



City of Denton

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

Meeting Agenda

City Council

Tuesday, February 21, 2023

2:00 PM

Council Work Session Room
&
Council Chambers

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

CITY COUNCIL WILL RECESS THE WORK SESSION AT 5:00 P.M. FOR A SPECIAL PRESENTATION IN THE COUNCIL WORK SESSION ROOM

CITY COUNCIL WILL RECONVENE THE WORK SESSION FOLLOWING THE SPECIAL PRESENTATION 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, February 21, 2023, 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 23-246](#) Receive a report, hold a discussion, and give staff direction regarding homelessness response solutions in the City of Denton.

[Estimated Presentation/Discussion Time: 1:30 minutes]

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 – Housing Crisis Response System Map](#)

- B. [ID 22-2595](#) Receive a report, hold a discussion, and give staff direction regarding the Transitional Housing Request For Proposal (RFP) submissions.

[Council Priority - Estimated Presentation/Discussion Time: 45 minutes]

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

- C. [ID 22-1930](#) Receive a report, hold a discussion, and give staff direction regarding the Water, Wastewater Impact Fee Study.

[Estimated Presentation/Discussion Time: 45 minutes]

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

- D. [ID 23-089](#) Receive a report, hold a discussion, and give staff direction regarding an update from the City Manager on the implementation of Proposition B, codified as Chapter 21, Article V - “Marijuana Enforcement” in the Code of Ordinances.

[Estimated Presentation/Discussion Time: 30 minutes]

Attachments: [Exhibit 1 - Agenda Information Sheet.pdf](#)
 [Exhibit 2 - Presentation.pdf](#)
 [Exhibit 3 - Nov. 9, 2022, City Manager Memo to City Council.pdf](#)

- E. [ID 23-209](#) Receive a report, hold a discussion, and give staff direction on pending City Council requests for:

- 1). Ordinance to add polling locations for the May 6, 2023, elections.

[Estimated Presentation/Discussion Time: 30 minutes]

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance 21-1837](#)
 [Exhibit 3 - Presentation](#)

4. Recess of the Work Session

The City Council will recess at 5:00 p.m. for a special presentation in the Council Work Session Room.

1. Presentation(s):

- A. [ID 23-502](#) Presentation of City of Denton-themed Ice Cream Flavor

Following the special presentation, the City Council will reconvene the Work Session and continue with Work Session Reports in the Council Work Session Room.

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 23-427](#) Proclamation: National Engineer’s Week
- B. [ID 23-398](#) Proclamation: American Heart Month

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 23-482](#) Mr. Nick Stevens regarding City of Denton’s Refusal to Implement Proposition B.
- B. [ID 23-483](#) Ms. Deb Armintor regarding Decriminalize Denton.

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 – N). 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 23-024](#) Consider approval of the minutes of the October 11, 2022 and February 7, 2023 meetings.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - October 11, 2022 Minutes](#)
 [Exhibit 3 - February 7, 2023 Minutes](#)
- B. [ID 23-054](#) Consider nominations/appointments to the City's Boards, Commissions, and Committees: Committee on Persons with Disabilities.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Nominations List](#)
- C. [ID 22-1791](#) Consider adoption of an ordinance of the City of Denton, Texas, approving the Rental Repair Program; rescinding ordinance 2005-304 establishing the Rental Rehabilitation Program; establishing the guidelines for the program and the provisions for enforcement thereof; establishing an annual General Fund budget; and providing for an effective date.
- Attachments: [Exhibit 1 – Agenda Information Sheet](#)
 [Exhibit 2 – Ordinance and Rental Repair Program Guidelines](#)
- D. [ID 22-1851](#) Consider adoption of an ordinance of the City of Denton abandoning, releasing, and vacating a 0.084 acre portion of the public utility easement granted to the City of Denton by Regal Properties, recorded in Volume 625 Page 378, Deed Records of Denton County, Texas; providing for the quitclaim thereof to Westdale Denton Phase 2, LP, a Texas Limited Partnership; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Denton against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Denton; providing for severability and an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Location Map](#)
 [Exhibit 3 - Site Map](#)
 [Exhibit 4 - Secretary of State Corporation members list](#)
 [Exhibit 5 - Ordinance](#)

- E. [ID 23-401](#) Consider approval of a resolution appointing Stephen D. Gay as the City's Representative to serve as a member of the Board of Directors of the Upper Trinity Regional Water District; and providing an effective date.

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

- F. [ID 23-368](#) 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 Jasco Enterprises, Inc. dba Real Power Technologies, for specialized maintenance, repair, emergency inspections, testing, and troubleshooting for electric switchgear and power systems for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7969 - awarded to Jasco Enterprises, Inc. dba Real Power Technologies, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$500,000.00). The Public Utilities Board recommends approval (5 - 0).

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

- G. [ID 23-369](#) 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 Mayer Construction, LLC dba Mayer Materials, for the bagging of Dyno Dirt for the Beneficial Reuse Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 8150 - awarded to Mayer Construction, LLC dba Mayer Materials, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$250,000.00). The Public Utilities Board recommends approval (5 - 0).

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

- H. [ID 23-370](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, ratifying the expenditure of funds by the City Manager, for the emergency purchase of transformers for Denton Municipal Electric; and providing an effective date (File 8169-1 - awarded to Solomon Corporation, in the not-to-exceed amount of \$108,075.00). The Public Utilities Board recommends approval (5 - 0).

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

- I. [ID 23-371](#) 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 Architecture, Inc., for assistance in the creation of the Southeast Denton Area Plan for the Development Services Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8039 - Professional Services Agreement for professional services awarded to HDR Architecture, Inc., in the not-to-exceed amount of \$240,000.00).

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

- J. [ID 23-373](#) 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 GPI TX-DCIV, INC DBA Denton Chrysler Dodge Jeep Ram, for Ford and Dodge repairs for the Fleet Department; providing for the expenditure of funds therefor; and providing an effective date (IFB-BV 8146 - awarded to GPI TX-DCIV, INC DBA Denton Chrysler Dodge Jeep Ram, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$1,400,000.00).

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

- K. [ID 23-374](#) 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 ICOR Technology Inc. through the U.S. General Services Administration's (GSA) MAS schedule GS-07F-0430V, for the purchase of two (2) mini caliber robots for the Fire Department's Bomb EOD program; providing for the expenditure of funds therefor; and providing an effective date (File 8175 - awarded to ICOR Technology Inc., in a not-to-exceed amount of \$140,668.85).

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

- L. [ID 23-379](#) 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 Holt Texas, Ltd., through the Buy Board Cooperative Purchasing Network Contract # 685-22, for Caterpillar heavy equipment repair and maintenance services for various City Departments; providing for the expenditure of funds therefor; and providing an effective date (File 8128 - awarded to Holt Texas, Ltd., in the five (5) year not-to-exceed amount of \$2,300,000.00).

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

- M. [ID 23-392](#) 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 Dell Marketing, L.P., amending the contract approved by the City Council on December 3, 2019, in the not-to-exceed amount of \$2,500,000.00; said first amendment to continue purchasing desktop computers (PCs), notebook PCs, peripherals, audiovisual equipment, maintenance and services; providing for the expenditure of funds therefor; and providing an effective date (File 7076 - providing for an additional first amendment expenditure amount not-to-exceed \$625,000.00, with the total contract amount not-to-exceed \$3,125,000.00).

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

- N. [ID 23-409](#) 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 Mobile Wireless, LLC, through the Department of Information Resources (DIR) Cooperative Purchasing Network Contract No. DIR-CPO-4723, for the purchase of the annual maintenance and support of NetMotion software to provide virtual private network (VPN) for mobile data computers (MDC) for the Technology Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 8125 - awarded to Mobile Wireless, LLC, in the five (5) year not-to-exceed amount of \$160,000.00).

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

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 23-372](#) Consider adoption of an ordinance of the City of Denton, Texas, amending the fiscal year 2022-2023 budget and annual program of services of the City of Denton to allow for adjustments to the General Fund of one million one hundred seven thousand five hundred fifty-five dollars (\$1,107,555) for the purpose of adding two Senior Planners to the Planning department and seven positions to the Police department; declaring a public purpose; directing the City Secretary attach a copy to the 2022-2023 budget; requiring approval by at least five votes; and providing a severability clause, an open meetings clause, and an effective date.

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

- B. [ID 23-438](#) Consider adoption of an ordinance of the City of Denton establishing classifications and

positions in the Police Department; creating certain positions; repealing Ordinance No. 22-2062 relating to establishing the classifications and prescribing the number of positions in each classification for the Police Department; providing repealer, cumulative, and severability clauses; and declaring an effective date.

Attachments:

[Exhibit 1 - AIS - Mid-Year Staffing Appropriation - FY22-23](#)

[Exhibit 2 - Ordinance - Mid-Year Staffing Appropriation - FY22-23](#)

C. [ID 23-389](#)

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 Jagoe-Public Company, for the construction of the 2019 Street Bond Neighborhood 1A project for the Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (CSP 8108 - awarded to Jagoe-Public Company, in the not-to-exceed amount of \$3,778,325.25). The Public Utilities Board recommends approval (4 - 0).

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Pricing Evaluation](#)

[Exhibit 3 - Presentation](#)

[Exhibit 4 - Ordinance and Contract](#)

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 February 17, 2023, 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.