



City of Denton

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

Meeting Agenda City Council

Tuesday, July 18, 2023

2:00 PM

Council Work Session Room
&
Council Chambers

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

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

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

REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL

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, July 18, 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 for public hearing and individual consideration.

This section allows members of the City Council to ask questions on any items listed on this agenda for public hearing and individual consideration. Responses to questions on items listed under the consent agenda that are received prior to the meeting are available by clicking on Exhibit 1 below. The responses will be available prior to the start of the meeting, when applicable. Any handouts distributed at the meeting will also be uploaded to the below link by 12:00 p.m. on the business day following the meeting.

A. [ID 23-638](#) Meeting Questions, Responses & Handouts

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

3. Work Session Reports**A. [ID 23-1233](#) Receive a report, hold a discussion regarding a recommendation from the Special**

Citizens Bond Advisory Committee to the Denton City Council regarding a 2023 Bond Program and Election, including projects and funding level.

[Estimated Presentation/Discussion Time: 1 hour]

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

- B. [ID 23-270](#) Receive a report, hold a discussion, and give staff direction regarding Customer Service, Water & Wastewater, Environmental Services, Electric, and Solid Waste FY 2023-24 Preliminary Budgets and Rates.

[Estimated Presentation/Discussion Time: 45 minutes]

Attachments: [Exhibit 1 - Agenda Information Sheet \(REV\)](#)
 [Exhibit 2 - Customer Service Presentation](#)
 [Exhibit 3 - Water & Wastewater Presentation](#)
 [Exhibit 4 - Environmental Services Presentation](#)
 [Exhibit 5 - Electric Presentation](#)
 [Exhibit 6 - Solid Waste Presentation](#)
 [Exhibit 7 - Supplemental Request White Papers](#)

- C. [ID 23-651](#) Receive a report, hold a discussion, and give staff direction regarding the Downtown Denton Ambassador Program Pilot.

[Estimated Presentation/Discussion Time: 45 minutes]

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Presentation](#)
 [Exhibit 3 – Scope of Work](#)

- D. [ID 23-218](#) Receive a report, hold a discussion, and give staff direction on pending City Council requests for:
(1) Request for staff to research and prepare an Informal Staff Report (ISR) on PEC multimodal paths.

[Estimated Presentation/Discussion Time: 30 minutes]

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

Following the completion of the Work Session, the City Council will convene in a Closed Meeting in the Council Work Session Room to consider specific item(s) when these items are listed below under the Closed Meeting section of this agenda. The City Council reserves the right to adjourn into a Closed Meeting on any item on its Open Meeting agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

1. Closed Meeting:

- A. [ID 23-1182](#) Deliberations regarding Real Property Under Texas Government Code Section 551.072;

Receive information from staff, discuss, deliberate, and provide staff with direction pertaining to the potential acquisition of certain real property interests located near

Hartlee Field Road, in and around the J. Douthitt Survey, Abstract Number 329, on La Croix Road in the W. Dabbs Survey, Abstract Number 328, and on Ryan Road, in and around the T. Labor Survey, Abstract Number 779; and N. Britton Survey, Abstract Number 051, each in the City of Denton, Denton County, Texas where a public deliberation of such potential acquisitions would have a detrimental effect on the City's position in negotiations with third parties.

- B. [ID 23-1301](#) Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff regarding financial matters regarding the Denton Municipal Electric FY 2023-24 operating budget to the extent such projects are confidential under Texas Government Code Section 551.086; discuss, deliberate, and provide direction to staff regarding same. Consultation with City's attorneys regarding legal issues associated the above matter 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 Texas Disciplinary Rules of Professional Conduct of 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 decision, or vote is taken in the Closed Meeting in accordance with the provisions of Section 551.086 of the Texas Government Code (the 'Public Power Exception'). The City Council reserves the right to adjourn into a Closed Meeting or Executive Session as authorized by Texas Government Code, Section 551.001, et seq. (The Texas Open Meetings Act) on any item on its open meeting agenda or to reconvene in a continuation of the Closed Meeting on the Closed Meeting items noted above, in accordance with the Texas Open Meetings Act, including, without limitation Sections 551.071-551.086 of the Texas Open Meetings Act.

NOTE: Any item for which a formal action at the Regular Meeting has been taken by Council may be subject to a request for a motion for reconsideration at any time during the meeting, at the Concluding Items Section, or after the meeting. In order to comply with the Texas Open Meetings Act, a request for a motion for reconsideration made during, at the end of, or after a Council meeting will be placed on the agenda and considered at the next official meeting of the City Council.

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

AFTER DETERMINING THAT A QUORUM IS PRESENT, THE REGULAR MEETING OF THE CITY OF DENTON CITY COUNCIL WILL CONVENE AT 6:30 P.M. IN THE COUNCIL CHAMBERS AT CITY HALL, 215 E. MCKINNEY STREET, DENTON, TEXAS AT WHICH THE FOLLOWING ITEMS WILL BE CONSIDERED:

1. PLEDGE OF ALLEGIANCE

- A. U.S. Flag
- B. Texas Flag

"Honor the Texas Flag – I pledge allegiance to thee, Texas, one state under God, one and

indivisible.”

2. PROCLAMATIONS/PRESENTATIONS

- A. [ID 23-967](#) Proclamation: Parks and Recreation Month
- B. [ID 23-1369](#) Proclamation: Pet Mayor 2023
- C. [ID 23-1370](#) Proclamation: Denton Disability Justice Day

3. PRESENTATIONS FROM MEMBERS OF THE PUBLIC

A. Review of procedures for addressing the City Council.

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

1) Pre-registration. This section of the agenda permits any person who has registered in advance to make a citizen report regarding a public business item he or she wishes to be considered by the City Council. Each speaker is allowed a maximum of four (4) minutes to present their report. At the conclusion of each report, the City Council may pose questions to the speaker or may engage in discussion. If the City Council believes that a speaker's report requires a more detailed review, the City Council will give the City Manager or City Staff direction to place the item on a future work session or regular meeting agenda and advise staff as to the background materials to be desired at such meeting.

- a. [ID 23-1276](#) Ms. Lauren Jenkins-Richardson regarding City of Denton Electric Billing Practices.
- b. [ID 23-1277](#) Mr. Stephen Symonds regarding damage to personal property while landing at Denton Airport.
- c. [ID 23-1290](#) Mr. Phillip Young regarding The Denton Way - Strength Through Diversity.
- d. [ID 23-1305](#) Mr. Bruce Jones regarding signage and signaling at Locust & Hickory, and road conditions at 100 W. Eagle.
- e. [ID 23-1306](#) Ms. Tracy Duckworth regarding homelessness.
- f. [ID 23-1307](#) Ms. Keera Brawley regarding teen entertainment activity suggestions and teen views on Denton.
- g. [ID 23-1319](#) Mr. Stephen Dillenberg regarding the greatest conspiracy / fraud in the history of mankind.

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 – Z). 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 23-033](#) Consider approval of the minutes of the June 23-24 (Council Retreat) and June 27, 2023 Meetings.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - June 23-24, 2023 Council Retreat Minutes](#)
 [Exhibit 3 - June 27, 2023 Minutes](#)

- B. [ID 23-1262](#) Consider approval of a resolution of the City of Denton excusing the June 12, 2023 meeting absence of a Public Utilities Board Member; and providing an effective date.

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

- C. [ID 23-1362](#) Consider approval of a resolution of the City of Denton appointing a Primary Representative to the Board of Directors of the Denton County Transportation Authority; and providing for an effective date.

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

- D. [ID 23-1363](#) Consider approval of a resolution of the City of Denton appointing a member to the Denton County Workforce Success Leadership Team; and providing an effective

date.

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

- E. [ID 23-1364](#) Consider approval of a resolution of the City of Denton appointing members to the Discover Denton Advisory Board; and declaring an effective date.

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

- F. [ID 23-1365](#) Consider approval of a resolution of the City of Denton appointing a member and proxy to the North Texas Commission; and providing an effective date.

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

- G. [ID 23-1377](#) Consider approval of a resolution of the City of Denton confirming the appointment of Jesus Salazar as the City Secretary; and providing an effective date.

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

- H. [ID 23-1367](#) Consider adoption of an ordinance of the City of Denton amending Chapter 2, Article II, Section 2-30 of the Code of the City of Denton (City Council requests for information or agenda items), to require a consensus of a supermajority of councilmembers for a request for a resolution or ordinance to be placed on an agenda prior to a work session on the request; providing a repealer clause; providing a severability clause, providing a savings clause; and providing an effective date.

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

- I. [ID 23-1164](#) Consider adoption of an ordinance of the City of Denton amending the Fiscal Year 2022-23 Annual Internal Audit Plan; and providing an effective date.

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

- J. [ID 23-1298](#) Consider adoption of an ordinance by the City of Denton authorizing the City Manager to execute an agreement with Denton Community Band for funding under the Arts and Cultural Relief Grant Program funded by American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Funds (SLFRF), providing financial support to local artists, musicians, and cultural organizations in the amount of \$24,300 for the program year starting July 1, 2023 and ending July 31, 2024; and providing an effective date.

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

- K. [ID 23-1302](#) Consider approval of a resolution of the City of Denton ratifying the submission of

an application to the Bureau of Justice Assistance (BJA) Patrick Leahy Bulletproof Vest Partnership Program in the amount for \$44,200 for the purchase of body armor vests; and providing an effective date.

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

- L. [ID 22-1932](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City of Denton and Habitat for Humanity of Denton County, Inc. to provide HOME Investment Partnership Program funds for the new construction of four (4) homebuyer units located at Habitat Village (located in Southeast Denton between Duncan St. and Hill St. and along Smith St.), Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$253,527; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 – Ordinance and Agreement with Habitat for Humanity of Denton Cour](#)

- M. [ID 23-288](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager to sign and submit to the Department of Housing and Urban Development a 2023-2027 Consolidated Plan and 2023 Action Plan for Housing and Community Development with appropriate certifications, as authorized and required by the Housing and Community Development Act of 1974, as amended, and the National Affordable Housing Act of 1990, as amended; authorizing the Director of Community Services, or designee, to sign releases of liens and subordination agreements upon certain conditions; and providing for an effective date.

Attachments: [Exhibit 1 – Agenda Information Sheet](#)
 [Exhibit 2 – Ordinance, 2023-2027 Consolidated Plan/2023 Action Plan, Applicat](#)

- N. [ID 23-1097](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute Amendment 1 to the funding Agreement between the City and Denton County Friends of the Family approved by City Council on June 28, 2022 to extend the term of the Agreement to January 31, 2024; and providing an effective date.

Attachments: [Exhibit 1 – Agenda Information Sheet](#)
 [Exhibit 2 – Denton County Friends of the Family Ordinance-Agreement 1](#)
 [Exhibit 3 – Ordinance #22-876](#)

- O. [ID 23-1218](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute Amendment 1 to the Agreement between the City and Denton City County Day School to provide Community Development Block Grant funds for public facility improvements in Denton approved by City Council on October 18, 2022 by Ordinance No. 22-2577; said first amendment to increase the funds to an amount not to exceed \$35,147; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 – Ordinance and Amendment 1 to Agreement](#)
 [Exhibit 3 – Ordinance #21-1577](#)

- P. [ID 23-1116](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an Interlocal Agreement in the form of a Memorandum of Understanding between the City of Denton and the Denton Independent School District (DISD), for reimbursement to the City in the estimated amount of \$862,145 for compensation and benefits of Student Resource Officers (SROs) assigned at DISD for the period of July 1, 2023, through June 30, 2024, and providing an effective date.

Attachments: [Exhibit 1 - AIS - SRO Program 23-24](#)
 [Exhibit 2 - Ordinance - SRO Program 23-24](#)
 [Exhibit 3 - SRO Program MOU 23-24](#)

- Q. [ID 23-1271](#) Consider adoption of an ordinance approving a water and wastewater utility relocation standard utility agreement (“agreement”) by and between the City of Denton and the Texas Department of Transportation (“TxDOT”), for the reimbursement of eligible costs incurred in the adjustment, removal, and relocation of city facilities of both water and wastewater utilities along I-35E from US 380/University to Milam Road Utility Relocations Project (TxDOT CSJ# 0195-03-087), within the county and City of Denton, Texas; authorizing the City Manager, or designee, to execute and deliver the agreement; providing for the expenditure of funds in an amount not to exceed \$12,698,742.56 for water and wastewater utility relocation; and providing an effective date.

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

- R. [ID 23-1272](#) Consider adoption of an ordinance approving a water and wastewater utility relocation standard utility agreement (“agreement”) by and between the City of Denton (“City”) and the Texas Department of Transportation (“TxDOT”), for the reimbursement of eligible costs incurred in the adjustment, removal, and relocation of city facilities of both water and wastewater utilities along I-35E from US 380/University to Milam Road (“ Utility Relocations Project (TxDOT CSJ# 0195-02-074), within the county and City of Denton, Texas; authorizing the City Manager, or designee, to execute and deliver the agreement; providing for the expenditure of funds in an amount not to exceed \$8,071,662.47 for water and wastewater utility relocation efforts; and providing an effective date.

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

- S. [ID 23-1300](#) Consider adoption of an ordinance approving a water utility relocation standard utility agreement (“Agreement”) by and between the City of Denton (“City”) and the Texas Department of Transportation (“TxDOT”), for the reimbursement of eligible costs incurred in the adjustment, removal, and relocation of City facilities of water utilities along I-35E from US 380 (University Drive) to US 77 (N. Elm St.) and Loop 288 more specifically called TxDOT Projects CSJ 0195-03-087 and ROW CSJ 0195-03-091, within the County and City of Denton, Texas; authorizing the City Manager, or designee, to execute and deliver the agreement; standard utility agreement no. U00011548 for water utility relocation efforts in the amount of

\$3,964,720.00; providing for the expenditure of funds therefor; and providing an effective date.

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

[Exhibit 2 - Ordinance and Agreement](#)

- T. [OPA23-0002](#) 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 Oversize Cost Participation Agreement with Box 380 Industrial, LLC, for the construction of a 12" water line for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (Box 380 Industrial, LLC, in the not-to-exceed amount of \$64,798.41).

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

[Exhibit 2 - Water Utilities Participation Agreement 06 26 2023](#)

[Exhibit 3 - Draft Ordinance](#)

[Exhibit 4 - Dual Obligee Rider for the Performance Bond](#)

- U. [ID 22-2324](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager to accept an offer from Atmos Energy Corporation to purchase an approximate 0.759 acre Distribution Easement and Right of Way in the Gideon Walker Survey, Abstract 1330, located east of Mayhill Road in the City and County of Denton, Texas; authorizing the City Manager to execute all documents necessary to consummate the transaction and to carry out all duties of the City pursuant to the agreement, providing a savings clause; providing for severability; and providing an effective date.

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

[Exhibit 2 - Ordinance](#)

[Exhibit 3 - Location Map](#)

- V. [ID 23-1334](#) 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 Good Guard Security, Inc., for the procurement of Dedicated Security Officer Services for the Community Services Department and the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 8246 - awarded to Good Guard Security, Inc., for one (1) year, with the option for two (2) additional one (1) year extensions, in the total three (3) year not-to-exceed amount of \$350,000.00).

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

[Exhibit 2 - Pricing Evaluation](#)

[Exhibit 3 - Ordinance and Contract](#)

- W. [ID 23-1335](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, for the approval of a pre-qualified professional services list of state certified real estate appraisers for various City projects within the City of Denton for the Real Estate Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8257 - for a three (3) year term).

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

- X. [ID 23-1331](#) 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 POWER Engineers, Inc., for engineering services associated with capital improvement projects for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8031-003 - Professional Services Agreement for engineering services awarded to POWER Engineers, Inc., in the not-to-exceed amount of \$2,700,000.00). The Public Utilities Board recommends approval (4 - 0).

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

- Y. [ID 23-1332](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Techline, Inc., for the supply of precast concrete pull boxes for Denton Municipal Electric to be stocked in the Warehouse; providing for the expenditure of funds therefor; and providing an effective date (IFB 8251 - awarded to Techline, Inc., in the (3) year, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$4,250,000.00). The Public Utilities Board recommends approval (4 - 0).

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

- Z. [ID 23-1397](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to an engagement between the City of Denton and Lloyd Gosselink Rochelle & Townsend, P.C., amending the engagement approved by the City Council on July 20, 2021, in the not-to-exceed amount of \$300,000.00; said first amendment to provide additional legal services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (File 7762 - providing for an additional first amendment expenditure amount not-to-exceed \$300,000.00, with the total contract amount not-to-exceed \$800,000.00).

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

5. PUBLIC HEARINGS

- A. [ID 23-386](#) Hold a public hearing and consider adoption of an ordinance of the City Council of the City of Denton, Texas repealing Chapter 24, titled "Solid Waste," of the Code of Ordinances in its entirety; adopting a new Chapter 24 titled "Solid Waste";

providing severability, savings, penalty, and publications clauses; and providing for an effective date. The Public Utilities Board recommends approval (3-1).

Attachments: [Exhibit 1. Agenda Information Sheet](#)
 [Exhibit 2. Redlined Chapter 24](#)
 [Exhibit 3. Clean Version of Chapter 24 \(rewrite\)](#)
 [Exhibit 4. Ordinance](#)

- B. [AESA23-0001b](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas approving an Alternative Environmentally Sensitive Area Plan for a site generally located on the northwest side of the intersection of Interstate Highway 35W and Robson Ranch Road, in the City of Denton, Denton County, Texas; adopting an amendment to the City's official environmentally sensitive areas 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 5-0-1 to recommend approval of the request. Motion for approval by Commissioner Smith and second by Commissioner Pruitt. (AESA23-0001b, Hunter Ranch Phase 1, Christi Upton)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Hunter Ranch Phase 1 Alternative ESA Plan](#)
 [Exhibit 5 - Excerpts from MPC19-0002c Related to ESAs](#)
 [Exhibit 6 - Notification Map and Responses](#)
 [Exhibit 7 - Staff Presentation](#)
 [Exhibit 4 - Ordinance](#)

6. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 23-1165](#) Consider adoption of an ordinance of the City of Denton amending the Code of Ordinances, related to Chapter 2, titled "Administration," Article XI, titled "Ethics," to clarify gift disclosure requirements, add to the definition of conflict of interest recent offers of employment, clarify the process to submit business disclosures, and require the City Auditor to provide a copy of an Accepted Complaint to the Complainant; providing for findings of fact; providing severability; providing a repealer clause, providing codification; confirming proper notice and meeting; and providing for an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Amended Ethics Ordinance - Clean](#)
 [Exhibit 3 - Amended Ethics Ordinance - Redlines](#)
 [Exhibit 4 - Letter of Proposed Amendments](#)

- B. [ID 23-1166](#) Consider adoption of an ordinance of the City of Denton confirming the proposed amendments to the Board of Ethics' Rules of Procedure as required by the Code of Ordinances, Chapter 2, Article XI, Section 2-227(k) to adopt reasonable rules for public comment during regular meetings; providing for severability; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Amended Rules of Procedure - Clean](#)
 [Exhibit 3 - Amended Rules of Procedure - Redlines](#)
 [Exhibit 4 - Presentation](#)

- C. [ID 23-1329](#) 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 of Neighborhood 1B for the Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7599-012 - Professional Services Agreement for design services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of \$3,076,300.00). The Public Utilities Board recommends approval (4 - 0).

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

- D. [ID 23-1330](#) 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 1B Improvements for the Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8225 - awarded to Sundt Construction, Inc., in the not-to-exceed amount of \$267,000.00). The Public Utilities Board recommends approval (3 - 1).

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

- E. [DCC23-0001](#) Consider approval of a resolution of the City Council of the City of Denton, Texas approving a Certificate for Design Consistency for a mural entitled "Greetings from Denton" located at 215 W Oak Street, which is within The Denton Square Overlay Zoning District in the City of Denton, Denton County, Texas; and providing an effective date. (DCC23-0001, 215 W Oak Street Mural Project, Cameron Robertson)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Project Narrative](#)
 [Exhibit 4 - Site Location Aerial](#)
 [Exhibit 5 - Site Photos](#)
 [Exhibit 6 - Mural Concept Image and Details](#)
 [Exhibit 7 - Surrounding Properties](#)
 [Exhibit 8 - Resolution](#)
 [Exhibit 9 - 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 official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on July 14, 2023, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

OFFICE OF THE 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.