



City of Denton

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

Meeting Agenda City Council

Tuesday, November 14, 2023

2:00 PM

Council Work Session Room
&
Council Chambers

Special Called Meeting

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

CITY COUNCIL CONSIDERATION OF THE CONSENT AGENDA AND ITEMS FOR INDIVIDUAL CONSIDERATION WILL BEGIN IMMEDIATELY FOLLOWING THE CLOSED MEETING 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, November 14, 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 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 23-648](#) Meeting Questions, Responses & Handouts

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

3. Work Session Reports

- A. [ID 23-1812](#) Receive a report, hold a discussion, and give staff direction regarding Audit Project 017 - Meter Reading and Billing: Electric and Water Utilities Follow-Up Review.

[Estimated Presentation/Discussion Time: 15 minutes]

Attachments: [Exhibit 1 - Agenda Information Sheet.pdf](#)
[Exhibit 2 - Follow-Up Review of the Audit of Meter Reading and Billing - Electric](#)
[Exhibit 3 - Presentation.pdf](#)

- B. [ID 23-1813](#) Receive a report, hold a discussion, and give staff direction regarding Audit Project 021 - Water System Operations: Rate Structure, Distribution, and Production Follow-Up Review.

[Estimated Presentation/Discussion Time: 15 minutes]

Attachments: [Exhibit 1 - Agenda Information Sheet.pdf](#)
[Exhibit 2 - Follow-Up Review of the Audit of Water System Operations - Rate St](#)
[Exhibit 3 - Presentation.pdf](#)

- C. [ID 23-2124](#) Receive a report, hold a discussion, and give direction regarding the proposed creation of a Tourism Public Improvement District in Denton.

[Estimated Presentation/Discussion Time: 30 minutes]

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Proposed Service and Assessment Plan](#)

- D. [ID 23-227](#) Receive a report, hold a discussion, and give staff direction on pending City Council requests for:

1. A work session to discuss the City creating Public Facility Corporations to develop affordable housing in the City of Denton, including a comprehensive analysis of the definition, creation, and administration of Public Facility Corporations.

[Estimated Presentation/Discussion Time: 30 minutes]

Attachments: [Exhibit 1 - Agenda Information Sheet - Pending Council Request.pdf](#)
[Exhibit 2 - Ordinance 23-1431](#)
[Exhibit 3 - Presentation.pdf](#)
[Exhibit 4 - Previous Development Program Agenda Information.pdf](#)
[Exhibit 5 - Previous Development Program Work Session.pdf](#)
[Exhibit 6 - Previous Draft Resolution Agenda Information.pdf](#)
[Exhibit 7 - Previous Draft Resolution Work Session.pdf](#)
[Exhibit 8 - Previous Draft Resolution.pdf](#)

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 23-1978](#) 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 Hercules Lane, in and around the B.B.B. and C.R.R. Company Survey, Abstract Number 186, in the City of Denton, Denton County, Texas, for future park uses, 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 23-2046](#) 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 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, for a new South Branch Library and public amenities and improvements at Lake Forest Park, where a public deliberation of such potential acquisitions would have a detrimental effect on the City's position in negotiations with third parties.

- C. [ID 23-2169](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consultation with City's attorneys under Texas Government Code Section 551.071 regarding a proposed class action settlement agreement for the Aqueous Film-Forming Foam (AFF) Product Liability Litigation (MDL 2872); District Court of the District of South Carolina, Master Docket No. 2:18-MN-2873-RMG 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.

- D. [ID 23-2222](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consult with the City's attorneys regarding potential litigation related to petitions for removal from the City's extraterritorial jurisdiction under Subchapters D and E of Chapter 42 of the Texas Local Government Code; 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, or otherwise compromise the City's legal position.

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.

Following the completion of the Closed Meeting, the City Council will convene in a Special Called Meeting in Council Chambers to consider the following items:

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. 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.
 - 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.

3. 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 – V). 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 23-048](#) Consider approval of the minutes of the October 24, 2023 Meeting.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - October 24, 2023 Minutes](#)
- B. [ID 23-073](#) Consider nominations/appointments to the City's Boards, Commissions, and Committees: Planning & Zoning Commission.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Nominations List](#)
- C. [ID 23-2103](#) Consider approval of a resolution of the City of Denton ratifying the submission of an application to the U.S. Department of Housing and Urban Development (HUD) Pathways to Removing Obstacles to Housing (PRO Housing) Program in the amount of \$10,000,000 to increase the capacity of the affordable housing program; and providing an effective date.
- Attachments: [Exhibit 1 Agenda Information Sheet](#)
[Exhibit 2 Resolution](#)
- D. [ID 23-2111](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or designee, authorizing expenditure of funds

for a total not to exceed \$297,133.70 for the overage cost for the intersections of 1) Hickory Street and Fry Street (CSJ-0918-46-327) and 2) West Oak Street and Thomas Street (CSJ-0918-46-328) in the City of Denton, Denton County, Texas under the Advanced Funding Agreement for Highway Safety Improvement Project Off-System by and between the City of Denton and the Texas Department of Transportation (“TxDOT”); and providing for an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance](#)
 [Exhibit 3 - Ordinance 23-1161](#)
 [Exhibit 4 - Post Bid Funding Analysis for City of Denton](#)

- E. [ID 23-2112](#) 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 agreement for the furnishing of traffic signal equipment by a municipality by and between the City of Denton and the Texas Department of Transportation (“TxDOT”) providing for the reimbursement of the cost of furnishing of traffic signal equipment for the intersections of 1) Hickory Street and Fry Street 2) West Oak Street and Thomas Street and 3) US 77 and Discovery Boulevard in the City of Denton, Denton County, Texas; providing for the expenditure of funds for a total not to exceed \$42,982.00; and providing for an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance](#)
 [Exhibit 3 - Ordinance 23-1161](#)
 [Exhibit 4 - Cost Estimate](#)
 [Exhibit 5 - HSIP Sole Source Letter](#)
 [Exhibit 6 - Sole Source Memo Approval](#)

- F. [ID 23-2113](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a second amendment to a Professional Services Agreement between the City of Denton and Solutient Geosciences, Inc., amending the contract approved by the City Council on January 28, 2020, in the not-to-exceed amount of \$321,415.00; amended by Amendment 1 approved by City Council; said second amendment to continue to provide hydrogeological consulting and analytical services regarding the City’s landfill monitoring and reporting requirements for the Solid Waste Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7109-005 - providing for an additional second amendment expenditure amount not-to-exceed \$121,109.00, with the total contract amount not-to-exceed \$558,726.00).

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

- G. [ID 23-2114](#) 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 Binkley & Barfield, Inc., for design services for the Riney Road East Reconstruction Project for the Capital Projects Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7599-014 - Professional Services Agreement for design services awarded to Binkley & Barfield, Inc., in the not-to-exceed amount of \$267,645.00).

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

- H. [ID 23-2115](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a second amendment to a professional services agreement between the City of Denton and NewGen Strategies and Solutions, LLC, amending the contract approved by City Council on May 4, 2021, in the not-to-exceed amount of \$169,500.00; amended by Amendment 1 approved by Purchasing; said second amendment to continue to use services to refresh the Electric Cost of Service study and expand the study to include the value of solar for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7628 - providing for an additional second amendment expenditure amount not-to-exceed \$150,000.00, with the total contract amount not-to-exceed \$326,000.00).

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

- I. [ID 23-2116](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract extension between the City of Denton and HSI Workplace Compliance Solutions, Inc. until the project is complete, for consulting services related to North American Electric Reliability Corporation (“NERC”) compliance for the City of Denton; and declaring an effective date (RFQ 7693 - extending a contract with HSI Workplace Compliance Solutions, Inc., until project completion).

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

- J. [ID 23-2118](#) 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 Electric Actuator Service of Texas, LLC, for the purchase of parts, equipment, and service of AUMA-Branded Actuators and Gearboxes for the Water Production Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8318 - awarded to Electric Actuator Service of Texas, LLC, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$165,000.00).

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

- K. [ID 23-2119](#) 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 United Electronic Recycling, LLC, for electronics recycling services for the Solid Waste and Recycling Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8328 - awarded to United Electronic Recycling, LLC, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$222,360.00).

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

- L. [ID 23-2120](#) 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 AllTerra Central, Inc., through the Texas Department of Information Resources (DIR) Cooperative Purchasing Network Contract No. DIR-CPO-4504, for the purchase of a GPS unit and data collector for the Drainage Department; providing for the expenditure of funds therefor; and providing an effective date (File 8351 - awarded to AllTerra Central, Inc., in the three (3) year not-to-exceed amount of \$73,100.00).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Pricing Index](#)
 [Exhibit 3 - Quote](#)
 [Exhibit 4 - Ordinance](#)

- M. [ID 23-2121](#) 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 Defender Supply, LLC, for vehicle equipment upfitting for various City of Denton departments for the Fleet Services Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8186 - awarded to Defender Supply, LLC, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$4,800,000.00).

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

- N. [ID 23-2122](#) 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 3C Industrial, LLC, for the replacement, installation, and repair related to air compressors for various City buildings for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8323 - awarded to 3C Industrial, 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 \$500,000.00).

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

- O. [ID 23-2123](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an Interlocal Cooperative

Purchasing Agreement with the City of Aubrey, under the Texas Government Code, Section 791.001, to authorize the City of Aubrey and City of Denton to utilize each entities' solicited contracts for the purchasing of various goods and services; authorizing the expenditure of funds therefor; and declaring an effective date (File 8385 - award an Interlocal Cooperative Purchasing Agreement with the City of Aubrey).

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

- P. [ID 23-2128](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a second amendment to a contract between the City of Denton and Lexipol, LLC, amending the contract approved by the City Council on May 12, 2020, in the not-to-exceed amount of \$131,571.00; amended by Amendment 1 approved by Purchasing; said second amendment for the customized policy management, update, and training solutions for the Police Department; providing for the expenditure of funds therefor; and providing an effective date (File 7279 - providing for an additional second amendment expenditure amount not-to-exceed \$79,000.00, with the total contract amount not-to-exceed \$243,246.32).

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

- Q. [ID 23-2132](#) 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 Global Software, LLC, dba InsightSoftware, for continued vendor support for financial analysis and reporting software application tool and purchase of Spreadsheet Server software to enhance tool for the Technology Services 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 8309 - awarded to Global Software, LLC, dba InsightSoftware, 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 \$375,000.00).

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

- R. [ID 23-2148](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an agreement for National Flood Insurance Program excess flood coverage for the City of Denton through the City's broker of record, Lockton Companies, LLC; and providing an effective date (File 8408 - awarded to The Hartford of Pittsburgh, PA, in the three (3) year not-to-exceed amount of \$176,954.00).

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

[Exhibit 2 - Pricing](#)

[Exhibit 3 - Comparison](#)

[Exhibit 4 - Recommendation Letter](#)

[Exhibit 5 - Ordinance](#)

- S. [ID 23-2152](#) 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 Hoar Program Management, LLC, for project management services for Fire Station #9, the Service Center, the Solid Waste Fleet, and the Fleet Services Expansion for the Capital Projects Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8245-001 - professional services agreement for project management services awarded to Hoar Program Management, LLC, in the not-to-exceed amount of \$2,588,509.00).

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

[Exhibit 2 - Ordinance and Contract](#)

- T. [ID 23-2167](#) 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 Powell Electrical Systems, Inc., for the purchase of medium voltage switchgear buildings for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 8156 - awarded to Powell Electrical Systems, Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$6,525,253.00).

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

[Exhibit 2 - Pricing Evaluation](#)

[Exhibit 3 - Presentation](#)

[Exhibit 4 - Ordinance and Contract](#)

- U. [ID 23-2150](#) Consider adoption of an ordinance of the City of Denton, approving an insurance claim payment from Affiliated FM Insurance Company for damage to property located at 601 East Hickory, and authorizing the City Manager, or her designee, to execute the same; and declaring an effective date.

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

[Exhibit 2 - Payment letter](#)

[Exhibit 3 Ordinance](#)

[Exhibit 4 - Claim Summary](#)

[Exhibit 5 - Claim Detail - Schedule B](#)

[Exhibit 6 - BMS CAT Invoice - City Jail](#)

[Exhibit 7 - BMS CAT Invoice - Jail & Courts](#)

- V. [ID 23-2224](#) Consider approval of a resolution of the City of Denton opting out of proposed class action settlement agreements for the Aqueous Film-Forming Foam (AFF) Product Liability Litigation (MDL 2872); District Court of the District of South Carolina, Master

Docket No. 2:18-MN-2873-RMG

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

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 23-1863](#) Consider adoption of an ordinance of the City of Denton adopting a schedule of fees, updating the existing charges and fees for use of city owned property and facilities, and for city services provided at or by parks and recreation department; superseding prior fee schedules; providing severability and repealer clauses; and providing for an effective date.

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2- Ordinance](#)
 [Exhibit 3- Presentation](#)
 [Exhibit 4- FY 23-24 Schedule of Fees \(Redline\)](#)
 [Exhibit 5- FY 23-24 Schedule of Fees \(Clean\)](#)

- B. [ID 23-2117](#) 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 construction phase services for Neighborhood 2 and 6 Improvements for the Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8055 - awarded to Sundt Construction, Inc., including the first Guaranteed Maximum Price in the partial not-to-exceed amount of \$13,889,600.00).

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

- C. [ID 23-2133](#) 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 Stealth Partner Group, LLC, for Individual and Aggregate Stop Loss (Reinsurance) Insurance coverage for the Human Resources Department; providing for the expenditure of funds therefor, and providing an effective date (RFP 8339 - awarded to Stealth Partner Group, LLC, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$38,864,326.00).

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

- D. [ID S23-0002c](#) Consider a motion to reconsider the November 7, 2023 denial of a Specific Use Permit (File ID S23-0002b) to allow a building no more than 53 feet in height on approximately 2.695 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. (S23-0002c, Stuart Apartments, Mia Hines)

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

5. 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 November 10, 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.