



City of Denton

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

Meeting Agenda

City Council

Tuesday, April 2, 2019

2:00 PM

Work Session Room & Council Chambers

WORK SESSION BEGINS AT 2:00 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, April 2, 2019, 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 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 2, 2019.

3. Work Session Reports

- A. [ID 19-734](#) Receive a report, hold a discussion, and give staff direction regarding the 2019 Water Conservation Plan and the Drought Contingency Plan of the City of Denton, Texas.

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - 2019 DRAFT Water Conservation and Drought Contingency Plan](#)

[Exhibit 3 - Presentation](#)

- B. [ID 19-637](#) Receive a report, hold a discussion, and provide staff direction on Airport Governance related to the Airport Advisory Board, Economic Development Partnership Board, and Council Airport Committee.

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Denton Airport Related Boards and Committee](#)

[Exhibit 3 - Governance Matrix](#)

[Exhibit 4 - Airport Governance Presentation](#)

- C. [ID 19-671](#) Receive a report from staff, hold a discussion, and give staff direction regarding the future park that is to be located at the corner of Heritage Trail and Linden Drive in Rayzor Ranch Town Center.

Attachments: [Exhibit 1 Agenda Information Sheet](#)
[Exhibit 2 Presentation](#)
[Exhibit 3 Draft Site Plan \(Rayzor Ranch Town Center\)](#)
[Exhibit 4 Rayzor Ranch Town Center Master Plan](#)
[Exhibit 5 Ordinance 98-039](#)
[Exhibit 6 Park Rendering](#)
[Exhibit 7 Landscape Plan A](#)
[Exhibit 8 Landscape Plan B](#)
[Exhibit 9 Landscape Plan C](#)

- D. [ID 19-716](#) Receive a report, hold a discussion, and give staff direction regarding the potential leasing of a 3.5 acres property at 308 Bradley Street, the former site of Veterans Village and Bradley Street Apartments.

Attachments: [Exhibit 1 Agenda Information Sheet](#)
[Exhibit 2 Presentation](#)
[Exhibit 3 UNT Letter](#)

- E. [ID 19-743](#) Provide a report, hold a discussion, and give staff direction regarding appointment to, and removal from, all boards and commissions of the City.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Resolution 18-1121](#)
[Exhibit 3 - Resolution 18-1214](#)
[Exhibit 4 - Board of Ethics Meeting Attendance](#)
[Exhibit 5 - Ordinance 18-757](#)
[Exhibit 6 - Ordinance 18-1043](#)
[Exhibit 7 - Presentation - Leave of Absence \[revised\]](#)

- F. [DCA18-0009j](#) 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.pdf](#)

NOTE: 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.

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 19-692](#) 2019 Arbor Day

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.

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 – D). 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 – D 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 19-396](#) Consider adoption of an ordinance approving an Airport Land Lease Agreement between the City of Denton and Mark Hicks Transport, LLC; and providing an effective date. The Council Airport Committee recommends (3-0).

Attachments: [Exhibit 1 - Agenda Information Sheet - Mark Hicks Transport, LLC](#)
 [Exhibit 2 - Site Plan](#)
 [Exhibit 3 - Ordinance - Mark Hicks Transport Lease](#)
 [Exhibit 4 - Lessee Information](#)

- B. [ID 19-638](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to accept on behalf of the City an offer from the Texas Department of Transportation (“TxDOT”) relating to a grant of \$693,260.00; requiring the City to provide \$176,740.00 in contributory funds, for engineering and construction of parallel runway lighting improvements at the Denton Enterprise Airport; and providing for an effective date. The Council Airport Committee recommends (3-0).

Attachments: [Exhibit 1 - Agenda Information Sheet TxDOT Grant](#)
 [Exhibit 2 - TxDOT ACIP](#)
 [Exhibit 3 - Ordinance](#)
 [Exhibit 4 - KSA Letter](#)

- C. [ID 19-645](#) 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 Teague Nall and Perkins, Inc., for professional surveying services as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6965- Professional Services Agreement for professional surveying services awarded to Teague Nall and Perkins, Inc., in the three (3) year not-to-exceed amount of \$900,000). The Public Utilities Board recommends approval (7-0).

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

- D. [ID 19-648](#) 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 purchase of three (3) American Signal Corporation early warning sirens with American Signal Corporation; which is the sole provider of this item in accordance with Texas Local Government Code 252.022, which provides that procurement of commodities and services that are available from one source are exempt from competitive bidding; and if over \$50,000 shall be awarded by the governing body; and providing an effective date (File 7010 - awarded to American Signal Corporation in the not-to-exceed amount of \$76,323).

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

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 19-529](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a fourth amendment to a Professional Services Agreement between the City of Denton and Parkhill Smith & Cooper, amending the

contract approved by City Council on April 5, 2016, in the not-to-exceed amount of \$274,150, amended by Amendments 1-3 approved by Purchasing Staff; said fourth amendment to provide professional and engineering services in the preparation, development, and submittal of the permit application and the associated services required to secure a Permit Amendment for the City of Denton's Municipal Solid Waste (MSW) Facility, MSW Permit# 1590B in the amount of \$85,500; providing for the expenditure of funds therefor; and providing an effective date (File 6097 - providing for an additional fourth amendment expenditure amount not-to-exceed \$85,500, with the total contract amount not-to-exceed \$429,010). The Public Utilities Board recommends approval (7-0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2a - Original Ordinance](#)
 [Exhibit 2b - Original Contract](#)
 [Exhibit 3a - Amendment 1](#)
 [Exhibit 3b - Amendment 2](#)
 [Exhibit 3c - Amendment 3](#)
 [Exhibit 4 - Ordinance and Contract](#)

- B.** [S18-0007c](#) Consider adoption of an ordinance of the City of Denton, Texas, approving a Specific Use Permit to allow for a vehicle repair use on approximately 0.57 acre site, generally located on the south side of E. McKinney Street, approximately 135 feet west of Oakland Street in the City of Denton, Denton County, Texas; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. (S18-0007, Dent One - Auto Hail Repair, Hayley Zagurski).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Aerial Map](#)
 [Exhibit 4 - Zoning Map](#)
 [Exhibit 5 - Future Land Use Map](#)
 [Exhibit 6 - Site Plan](#)
 [Exhibit 7 - Timeline](#)
 [Exhibit 8 - Notification Map and Responses](#)
 [Exhibit 9 - Presentation](#)
 [Exhibit 10 - Planning and Zoning Commission Meeting Minutes](#)
 [Exhibit 11 - Draft Ordinance](#)

6. PUBLIC HEARINGS

- A.** [S18-0008h](#) Hold a public hearing and reconsider the February 5, 2019 denial of an ordinance for a Specific Use Permit to allow for a multi-family residential use as part of a mixed-use development on an approximately 31-acre site, generally located on the north side of Windsor Drive, east of the I-35 N Frontage Road, in the City of Denton, Denton County, Texas; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof;

providing for severability; and establishing an effective date (S18-0008h, Windsor Drive Apartments, Hayley Zagurski).

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Aerial Map](#)

[Exhibit 4 - Zoning Map](#)

[Exhibit 5 - Future Land Use Map](#)

[Exhibit 6 - Preliminary Site Plan](#)

[Exhibit 7 - Preliminary Landscape Plan](#)

[Exhibit 8 - Sample Building Elevations](#)

[Exhibit 9 - Notification Map and Responses](#)

[Exhibit 10 - 11.14.18 Planning and Zoning Commission Meeting Minutes](#)

[Exhibit 11 - 11.28.18 Planning and Zoning Commission Meeting Minutes](#)

[Exhibit 12 - Applicant Request to Continue](#)

[Exhibit 13 - Developer Meeting Disclosures](#)

[Exhibit 14 - Presentation](#)

[Exhibit 15 - Draft Ordinance](#)

- B. [HL19-0001b](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton designating the property at 900 Egan Street, legally known as Block 18 Lot 16 of the High School Addition, a Historic Landmark under section 35.7.6 of the Denton Development Code; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and effective date. (HL19-0001, 900 Egan Street, Roman McAllen)

Attachments:

[Exhibit 1 - AIS City Council](#)

[Exhibit 2 - AIS Planning & Zoning Commission.pdf](#)

[Exhibit 3 - AIS Historic Landmark Commission.pdf](#)

[Exhibit 4 - Site Location Aerial Map.pdf](#)

[Exhibit 5 - Application for Designation with Attachments.pdf](#)

[Exhibit 6 - Draft Ordinance](#)

[Exhibit 7 - Draft HLC Minutes from Feb. 11, 2019](#)

[Exhibit 8 - Draft P&Z Minutes from March 20, 2019](#)

[Exhibit 9 - Presentation](#)

- C. [Z18-0027c](#) Hold a public hearing and consider adoption of an ordinance of the city of Denton, Texas, regarding a change in the zoning classification and use classification on a site made up of fifteen adjacent tracts of land, including a change from a Downtown Residential 1 (DR-1) zoning district and use classification to a Downtown Commercial General (DC-G) zoning district and use classification on approximately 0.39 acres of land, a change from a mix of a DR-1 and a Neighborhood Residential 4 (NR-4) zoning district and use classification to a DC-G zoning district and use classification on two tracts of land totaling approximately 13.85 acres of land, a change from a NR-4 zoning district and use classification to a

DC-G zoning district and use classification on nine tracts totaling approximately 22.07 acres of land, and a change from a Neighborhood Residential Mixed-Use 12 (NRMU-12) zoning district and use classification to a DC-G zoning district and use classification on three tracts totaling approximately 8.81 acres, the subject site, composed of all 15 tracts listed above and totaling approximately 45.13 acres of land, is generally located on the southeast side of Mingo Road, north of Paisley Street, northwest of Lattimore Street, and west of Pertain 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 clause and an effective date. (Z18-0027, Fleet Services Facility)

Attachments:

[Exhibit 1: Agenda Information Sheet](#)

[Exhibit 2: Staff Analysis](#)

[Exhibit 3: Presentation](#)

[Exhibit 4: Site Location/Aerial Map](#)

[Exhibit 5: Zoning Map](#)

[Exhibit 6: Zoning Change Map](#)

[Exhibit 7: Future Land Use Map](#)

[Exhibit 8: Use Comparison Chart](#)

[Exhibit 9: Public Notification Map and Responses](#)

[Exhibit 10: Ordinance](#)

D. [ID 19-670](#)

Hold a public hearing and consider adoption of an ordinance granting approval, in accordance with Chapter 26 of the Texas Parks and Wildlife Code, of the non-park use of a part of Southwest Park for the purpose of installing and maintaining water line for the Allred Water Transmission Main Project and for the maintenance of the existing water transmission line parallel to South Bonnie Brae Street; providing for a notice by the City of Denton of non-park use for installation and maintenance of water line and reservation of easement in the event of sale of park; and providing an effective date. The Public Utilities Board recommended approval (7-0). Parks, Recreation & Beautification Board recommended the approval (4-0).

Attachments:

[Exhibit 1- Agenda Information Sheet EV3](#)

[Exhibit 2 - Ordinance](#)

[Exhibit 3 - Aerial Map](#)

[Exhibit 4 - 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.