



City of Denton

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

Meeting Agenda

City Council

Tuesday, March 5, 2019

12:00 PM

Work Session Room & Council Chambers

WORK SESSION BEGINS AT 12:00 P.M. IN THE WORK SESSION ROOM

REGULAR MEETING BEGINS AT 6:30 P.M. IN THE 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, March 5, 2019 at 12:00 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 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 March 5, 2019.

3. Work Session Reports

- A. [DCA18-0009](#) Receive a report, hold a discussion, and provide staff direction on the Denton Development Code Update and Draft Zoning Map.

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

[Exhibit 2 - Presentation](#)

- B. [ID 19-017](#) Receive a report, hold a discussion, and give staff direction on creation of The Denton Square District, with associated draft Design Standards and Guidelines, procedures, and review body.

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

[Exhibit 2 - Denton Square Design Standards](#)

[Exhibit 3 - Understanding the District](#)

[Exhibit 4 - Staff Presentation](#)

- C. [ID 19-486](#) Receive a report, hold a discussion, and provide staff direction regarding the assessment of pavement failures throughout the City of Denton.

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

[Exhibit 2 - Presentation](#)

- D. [ID 19-522](#) Receive a report, hold a discussion, and give staff direction regarding Denton

Development Code Subchapter 17, Conservation and Landscape Standards.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Subchapter 17 Conservation and Landscape Code 3/1/19](#)
 [Exhibit 3 - Presentation](#)
 [Exhibit 4 - Public Comments 3/1/19](#)

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 19-471](#) Deliberations regarding Personnel Matters - Under Texas Government Code Section 551.074.

Deliberate and discuss the evaluation, duties, discipline, procedures, compensation, benefits and contracts of the Municipal Judge.

- B. [ID 19-472](#) Deliberations regarding Personnel Matters - Under Texas Government Code Section 551.074.

Deliberate and discuss the evaluation, duties, discipline, procedures, compensation and contracts of the City Auditor.

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.

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. PROCLAMATIONS/PRESENTATIONS

- A. [ID 19-385](#) International Women’s Day
- B. [ID 19-490](#) Dr. Bettye Myers Day of Service

- C. [ID 19-512](#) Denton County Master Gardener Association 30th Anniversary

3. 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 19-501](#) Rhea Pookulangara regarding the Denton Teen Council.
2. [ID 19-507](#) Greg Ward regarding lack of progress on Teasley Lane in front of Guyer High School.

C. Additional Citizen Reports - This section of the agenda, which is also known as the "open microphone" section, permits any person who is not registered for a citizen report to make comments about public business items not listed on the agenda. This section is limited to two open microphone speakers per meeting with each speaker allowed a maximum of four (4) minutes. Such person(s) must file a "Blue Card" requesting to speak during this period, prior to the calling of this agenda item.

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 policy; 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 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 – J). 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 – J 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 19-387](#) Consider approval of a resolution of the City Council of the City of Denton, Texas, approving the 2017-2018 Tax Increment Financing Reinvestment Zone Number One

(Downtown TIF) Annual Report; and declaring an effective date (Downtown TIF Board recommends approval 5-1).

Attachments: [Exhibit 1 - AIS 2017-18 Annual Report TIF 1](#)
 [Exhibit 2 - Resolution and 2017-18 Downtown TIF Number One Annual Report](#)
 [Exhibit 3 - Form 50-806](#)

- B. [ID 19-388](#) Consider adoption of an ordinance of the City Council of the City of Denton, Texas regarding the expenditure of the fund balance of the Downtown Reinvestment Fund account related to the Downtown Reinvestment Grant Program; and providing for an effective date. The Economic Development Partnership Board recommends approval 7-0.

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

- C. [ID 19-393](#) Consider the adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, ratifying the Fiscal Year 2018-2019 Strategic Plan of the City of Denton for the fiscal year beginning on October 1, 2018, and ending on September 30, 2019; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - FY2018-2019 Strategic Plan](#)
 [Exhibit 3 - Ordinance](#)
 [Exhibit 4 - Feedback from Council on Draft FY2018-2019 Strategic Plan](#)

- D. [ID 19-407](#) Consider adoption of an ordinance of the City of Denton, approving a city sponsorship in an amount not to exceed \$90 of in-kind services for the Denton County Amateur Radio Association to host an emergency communications exercise event, to be held on Saturday, March 23, 2019, from 7:00 a.m. to 1:00 p.m., at the South Lakes Park; and providing an effective date.

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

- E. [ID 19-415](#) Consider adoption of an ordinance partially releasing, abandoning, and vacating a 165 square foot tract of an existing 420 square foot guy wire and anchor easement granted to the City of Denton by Bob E. Tripp on January 20, 1976, and recorded in Volume 771 Page 703 in the Deed Records of Denton County, Texas; and fully releasing, abandoning, and vacating (I) a 0.175 acre public access easement granted to the City of Denton by McKamy Development, Ltd., a Texas limited partnership (“McKamy Development”) on August 28, 2002, recorded as Instrument No. 2003-60472 in the Real Property Records of Denton County, Texas; (II) a 0.175 acre public access easement granted to the City of Denton by McKamy Development on August 28, 2002, recorded as Instrument No. 2003-60473 in the Real Property Records of Denton County, Texas; (III) a 0.406 acre public drainage easement granted to the City of Denton by McKamy Development on August 28, 2002, recorded as Instrument No. 2003-60471 in the Real Property Records of Denton County, Texas; and (IV) a 0.283 acre public drainage easement granted to the

City of Denton by McKamy Development on August 28, 2002, recorded as Instrument No. 2003-60470 in the Real Property Records of Denton County, Texas; providing for severability and an effective date. (Evers way Addition - guy wire easement, access easements and drainage easements abandonments)

Attachments: [Exhibit 1 - Agenda Information Sheet Exhibit 1 AIS](#)
[Exhibit 2 - Location Map](#)
[Exhibit 3 - Site Map](#)
[Exhibit 4 - Ordinance](#)

- F. [ID 19-421](#) Consider approval of a resolution of the City Council of the City of Denton, confirming the appointment of Rosa Rios, by the City Manager, as the City Secretary; and providing an effective date.

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

- G. [ID 19-443](#) Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton, Texas, and Denton Community Market, Inc. for the purpose of 2019 10th Anniversary Opening Day sponsorship; providing for the expenditure of funds; and providing an effective date. (\$3,000 Hotel Occupancy Tax and Sponsorship Committee recommends 2-0)

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

- H. [ID 19-446](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an Interlocal Cooperative Purchasing Agreement with Texas Woman's University, under Government Code, Chapter 791.001, to authorize City of Denton contracts for the purchase of annual physical assessments for City of Denton Firefighters; authorizing the expenditure of funds therefor; and declaring an effective (File 6957 - award an Interlocal Cooperative Purchasing Agreement with Texas Woman's University in the three (3) year not-to-exceed amount of \$210,000).

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

- I. [ID 19-457](#) Consider adoption of an ordinance of the City of Denton authorizing a service agreement between the City of Denton and the Denton Black Film Festival; authorizing the City Manager, or his designee, to execute said agreement; providing for the expenditure of Council Contingency funds; and providing for an effective date. (\$300)

Attachments: [Exhibit 1 - Agenda Information Sheet - DBFF](#)
[Exhibit 2 - ORD-Agreement Denton Black Film Fest](#)

- J. [ID 19-489](#) Consider adoption of an ordinance of the City of Denton, approving a City sponsorship in an amount not to exceed \$8,500 of in-kind services and resources for Keep Denton Beautiful annual Great American Cleanup event on Saturday, March 23, 2019; and providing an effective date. [The Public Utilities Board recommends approval (6-0).]

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Ordinance.pdf](#)
[Exhibit 3 - Fee Schedule](#)
[Exhibit 4 - Sponsorship Request](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 19-485](#) Consider approval of a resolution both authorizing Early Voting locations and establishing Election Day polling locations for the City of Denton City Council Election to be held on May 4, 2019; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Resolution](#)
[Exhibit 3 - Resolution Additional Polling Location](#)
[Exhibit 4 - Presentation](#)
[Exhibit 5 - Map of Proposed Election Day Polling Locations](#)

- B. [ID 19-503](#) Consider nominations/appointments to the City's Boards, Commissions, and Committees: Animal Shelter Advisory Committee; Committee on Persons with Disabilities; Health & Building Standards Commission; Public Art Committee; and Traffic Safety Commission.

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

6. PUBLIC HEARINGS

- A. [DCA18-0008](#) Hold a public hearing and consider adoption of an ordinance regarding a proposed revision to the Denton Development Code; specifically to amend Subchapters 13 and 17 related to tree preservation, landscape standards, and environmentally sensitive area standards; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. (DCA18-0008, Conservation and Landscape Code, Hayley Zagurski). THIS ITEM HAS BEEN POSTPONED TO THE MARCH 19, 2019 CITY COUNCIL MEETING.

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

- B. [Z19-0001a](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, effecting a change in the zoning district and use classification from Neighborhood Residential 4 (NR-4) to Neighborhood Residential Mixed Use (NRMU) zoning district and use classification on approximately 0.82 acres of land, generally located on the north side of Robertson Street, approximately 300 feet east of Skinner Street 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 for severability and establishing an effective date. The Planning and Zoning Commission voted 7-0 to approve the request. (Z19-0001, Sweet Y, Ron Mengueta)

Attachments:[Exhibit 2 - Staff Analysis](#)[Exhibit 3 - Site Location Map](#)[Exhibit 4 - Future Land Use Map](#)[Exhibit 5 - Existing Zoning Map](#)[Exhibit 6 - Proposed Zoning Map](#)[Exhibit 7 - Comparative Use Table](#)[Exhibit 8 - Project Narrative](#)[Exhibit 9 - Notification Map](#)[Exhibit 10 - ZBA-96-002 Meeting Minutes](#)[Exhibit 11 - February 20, 2019 - The Planning and Zoning Commission Draft Mi](#)[Exhibit 12 - Draft Ordinance](#)[Exhibit 13 - Presentation](#)

- C. [AESAI8-000](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving an Alternative Environmental Sensitive Area Plan for approximately 45 acres of land, generally located on the south side of Ryan Road, approximately 600 feet west of Roxbury Street 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; and establishing an effective date. The Planning and Zoning Commission voted 6-0 to approve the request with conditions. (AESAI8-0003, Good Samaritan East Tract, Ron Mengueta)

[3a](#)**Attachments:**[Exhibit 1 - Agenda Information Sheet.pdf](#)[Exhibit 2 - Staff Analysis](#)[Exhibit 3 - Aerial Map.pdf](#)[Exhibit 4 - Environmentally Sensitive Area \(ESA\) Map](#)[Exhibit 5 - Alternative Environmental Sensitive Area \(AESAI\) Plan](#)[Exhibit 6 - Applicant Project Narrative](#)[Exhibit 7 - Preliminary Plat](#)[Exhibit 8 - Notification Map](#)[Exhibit 9 - Community Participation Report #1](#)[Exhibit 10 - Community Participation Report #2](#)[Exhibit 11 - Public Hearing Notice Responses](#)[Exhibit 12 - February 7, 2019 - Planning and Zoning Commission Draft Minutes](#)[Exhibit 13 - Draft Ordinance](#)[Exhibit 14 - Presentation](#)**7. 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 _____, 2019 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.