



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
[www.cityofdenton.com](http://www.cityofdenton.com)

## Meeting Agenda

### City Council

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Tuesday, March 26, 2019

12:00 PM

Work Session Room

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

#### **COUNCIL CONSIDERATION OF THE CONSENT AGENDA, ITEMS FOR INDIVIDUAL CONSIDERATION AND PUBLIC HEARING ITEMS WILL BEGIN IMMEDIATELY FOLLOWING THE CLOSED MEETING IN THE WORK SESSION ROOM**

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 26, 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 April 26, 2019.**

##### **3. Work Session Reports**

- A. [ID 19-577](#) Provide a report, hold a discussion, and give staff direction regarding the Credit and Collection Policy of the City Utility System.

**Attachments:** [Exhibit 1-Agenda Information Sheet .pdf](#)  
[Exhibit 2-Navigant Consultant Presentation.pdf](#)  
[Exhibit 3-Staff Presentation.pdf](#)

- B. [ID 19-333](#) Receive a report, hold a discussion, and give staff direction regarding a request from the Denton Community Market for additional financial support of \$101,191 per year.

**Attachments:** [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Community Market Survey Data](#)  
[Exhibit 3 - Proposal Community Market](#)  
[Exhibit 4 - Presentation](#)

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

**Attachments:**[Exhibit 1 - Agenda Information Sheet](#)[Exhibit 2 - Submitted Subchapter 6 Questions from Planning and Zoning Comm](#)[Exhibit 3 - Presentation](#)

- D. [ID 19-585](#) Receive a report, hold a discussion, and give staff direction on McKenna Park improvements in relation to the Bonnie Brae street project.

**Attachments:**[Exhibit 1 Agenda Information Sheet](#)[Exhibit 2 Presentation](#)[Exhibit 3 Public Meeting Notes – March 18, 2019](#)

- E. [ID 19-660](#) Receive a report, hold a discussion, and give staff direction on the Downtown Design Standards.

**Attachments:**[Exhibit 1 - Agenda Information Sheet](#)[Exhibit 2 - Staff 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 19-364](#) Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086.

Receive a presentation from staff regarding public power competitive and financial matters pertaining to the purchase of renewable energy; discuss and deliberate strategies and opportunities for the City to acquire renewable energy and enter into agreements regarding the same.

- B. [ID 19-612](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff, discuss, deliberate, and provide staff with direction pertaining to the potential acquisition of real property interests in the Hiram Sisco Survey, Abstract No. 1184, Denton County, Texas, and located generally along the south side of East McKinney Street, between Railroad Avenue and North Bradshaw Street, City of 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. (Police Department Expansion)

- C. [ID 19-683](#) Consultation with Attorneys - Under Texas Government Code Section 551.071(2).

Consult with the City's attorneys on the status, strategy, and potential resolution of legal issues surrounding subdivision development review and approvals both generally, and specific to the Evers Way subdivision where 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.

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.

Following the completion of the Closed Meeting, the City Council will convene in an Open Meeting to consider the following items:

### **1. 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 – P). 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 – P 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 19-014](#) Consider adoption of an ordinance of the City of Denton approving a Rearrangement and Abandonment Agreement for gas pipelines between the City of Denton and EnLink North Texas Gathering, LP, a Texas limited partnership; providing for the payment of six hundred eighteen thousand dollars (\$618,000.00) to EnLink North Texas Gathering, LP for the rearrangement of their ("DC-101-3", "DC102", "DC400", and "DC-401-4") gas pipelines in conflict with the planned public works improvements for the new alignment of South Bonnie Brae Street, the limits of which being generally bounded between Vintage Boulevard and Roselawn Drive; authorizing the City Manager to execute the agreement; authorizing the expenditure of funds; providing a savings clause; and providing an effective date. (Bonnie Brae Widening and Improvement Project - Phase 1 - gas pipeline conflicts)

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

[Exhibit 2 - Location Map](#)

[Exhibit 3 - Ordinance](#)

- B. [ID 19-087](#) Consider adoption of an ordinance approving an agreement regarding the provision of

wastewater service for Robson Ranch between the City of Denton and Robson Development, LP, a Arizona limited partnership; authorizing the City Manager to execute the agreement; and providing as effective date.

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

- C.    [ID 19-088](#)      Consider adoption of an ordinance approving a Wastewater Service Agreement between the City of Denton, Petrus Investments, L.P., a Texas limited partnership, and Hillwood Investment Land, L.P., a Texas Limited Partnership, providing for the conveyance of easements from Petrus Investment, LP, to the City of Denton for construction of the Robson Ranch Wastewater Diversion Project and providing for wastewater service to Hunter Ranch for atleast 800 single family equivalent capacity upon completion of the Robson Ranch Wastewater Diversion Project; authorizing the City Manager to execute the agreement; and providing an effective date.

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

- D.    [ID 19-526](#)      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 Professional Services Agreement between the City of Denton and Huitt-Zollars, Inc., for Professional Design Services for the McKinney Street Widening Project; amending the contract approved by City Council on October 23, 2018, in the not-to-exceed amount of \$1,641,200; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-040 - providing for an additional expenditure amount not-to-exceed \$382,600, for a total contract amount not-to-exceed \$2,023,800).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2a - Original Ordinance](#)  
                                 [Exhibit 2b - Original Contract](#)  
                                 [Exhibit 3 - Additional Services Letter](#)  
                                 [Exhibit 4 - Map](#)  
                                 [Exhibit 5 - Ordinance and Amendment](#)

- E.    [ID 19-527](#)      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 Professional Services Agreement between the City of Denton and Teague Nall and Perkins, Inc., for Professional Engineering Services for the West Hickory Street Drainage, Paving and Sidewalks Project; amending the contract approved by City Council on October 16, 2018, in the not-to-exceed amount of \$167,500; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-043 - providing for an additional expenditure amount not-to-exceed \$90,300, for a total contract amount not-to-exceed \$257,800).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2a - Original Ordinance](#)  
                                 [Exhibit 2b - Original Contract](#)  
                                 [Exhibit 3 - Ordinance and Amendment](#)

- F.    [ID 19-530](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute a contract through the TXMAS Cooperative Purchasing Network Contract Number 17-8407 for the acquisition of footwear for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (File 6982 - awarded to Red Wing Shoes in the four (4) year not-to-exceed amount of \$400,000).

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

- G.    [ID 19-582](#)      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 Nelson Espinoza, a Sole Proprietorship dba S.E.D. Referee's, for the supply of certified adult and youth sports officiating services; providing for the expenditure of funds therefor; and providing an effective date (IFB 6967- awarded to Nelson Espinoza, a Sole Proprietorship dba S.E.D. Referee's, in the three (3) year not-to-exceed amount of \$196,500).

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

- H.    [ID 19-584](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 6 to the contract between the City of Denton and Zachry Construction, Inc., for the Mayhill Roadway Improvements Project; providing for the expenditure of funds therefor; and providing an effective date (IFB 6389 - Change Order No. 6 in the not-to-exceed amount of \$137,836.23, for a total contract award aggregated to \$35,490,677.81).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Original Ordinance and Contract](#)  
                                 [Exhibit 3a - Change Order 1](#)  
                                 [Exhibit 3b - Change Order 2](#)  
                                 [Exhibit 3c - Change Order 3](#)  
                                 [Exhibit 3d - Change Order 4](#)  
                                 [Exhibit 3e - Change Order 5](#)  
                                 [Exhibit 4- Ordinance and Change Order 6](#)

- I.    [ID 19-592](#)      Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to execute an agreement between the City of Denton, Texas and the Children's Advocacy Center for Denton County, Incorporated for providing aid to the City of Denton Police Department in the investigation of child abuse cases; providing client and clinical services to victims of child abuse and non-offending family members;

providing for the expenditure of funds in the amount of \$153,471.00; and providing for an effective date.

Attachments:      [Exhibit 1 - AIS - CACDC](#)  
                             [Exhibit 2 - Ordinance and 18-19 CACDC Agreement](#)

- J.    [ID 19-602](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of the first amendment to a Professional Services Agreement between the City of Denton and RPS Infrastructure, Inc., amending the contract approved by City Council on September 18, 2018, in the not-to-exceed amount of \$2,031,479.50, said first amendment to provide engineering and design services relating to the Bonnie Brae Phase 6 ~ University (US 380) to Loop 288 street improvement project; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-032 - providing for an additional first expenditure amount not-to-exceed \$397,760, for a total contract amount not-to-exceed \$2,429,239.50).

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

- K.    [ID 19-603](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract for the supply of fiber optic cable for the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (RFP 6885 - awarded to Taihan Fiberoptics America, Inc., in the three (3) year not-to-exceed amount of \$675,000).

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

- L.    [ID 19-604](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute contracts for the purchase of Law Enforcement Uniforms and Accessories for the Denton Police Department in accordance with an Interlocal Cooperative Purchasing Agreement with the City of Frisco, Bid #1804-060, under the Texas Local Government Code, section 271.102; authorizing the expenditure of funds therefor; and declaring an effective date (File 7003 -awarded to Galls, LLC and C&G Wholesale, in the five (5) year not-to-exceed amount of \$1,000,000).

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                             [Exhibit 2a - Cooperative Pricing Sheet - Galls, LLC](#)  
                             [Exhibit 2b - Cooperative Pricing Sheet - C&G Wholesale](#)  
                             [Exhibit 3 - Ordinance](#)

- M.    [ID 19-605](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract through the Department of Information Resources (DIR) Cooperative Purchasing Network Contract Number DIR-TSO-3837 for the acquisition of Apple branded products and services and

DIR-TSO-3373 for Microsoft Surface line of products accessories with CDW Government, LLC; providing for the expenditure of funds therefor; and providing an effective date (File 7046 - awarded to CDW Government, LLC, in the three (3) year not-to-exceed amount of \$600,000).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Pricing Index to DIR-TSO-3373](#)  
[Exhibit 3 - Pricing Index to DIR-TSO-3837](#)  
[Exhibit 4 - Ordinance](#)

- N.    [ID 19-606](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract through the Department of Information Resources (DIR) Cooperative Purchasing Network Contract Number DIR-TSO-4092 with SHI-Government Solutions, Inc., for the acquisition of Microsoft software products and related services, and DIR-TSO-3984 Software Products and related services; providing for the expenditure of funds therefor; and providing an effective date (File 7047 -awarded to SHI-Government Solutions, Inc., in the three (3) year not-to-exceed amount of \$600,000).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Pricing Index to DIR-TSO-4092](#)  
[Exhibit 3 - Pricing Index to DIR-TSO-3984](#)  
[Exhibit 4 - Ordinance](#)

- O.    [ID 19-610](#)      Consider adoption of an ordinance of the City of Denton, approving an agreement with the Denton Animal Support Foundation and the City of Denton to clarify the roles and responsibilities of each party; to allow the Denton Animal Support Foundation to raise funds and support programming for the Denton Animal Shelter; authorizing the City Manager or his designee to execute the Denton Animal Support Foundation Agreement; and providing an effective date.

**Attachments:**      [Exhibit 1 -Agenda Information Sheet](#)  
[Exhibit 2 - Ordinance and Denton Animal Support Foundation Agreement](#)

- P.    [ID 19-655](#)      Consider approval of a resolution of the City of Denton supporting both Senate Bill 1156 and House Bill 2920 which were recently introduced in the 86th Texas Legislature, that would require the Texas Railroad Commission to hold public hearings on certain gas well permit applications; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Resolution](#)  
[Exhibit 3 - SB 1156 and HB 2920](#)

## **2. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A.    [HL19-0002a](#)      Consider approval of a resolution of the City Council of the City of Denton, Texas approving an application for a historically significant site tax exemption for the property at 2400 North Bell Avenue, in accordance with Chapter 10, Article VII, Sections 10-131,

(4) and 10-134 of the Denton Code of Ordinances. (HL19-0002, Roman McAllen).

**Attachments:**

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - HLC Agenda Information Sheet](#)

[Exhibit 3 - Site Location/Aerial Map](#)

[Exhibit 4 - Application for Property Tax Abatement](#)

[Exhibit 5 - Ordinance 18-1583, revised Sec. 10-131](#)

[Exhibit 6 - AIS for City Council, Oct. 16, 2018](#)

[Exhibit 7 - Ordinance 98-116](#)

[Exhibit 8 - Ordinance 2014-125](#)

[Exhibit 9 - Draft HLC Minutes February 11, 2019](#)

[Exhibit 10 - Draft Resolution](#)

[Exhibit 11 - Presentation](#)

### **3. PUBLIC HEARINGS**

- A. [AESA18-0002a](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, partially amending Ordinance 2016-215, to approve an amended Alternative Environmentally Sensitive Area Plan with conditions on two portions thereof; specifically, to restore Upland Habitat on approximately 0.23 acres, generally located on the west side of Harbour Mist Trail, approximately 240 feet north of Del Rey Drive, in the City of Denton, Denton county, Texas, and with respect to a Riparian Stream Buffer on approximately 1 acre of land, generally located north of Pockrus Page, approximately 570 feet east of Fox Sedge Lane in the City of Denton, Denton County, Texas. The Planning and Zoning Commission recommended approval with conditions (7-0). (AESA18-0002a, Villages of Carmel, Julie Wyatt)

**Attachments:**

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Aerial Map](#)

[Exhibit 4 - Staff Analysis for ADP16-0001](#)

[Exhibit 5 - Ordinance 2016-215](#)

[Exhibit 6 - Alternative Environmentally Sensitive Area \(AESA\) Plan](#)

[Exhibit 7 - Notification Map and Responses](#)

[Exhibit 8 - Presentation](#)

[Exhibit 9 - February 20, 2019 Planning and Zoning Commission Meeting Minute](#)

[Exhibit 10 - Draft Ordinance](#)

### **4. 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.