Government Code Section 551.071

Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the potential purchase of certain real property interests out of the B.B.B. & C.R.R. Company Survey, Abstract No. 192 and the E. Puchalski Survey, Abstract No. 996, Denton County, Texas, and being generally located within the 300 through 600 block range of North Bonnie Brae Street, including a 0.8123 acre tract generally located in the 2300 block of Scripture Street, Denton, Texas. Consultation with the City's attorneys regarding legal issues associated with the potential acquisition or condemnation of the real property interests described above 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. (Bonnie Brae Street - Phase 4/5)

B. [ID 18-1555](#) Consultation with Attorneys - Under Texas Government Code, Section 551.071

Receive information from, consult with, deliberate, and provide direction and/or recommendations to the City's attorneys regarding (i) a proposed negotiated settlement between the Atmos Cities Steering Committee ("ACSC"; of which the City is a member) and Atmos Energy Corp., Mid-Tex Division, regarding Atmos' 2018 rate review mechanism filings ("Atmos 2018 RRM Filings"); and, (ii) the City's options with respect to the Atmos 2018 RRM Filings. 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.

Regular Meeting of the City of Denton City Council 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. BUDGET ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 18-1453](#) Consider adoption of an ordinance of the City of Denton, Texas, levying the ad valorem property tax of the City of Denton, Texas, for the year 2018, on all taxable property within the corporate limits of the city on January 1, 2018, and adopting a tax rate of \$0.620477 per \$100 of valuation for 2018; providing revenues for payment of current municipal maintenance and operation expenses and for payment of interest and principal on outstanding City of Denton debt; providing for limited exemptions of certain homesteads; providing for enforcement of collections; providing for a severability clause; and providing an effective date.

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

- B. [ID 18-1454](#) Consider adoption of an ordinance of the City of Denton, Texas, approving the 2018 tax rolls; and providing an effective date.

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

- C. [ID 18-1456](#) Consider adoption of an ordinance of the City of Denton, Texas, adopting the Fiscal Year 2018-2019 Annual Program of Services (Budget) and the Capital Improvement Program of the City of Denton, Texas, for the fiscal year beginning on October 1, 2018, and ending on September 30, 2019; and declaring an effective date.

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

- D. [ID 18-1457](#) Consider adoption of an ordinance of the City of Denton, Texas, ratifying the adoption of the Fiscal Year 2018-2019 Annual Program of Services (Budget) and the Capital Improvement Program of the City of Denton, Texas, for the fiscal year beginning October 1, 2018, and ending on September 30, 2019 when the Budget will raise more revenue from property taxes than last year's budget; and providing an effective date.

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

3. PROCLAMATIONS/PRESENTATIONS

- A. [ID 18-1512](#) Effie Ruth Webb McQueen Day
- B. [ID 18-1513](#) Barney Cosimo Day

4. PRESENTATION FROM MEMBERS OF THE PUBLIC

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

B. Receive Scheduled Citizen Reports from Members of the Public. 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. This is limited to no more than four (4) speakers per meeting with each speaker 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.

1. [ID 18-1415](#) Henry Jason regarding a committee for the handicapped.

C. Additional Citizen Reports - This section of the agenda permits any person not registered for a citizen report to make comments regarding public business on items not listed on the agenda. This is limited to two speakers per meeting with each speaker allowed a maximum of four (4) minutes. Such person(s) shall have filed a "Blue Card" requesting to speak during this period prior to the calling of this agenda item.

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.

5. 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 –EE). 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 – EE 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 18-1238](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Pike Engineering, LLC., for electric engineering services to provide distribution design, construction and standards; distribution system planning services; new distribution customer project designs; project quality control services; and perform distribution system studies for Denton Municipal Electric distribution engineering; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6566 - awarded to Pike Engineering, LLC., in a total not-to-exceed amount of \$900,000). The Public Utilities Board recommends approval (6-0).

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

- B. [ID 18-1321](#) Consider adoption of an ordinance amending ordinance No. 2012-001 of the City Council of the City of Denton, Texas, regarding changes to funding source, policy, and procedures for the Downtown Reinvestment Grant Program; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Redline Ordinance and Policy](#)
 [Exhibit 3 - Clean Ordinance and Policy](#)

- C. [ID 18-1383](#) Consider approval of a resolution approving the City of Denton's GreenSense Incentive Program Manual, and Distributed Generation Manual for FY 2018-19; providing for an effective date. The Public Utilities Board recommends approval (7-0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Resolution w attachments](#)
 [Exhibit 3 - GreenSense Incentive Program Manual \(Redline Version\)](#)
 [Exhibit 4 - Distributed Generation Manual \(Redline Version\)](#)

- D. [ID 18-1395](#) Consider adoption of an ordinance of the City of Denton, Texas establishing the schedule of rates for electric service; providing for a repealer; providing for a severability clause; and providing for an effective date. The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - FY 2018-19 Electric Rate Ordinance REDLINE](#)
 [Exhibit 3 - FY 2018-19 Electric Rate Ordinance signed by Legal](#)
 [Exhibit 4 - Electric Rate Comparison](#)

- E. [ID 18-1402](#) Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton, Texas and Giving Hope, Incorporation for Homeless Prevention Assistance; providing for the expenditure of funds in the total amount of Four Hundred Dollars (\$400); and providing an effective date.

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

- F. [ID 18-1423](#) 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 the supply of electric utility distribution hardware, connectors, arms, and accessories for the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 6653 - awarded to the lowest responsive bidder for each line item, Stuart C. Irby Company, for one (1) year, with the option for three (3) additional one (1) year extensions, in a total not-to-exceed amount of \$500,000 for all years, and Techline, Inc., for one (1) year, with the option for three (3) additional one (1) year extensions, in a total not-to-exceed amount of \$4,000,000 for all years, in a total not-to-exceed amount of \$4,500,000 for all years).

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

- G. [ID 18-1426](#) 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 through the State of Texas Smart Buy Program for the purchase of Library Print Materials: Publications, Audiovisual Materials, Books, and Cataloging Services (prepared materials only) as awarded by the State of Texas Contract Number 715-M2; authorizing the expenditure of funds therefor; and declaring an effective date (File 6886 - awarded to Baker & Taylor, LLC, in the not-to-exceed amount of \$350,000).

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

- H. [ID 18-1427](#) 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 through the State of Texas Smart Buy Program for the purchase of Library Audiovisual Materials: Publications, Audiovisual Materials, Books, and Cataloging Services (prepared materials only) as awarded by the State of Texas contract number 715-M2; authorizing the expenditure of funds therefor; and declaring an effective date (File 6887 - awarded to Midwest Tape, LLC, for a term ending on August 31, 2019, in the not-to-exceed amount of \$150,000).

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

- I. [ID 18-1429](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with RPS Infrastructure, Inc., for design services for the Bonnie Brae Phase 6 ~ University (US 380) to Loop 288 street improvement project as set forth in the agreement; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-032 - Professional Services Agreement for design services awarded to RPS Infrastructure, Inc., in the not-to-exceed amount of \$2,031,479.50). The Public Utilities Board recommends approval (6-0).

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

- J. [ID 18-1431](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Kimley-Horn and Associates, Inc. for an Americans with Disabilities (ADA) Act Compliance Review and Transition Plan as set forth in the agreement; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-033 - Professional Services Agreement for Design Services awarded to Kimley-Horn and Associates Inc., in the not-to-exceed amount of \$239,850).

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

- K. [ID 18-1448](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal

corporation authorizing the City Manager, or designee, to execute an agreement with the United States Department of Justice, Drug Enforcement Administration (DEA) for participation in the Dallas Field Division Area Task Force Group 1 for Fiscal Year 2019; and providing an effective date.

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

- L. [ID 18-1449](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation authorizing the City Manager, or designee, to execute an agreement with the United States Department of Justice for participation in the Federal Equitable Sharing Program for Fiscal Year 2019; and providing an effective date.

Attachments: [Exhibit 1 - AIS Federal Equitable Sharing Program](#)
 [Exhibit 2 - Ordinance Federal Equitable Sharing Program](#)
 [Exhibit 3 - Agreement Federal Equitable Sharing](#)

- M. [ID 18-1460](#) Consider adoption of an ordinance of the City of Denton, Texas amending the Fiscal Year 2017-18 Budget and Annual Program of Services of the City of Denton to allow for increases to: (A) the General Fund of \$828,191 for the purpose of funding equipment, two master plans, and Park improvements; (B) the General Debt Service Fund of \$20,000 for the purpose of funding fees; (C) the Risk Retention Fund of \$600,000 for the purpose of funding increases in claims; (D) Park Land Dedication Trust Fund of \$100,000 for the purpose of funding additional park land; (E) Park Development Trust Fund of \$100,000 for the purpose of funding additional park development; declaring a municipal purpose; providing a severability clause; providing an open meetings clause; and providing for an effective date.

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

- N. [ID 18-1464](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Freese and Nichols, Inc., to conduct condition assessment, provide preliminary design and regulatory and performance upgrades for the facilities at the Lake Ray Roberts water treatment plant (RRWTP) as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6700 - Professional Services Agreement awarded to Freese and Nichols, Inc., in the not-to-exceed amount of \$224,411). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Evaluation Sheet](#)
 [Exhibit 3 - FY 2018 Detail Sheet](#)
 [Exhibit 4 - Ordinance and Contract](#)

- O. [ID 18-1465](#) 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 with

SigmaFlow, LLC, for NERC compliance software services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date. (RFP 6704-awarded to SigmaFlow, LLC, for one (1) year, with the option for four (4) additional one (1) year extensions, in a total not-to-exceed amount of \$311,250 for all years). The Public Utilities Board recommends approval (6-0).

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

- P. [ID 18-1466](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to execute a Memorandum of Understanding by and between United Way of Denton County, Inc., and the City of Denton and providing for the expenditure of funds for Homelessness Initiatives in the amount of \$107,748.00 for the partial funding for a Homelessness Coordinator, Coordinated Entry Coordinator, and Housing Navigator in furtherance of the coordinated system homeless assistance programs; authorizing the expenditure of funds therefor; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet - United Way MOU](#)
 [Exhibit 2 - Ordinance - United Way MOU](#)
 [Exhibit 3 - Memorandum of Understanding - United Way MOU](#)

- Q. [ID 18-1472](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Adams Consulting Engineers, Inc., a Texas Corporation, for design and construction plan set for 17,200 linear feet of sidewalk segments throughout the city as set forth in the agreement; providing for the expenditure of funds therefor; and providing an effective date (File # 6590-035 - Professional Services Agreement for design services awarded to Adams Consulting Engineers, Inc., a Texas Corporation, in the not-to-exceed amount of \$223,800).

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

- R. [ID 18-1474](#) Consider adoption of an ordinance releasing, abandoning, and vacating a 3.625 acre portion of a 5.886 acre electric utility and hike and bike trail easement granted to the City of Denton by Holigan Land Development, Ltd., a Texas limited partnership, recorded as Instrument No. 2005-140655, Real Property Records, Denton County, Texas; Providing for severability and an effective date. (Carmel Villas - Phase I subdivision development)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Location Map](#)
 [Exhibit 3 - Site Map](#)
 [Exhibit 4 - Applicant Letter](#)
 [Exhibit 5 - Flowers transmittal letter](#)
 [Exhibit 6 - Alternative Easement \(3.154 acre\)](#)
 [Exhibit 7 - Ordinance](#)

- S. [ID 18-1477](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Freese and Nichols, Inc. (FNI), for Airport Road Analysis, Design, and Construction Administration Services as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-038 - Professional Services Agreement for Pre-Qualified Engineering Services awarded to Freese and Nichols, Inc., in the not-to-exceed amount of \$168,300).

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

- T. [ID 18-1478](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, accepting competitive bids and awarding a contract for the supply of Electric Utility Overhead and Underground Distribution Transformers for the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 6778 - awarded to Techline, Inc. in the five (5) year not-to-exceed amount of \$11,000,000). The Public Utilities Board recommends approval (6-0).

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

- U. [ID 18-1480](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, accepting competitive bids and awarding a contract for the supply of precast concrete pull boxes for the City of Denton Distribution Center to Techline, Inc.; providing for the expenditure of funds therefor; and providing an effective date (IFB 6812 - awarded to Techline, Inc., in the five (5) year not-to-exceed amount of \$2,500,000).

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

- V. [ID 18-1481](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, accepting competitive bids and awarding a contract for Wood Utility Poles for the City of Denton Distribution Center to McFarland Cascade Holdings, Inc.; providing for the expenditure of funds therefor; and providing an effective date (IFB 6813 - awarded to McFarland Cascade Holdings, Inc., in the five (5) year not-to-exceed amount of \$2,500,000).

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

- W. [ID 18-1486](#) Consider adoption of an ordinance of the City of Denton, adopting a schedule of fees for services and fees of the Denton Fire Department; superseding all prior fees in conflict with such schedule; providing for severability; and providing for an effective date.

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

- X. [ID 18-1488](#) Consider adoption of an ordinance adopting a schedule of fees for cemeteries and use of certain park facilities; superseding all prior fees and discounts in conflict with such schedule; and providing for severability and an effective date.

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

- Y. [ID 18-1490](#) Consider adoption of an ordinance of the City of Denton, Texas establishing the rates for water and water service; providing for a repealer; providing for a severability clause; and, providing for an effective date. The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1 Agenda Information Sheet Water Rate Ordinance.pdf](#)
 [Exhibit 2 FY 2018-19 Water Rate Ordinance.pdf](#)
 [Exhibit 3 2019 Water RATES Comparison.pdf](#)
 [Exhibit 4 Water Rate Ordinance.pdf](#)

- Z. [ID 18-1492](#) Consider adoption of an ordinance of the City of Denton, Texas establishing the schedule of rates for Wastewater service; providing for a repealer; providing for a severability clause; and providing for an effective date. The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1 Wastewater Agenda Information Sheet](#)
 [Exhibit 2 FY 2018-19 Wastewater Rate Ordinance RED LINE.pdf](#)
 [Exhibit 3 2019 Wastewater Rates Comparison.pdf](#)
 [Exhibit 4 Wastewater Rate Ordinance.pdf](#)

- AA. [ID 18-1493](#) Consider adoption of an ordinance of the City of Denton, Texas establishing the rates for solid waste and recycling collection service; providing for a repealer; providing for a severability clause; and, providing an effective date. The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1 Agenda Information Sheet Solid Waste Rate Ordinance.pdf](#)
 [Exhibit 2 FY 2018-2019 SWR Red Line Rate Ordinance.pdf](#)
 [Exhibit 3 2019 Solid Waste RATES Comparisons.pdf](#)
 [Exhibit 4 SW and Recycling Rate Ordinance.pdf](#)

- BB. [ID 18-1494](#) Consider adoption of an ordinance of the City of Denton, Texas providing for the schedule of miscellaneous fees, deposits, billings and procedures for administrative

services to city utilities customers; providing for a repealer; providing for a severability clause; and, providing for an effective date. The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1 Miscellaneous Agenda Information Sheet.pdf](#)
 [Exhibit 2 FY 2018-19 Miscellaneous Ordinance RED LINE](#)
 [Exhibit 3 2019 Miscellaneous RATES Comparison.pdf](#)
 [Exhibit 4 Miscellaneous Ordinance.pdf](#)

- CC. [ID 18-1515](#) Consider approval of a resolution confirming the appointment of Frank Dixon, by the City Manager, as Police Chief for the City of Denton Police Department; and declaring an effective date.

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

- DD. [ID 18-1530](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to execute a landscape maintenance agreement with the Texas Department of Transportation for the purpose of providing all required maintenance of certain landscape improvements located within the right of way of state highway routes; and, providing an effective date.

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

- EE. [ID 18-1550](#) Consider adoption of an Ordinance of the City of Denton authorizing the City Manager, or his designee, to execute a Nondisclosure Agreement between the City and NewGen Strategies and Solutions, LLC. (“NewGen”); for the purpose of conducting a management study of City of Denton Utilities as required by the section 12.08(f) of the City Charter providing for a severability clause; and providing for an effective date.

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

6. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 18-1459](#) Consider approval of a resolution of the City Council of the City of Denton, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex division regarding the company’s 2018 rate review mechanism filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC’s reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas open meetings act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC’s legal counsel.

Attachments: [Exhibit 1 - Agenda Information Sheet - Atmos RRM Rate Increase 2018.pdf](#)
[Exhibit 2 - Atmos RRM resolution signed by Legal w exhibits A - C.pdf](#)
[Exhibit 3 - Atmos Tariff Structure and Average Bill Comparison_2018.pdf](#)
[Exhibit 4 - 2018 Increase ATMOS RRM.pdf](#)

- B. [ID 18-1470](#) Consider adoption of an ordinance of the City of Denton authorizing a memorandum of understanding between the city of Denton, Texas, the Denton Parks Foundation, and Douglas Elliott relating to improvements to the I.O.O.F. and Oakwood Cemetery; accepting a \$100,000 donation for improvements to the I.O.O.F. Cemetery; approving a Denton Cemetery Improvement Plan and authorizing expenditures in furtherance of the plan; providing for an effective date.

Attachments: [Exhibit 1 Agenda Information Sheet](#)
[Exhibit 2 Cemetery Improvement Plan](#)
[Exhibit 3 Memorandum of Understanding \(IOOF Cemetery\)](#)
[Exhibit 4 Cemetery Improvements \(IOOF Cemetery\)](#)
[Exhibit 5 Ordinance \(IOOF Cemetery\)](#)

7. PUBLIC HEARINGS

- A. [PDA18-0004b](#) Hold a public hearing and 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 - Staff Analysis](#)
[Exhibit 3 - Aerial Map](#)
[Exhibit 4 - Zoning Map](#)
[Exhibit 5 - Future Land Use Map](#)
[Exhibit 6 - Proposed Site Plan](#)
[Exhibit 7 - Proposed Landscape Plan](#)
[Exhibit 8 - Proposed Elevations](#)
[Exhibit 9 - Notification Map and Responses](#)
[Exhibit 10 - Planning and Zoning Commission Meeting Minutes](#)
[Exhibit 11 - Presentation](#)
[Exhibit 12 - Draft Ordinance](#)

- B. [S17-0007a](#) Hold a public hearing and consider adoption of an ordinance for a Specific Use Permit to allow for a multi-family use. The 12.37-acre site is generally located on the east side of Brinker Road, approximately 990 feet south of South Loop 288 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. (S17-0007, Enclave at Denton, Hayley Zagurski).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Aerial Map](#)
 [Exhibit 4 - Zoning Map](#)
 [Exhibit 5 - Future Land Use Map](#)
 [Exhibit 6 - Preliminary Site Plan](#)
 [Exhibit 7 - Preliminary Landscape Plan](#)
 [Exhibit 8 - Preliminary Elevations](#)
 [Exhibit 9 - Notification Map](#)
 [Exhibit 10 - Presentation](#)
 [Exhibit 11 - Draft Ordinance](#)

- C. [Z18-0020b](#) Hold a public hearing and consider adopting an ordinance of the City of Denton, Texas, regarding assignment of an initial zoning classification of Neighborhood Residential 3 (NR-3) zoning district and use classification on approximately 47.466 acres of land generally located on the south side of E. Ryan Road, east of the intersection of E. Ryan Road and Andrew Avenue, 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 6-0 to approve the request (Z18-0020, Creekside, Cindy Jackson).

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Staff Analysis](#)
 [Exhibit 3 Site Location Map](#)
 [Exhibit 4 Approved Final Plat](#)
 [Exhibit 5 Existing Zoning Map](#)
 [Exhibit 6 Future Land Use Map](#)
 [Exhibit 7 Proposed Zoning Map](#)
 [Exhibit 8 Ordinance No. 2016-251](#)
 [Exhibit 9 Permitted Uses](#)
 [Exhibit 10 Notification Map](#)
 [Exhibit 11 Staff Presentation](#)
 [Exhibit 12 Draft Ordinance](#)

- D. [Z18-0016a](#) Hold a public hearing and consider adoption of an ordinance of an initial zoning of Neighborhood Residential 1 (NR-1) District on approximately one acre. The property is generally located on the north side of Shiloh Lane, approximately 910 feet east of Swisher 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 7-0 to approve the request. (Z18-0016, Burling Kuhn Addition, Julie Wyatt).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Existing Zoning Map](#)
 [Exhibit 5 - Future Land Use Map](#)
 [Exhibit 6 - Proposed Zoning Map](#)
 [Exhibit 7 - Comparison of Permitted Uses](#)
 [Exhibit 8 - Notification and Responses](#)
 [Exhibit 9 - Presentation](#)
 [Exhibit 10 - Draft Ordinance](#)

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 bulletin board at the City Hall of the City of Denton, Texas, on the _____ day of _____, 2018 at _____ o'clock (a.m.) (p.m.)

CITY SECRETARY

NOTE: THE CITY OF DENTON CITY COUNCIL WORK SESSION ROOM AND COUNCIL CHAMBERS ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT A SIGN LANGUAGE INTERPRETER CAN BE SCHEDULED THROUGH THE CITY SECRETARY'S OFFICE.