



City of Denton

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

Meeting Agenda

City Council

Tuesday, October 17, 2023

3:00 PM

Council Work Session Room
&
Council Chambers

WORK SESSION BEGINS AT 3:00 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 www.cityofdenton.com/publicmeetings. 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, October 17, 2023 at 3:00 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 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. Members of the Council may remove items from the consent agenda. When items are removed from the consent agenda and placed on the regular agenda by members of the council, the removed items shall be taken up in the order of removal right after the consent agenda.

A. ID 23-645 Meeting Questions, Responses & Handouts

3. Work Session Reports

- A. **ID 23-1544** Receive a report, hold a discussion, and give staff direction regarding the Facilities Master Plan.
[Estimated Presentation/Discussion Time: 1 hour]
- B. [ID 23-1601](#) Receive a report, hold a discussion, and give staff direction regarding the creation of a City of Denton Streetlight Criteria Manual, proposed amendments to the Denton Development Code (DDC), and streetlight luminaires for use in residential developments.
[Estimated Presentation/Discussion Time: 45 minutes]
- C. **ID 23-224** Receive a report, hold a discussion, and give staff direction on pending City Council requests for:
- 1) Request for a resolution to send to the Denton County Commissioners Court encouraging the placement of voting centers in the City of Denton and throughout the entire county.
 - 2) Request for a Work Session on the pros, cons, and options regarding requiring working air conditioning in rentals and prohibiting HOAs from disallowing air conditioners.
- [Estimated Presentation/Discussion Time: 30 minutes]

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 23-1692](#) 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 an update to the Denton Municipal Electric Energy Risk Management Policy that includes public power utility competitive data; discuss, deliberate, and provide direction to staff regarding same. Consultation with City's attorney regarding legal issues associated with 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 Rule of Professional Conduct of State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation.

- B. **ID 23-1895** 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 purchase of real property situated in J. Fisher Survey, Abstract No. 421, in the City of Denton, Denton County, Texas, located near Hunters Creek and Teasley Road for relocation of Fire Station 6, where a public deliberation of such potential purchase would have a detrimental effect on the City's position in negotiations

with a third party.

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. United States 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 23-1706](#) Proclamation: Shelter Your Neighbor Week
- B. [ID 23-1872](#) Proclamation: Denton Teachers Day
- C. [ID 23-1892](#) Proclamation: Tetra Pak “Protect What’s Good Day”
- D. [ID 23-1900](#) Proclamation: Texas Arbor Day 2023
- E. [ID 23-1921](#) Proclamation: Zeta Eta Chapter 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 23-1923](#) Stephen Dillenburg regarding the grandest conspiracy / fraud in the history of mankind.
- b. **ID 23-2028** Kristine Bray on the City of Denton purchasing more buses from DCTA utilizing the DCTA TRIP Fund Dollars which are designated for "transit related projects."
- c. **ID 23-2030** Jakob Vingren on the Northeast Denton Area Plan and the traffic at Kings Row/Deerwood Drive.
- d. **ID 23-2031** Michael Beckmann regarding the development issue of N.E. Denton.
- e. **ID 23-2032** Anne Beckmann on Halting Cement City : Holding Denton Accountable To Be The Environmental City We Claim To Be.
- f. **ID 23-2033** Charlie Collier regarding North East Denton Development.

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–X). 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 23-045](#) Consider approval of the minutes of the September 19, 2023 Meetings.
- B. [ID 23-070](#) Consider nominations/appointments to the City’s Boards, Commissions, and Committees: Airport Advisory Board, Animal Shelter Advisory Committee, Board of Ethics, Committee on Persons with Disabilities, Community Services Advisory Committee, Denton Police Department Chief of Police Advisory Board, Health & Building Standards Commission, Historic Landmark Commission, Internal Audit Advisory Committee, Library Board, Parks, Recreation & Beautification Board, Planning & Zoning Commission, Public Art Committee, Public Utilities Board, Sustainability Framework Advisory Committee, Traffic Safety Commission, and Zoning Board of Adjustment.
- C. [ID 23-1919](#) Consider approval of a resolution of the City of Denton excusing the September 27, 2023 meeting absence of a Planning and Zoning Commission Member; and providing an effective date.
- D. [ID 23-1905](#) Consider nominations/appointments to the City’s Economic Development Partnership Board.
- E. [ID 23-1420](#) 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 the Denton Affordable Housing Corporation to provide HOME Investment Partnership Program funds for the rehabilitation of two (2) rental units located at 3813 Camelot Street, Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$200,000.00; and providing an effective date.
- F. [ID 23-1421](#) 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 the Denton Affordable Housing Corporation; to expend HOME Investment Partnership Program funds for operating expenses; authorizing the expenditure of funds not to exceed \$21,000; and providing an effective date.
- G. [ID 23-1691](#) Consider adoption of an ordinance of the City of Denton repealing ordinance No. 22-834; approving the 2023 Denton Municipal Electric - Energy Risk Management Policy (the "2023 ERMP"); delegating authority as provided in the 2023 ERMP; authorizing and approving the subsequent execution of such other ancillary and related documents, including, without limitation, contracts, nominations, certificates, assignments, licenses, directions, instruments, confirmations, orders, and statements as are authorized by the 2023 ERMP, which are incident to or related thereto; confirming that the city of Denton, its mayor, its city council members, its city manager, its city attorney, and its city secretary are authorized to perform such acts and obligations as are reasonably required to consummate those future transactions which are provided for and authorized by the 2023 ERMP; finding that the purchase of electricity, natural gas, and related commodities

and instruments are exempt from the requirements of competitive bidding; finding that the purchase of electric energy, natural gas, and related commodities and instruments made by the city under the terms of the 2023 ERMP are in the public welfare of the citizens and electric ratepayers of the city; authorizing the expenditure of funds therefor; and, providing an effective date.

The Public Utilities Board recommends approval [5-0].

- H. ID 23-1956** Consider adoption of an ordinance of the City of Denton determining the public use, need and necessity for the acquisition of approximately 5.069 acres of land located along Teasley Lane, in the John S. Dickson Survey, Abstract No. 342, City and County of Denton, Texas, for the purpose of a future Hickory Creek Lift Station expansion facility; authorizing the City Manager, or designee, to consummate and accept the purchase, grant and conveyance to the City of Denton from Faith United Methodist Church, Corinth, Texas; authorizing the expenditure of funds not to exceed Eight Hundred Eighty-Two Thousand, Six Hundred and 00/100 Dollars (\$882,600.00); and providing for severability and an effective date.
- I. [ID 23-1795](#)** Consider adoption of an ordinance of the City of Denton establishing classifications and positions in the Police Department; creating certain positions; repealing ordinance No. 23-438 relating to establishing the classifications and prescribing the number of positions in each classification for the Police Department; providing repealer, cumulative, and severability clauses; and declaring an effective date.
- J. ID 23-1901** Consider adoption of an ordinance of the City of Denton granting a noise exception for the Geezerpalooza event which will be held on Saturday, October 21, 2023, and Sunday, October 22, 2023, at Industrial Street between Hickory Street and Mulberry Street; and providing an effective date. The Parks, Recreation, and Beautification Board recommends approval (5-0).
- K. ID 23-1902** Consider adoption of an ordinance of the City of Denton granting the Denton Day of the Dead Festival Inc. a three-year noise exception for the Denton's Day of the Dead Festival and Cirque de Horror rehearsals, on October 23-29, 2023, October 21-27, 2024, and October 20-26, 2025, Monday through Thursday from 7:00 p.m. to 11:00 p.m., Friday from 8:00 p.m. to 10:00 p.m., Saturday from 11:00 a.m. to 11:00 p.m. and Sunday from 5:00 p.m. to 7:30 p.m. at Industrial Street and Hickory Street in Denton, Texas; and providing an effective date.
- L. ID 23-1907** Consider adoption of an ordinance of the City of Denton granting the Denton Holiday Lighting Festival Association, Inc., a noise exception for the Denton Holiday Lighting on Saturday, December 2, 2023, from 3 p.m. to 9 p.m., at the Downtown Square, Wolff's Park, and surrounding streets; and providing an effective date. The Parks, Recreation, and Beautification Board recommends approval (5-0).
- M. ID 23-1926** Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a contract between the City of Denton and Xylem Water Solutions U.S.A., Inc., amending the contract approved by City Council on March 31, 2020, in the not-to-exceed amount of \$550,000.00, said first amendment for the additional purchase of UV disinfection equipment, materials, and parts

for the Water Reclamation Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 7299 - providing for an additional first amendment expenditure amount not-to-exceed \$137,500.00, with the total contract amount not-to-exceed \$687,500.00). The Public Utilities Board recommends approval (5 - 0).

- N. ID 23-1668** 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 SmartForce Technologies, Inc., for the purchase of the SmartForce Organizational Management System for the Police Department, which is the sole provider of this software, 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; providing for the expenditure of funds therefor; and providing an effective date (File 8296 - awarded to SmartForce Technologies, Inc., for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$260,382.00).
- O. ID 23-1936** 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 August Industries, Inc., through the Buy Board Cooperative Purchasing Network Contract # 698-23, for the purchase of Bauer Air Compressor Systems, maintenance, and testing of all current and future systems for the Fire Department; providing for the expenditure of funds therefor; and providing an effective date (File 8353 - awarded to August Industries, 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 \$58,665.00).
- P. ID 23-1935** 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 Texas AirSystems, LLC, through The Interlocal Purchasing System (TIPS) Cooperative Program Contract # 2201061 for the maintenance, repair, inspection, and replacement of AAON, Seresco, Johnson Controls, & LG heating, ventilation, and air conditioning units for various City buildings for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (File 8330 - awarded to Texas AirSystems, LLC, for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$2,400,000.00).
- Q. ID 23-1934** 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 Reinland Corporation dba Reinert Paper & Chemical, for miscellaneous warehouse stock items for the City of Denton Warehouse; providing for the expenditure of funds therefor; and providing an effective date (IFB 8327 - awarded to Reinland Corporation dba Reinert Paper & Chemical, for two (2) years, with the option for two (2) additional one (1) year extensions, in the total four (4) year not-to-exceed amount of \$200,000.00).
- R. [ID 23-1933](#)** 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 Denton County Termite, Inc., for the supply of pest control services for various City buildings for the

Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8312 - awarded to Denton County Termite, Inc., for one (1) year, with the option for four (4) additional one (1) year extensions, in total five (5) year in the not-to-exceed amount of \$400,000.00).

- S. ID 23-1930** Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, ratifying the expenditure of funds by the City Manager for the emergency repair of the Seresco HVAC unit at the Denton Natatorium due to a catastrophic failure for the Facilities Management Department; and providing an effective date (File 8262 - awarded to Texas AirSystems, LLC, in the not-to-exceed amount of \$160,000.00).
- T. ID 23-1929** 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 Burns & McDonnell Engineering Company, Inc., amending the contract approved by City Council on December 14, 2021, in the not-to-exceed amount of \$1,500,000.00, said first amendment to continue to provide engineering services for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7740 - providing for an additional first amendment expenditure amount not-to-exceed \$500,000.00, for a total contract amount not-to-exceed \$2,000,000.00). The Public Utilities Board recommends approval (5 - 0).
- U. ID 23-1927** 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 Texas Electric Cooperatives, Inc., for the purchase of overhead distribution conductors for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 8283 - awarded to Texas Electric Cooperatives, Inc., for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$5,000,000.00). The Public Utilities Board recommends approval (5 - 0).
- V. ID 23-1950** 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 MasterTurf Products and Service, Inc. through the Buy Board Cooperative Purchasing Network Contract # 706-23, for the athletic field renovations project for the Parks and Recreation Department; providing for the expenditure of funds therefor; and providing an effective date (File 8332 - awarded to MasterTurf Products and Service, 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 \$2,000,000.00).
- W. [ID 23-1962](#)** 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 Zapstand, LLC, for the installation and maintenance of Automated External Defibrillator Emergency Kiosks in various locations for the Parks and Recreation Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8260 - awarded to Zapstand, LLC, for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$104,500.00).
- X. [ID 23-1932](#)** 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 SDB, Inc. dba Southwest Commercial Electric, Inc., as the primary vendor, Live Systems LLC, as the secondary vendor, and C&G Electric, Inc., as the tertiary vendor, for electrical services for all labor, materials, tools, equipment, and supervision for various City buildings and to assist with renovations, remodels, and maintenance of existing facilities for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8301 - awarded to SDB, Inc. dba Southwest Commercial Electric, Inc., Live Systems LLC, and C&G Electric, Inc., for one (1) year, with the option for four (4) additional one (1) year extensions, in total five (5) year in the not-to-exceed amount of \$4,000,000.00).

5. PUBLIC HEARINGS

- A. [S23-0002a](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas approving a Specific Use Permit to allow a building no more than 53 feet in height on approximately 2.659 acres of land generally located at the southwest corner of the intersection of Stuart Road and Loop 288 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 an effective date. The Planning and Zoning Commission voted [3-2] to recommend approval of the request. Motion for approval by Commissioner Pruett and second by Commissioner Cole. THE APPLICANT IS REQUESTING TO POSTPONE THIS ITEM TO A DATE CERTAIN OF NOVEMBER 7, 2023 (S23-0002, Stuart Apartments, Mia Hines).

6. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 23-1943](#) Consider adoption of an ordinance of the City of Denton, Texas, amending the fiscal year 2022-2023 budget and annual program of services of the City of Denton to allow for adjustments to the Health Fund of four million dollars (\$4,000,000) for the purpose of funding expenses associated with increased health care costs; declaring a public purpose; directing the City Secretary attach a copy to the 2022-2023 budget; requiring approval by at least five votes; and providing a severability clause; an open meetings clause and an effective date.
- B. [ID 23-1944](#) Consider adoption of an ordinance of the City of Denton, Texas, amending the fiscal year 2022-2023 budget and annual program of services of the City of Denton to allow for adjustments to the risk retention fund of one million five hundred thousand dollars (\$1,500,000) for the purpose of funding expenses associated with increased costs for property insurance claims, vehicle repair claims, and other litigation and legal related expenses; declaring a public purpose; directing the City Secretary attach a copy to the 2022-2023 budget; requiring approval by at least five votes; and providing a severability clause; an open meetings clause and an effective date.
- C. [ID 23-1947](#) Consider adoption of an ordinance of the City of Denton, Texas, amending the fiscal year 2022-2023 budget and annual program of services of the City of Denton to allow for adjustments to the Materials Management fund of one million dollars (\$1,000,000) for the

purpose of funding expenses associated with increased cost of various city warehouse goods including items such as utility equipment, office equipment and supplies, and technology equipment; declaring a public purpose; directing the City Secretary attach a copy to the 2022-2023 budget; requiring approval by at least five votes; and providing a severability clause; an open meetings clause and an effective date.

- D. ID 23-1928** 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 purchase of insulated and multi-conductor underground distribution cables for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 8284 - awarded to Techline, Inc., for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$20,000,000.00). The Public Utilities Board recommends approval (5 - 0).
- E. ID 23-1931** 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 CBS Mechanical Services, Inc., dba CMS Mechanical Services, Inc., for all HVAC labor, materials, tools, equipment, and supervision for various City buildings and to assist with renovations, remodels, and maintenance of existing HVAC systems for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8294 - awarded to CBS Mechanical Services, Inc., dba CMS Mechanical Services, Inc., for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$7,000,000.00).

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 October 13, 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.