



# City of Denton

## Meeting Agenda

### City Council

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

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Tuesday, June 4, 2019

1:00 PM

Work Session Room & Council Chambers

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#### **WORK SESSION BEGINS AT 1:00 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, June 4, 2019, at 1:00 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 this agenda.**

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

- A. [ID 19-1192](#) Receive a report, hold a discussion and give staff direction regarding the Water Fiscal Year 2019-20 Operating and Capital Budget.

**Attachments:** [Exhibit 1 Agenda Information Sheet Water.docx](#)  
[Exhibit 2 FY2019-20 Water Mini Budget Book.pdf](#)  
[Exhibit 3 Water Budget Presentation.pdf](#)

- B. [ID 19-1193](#) Receive a report, hold a discussion and give staff direction regarding the Wastewater and Drainage Fiscal Year 2019-20 Operating and Capital Budget.

**Attachments:** [Exhibit 1 - Agenda Informaiton Sheet Wastewater, Drainage.pdf](#)  
[Exhibit 2 FY2019-2020 Wastewater, Drainage Mini Budget Book](#)  
[Exhibit 3 Wastewater Budget Presentation.pdf](#)  
[Exhibit 4 Drainage Budget Presentation](#)

- C. [ID 19-1194](#) Receive a report, hold a discussion and give staff direction regarding the Customer Service Fiscal Year 2019-20 Operating Budget.

**Attachments:**      [Exhibit 1 Customer Service Agenda Information Sheet.pdf](#)  
                                 [Exhibit 2 Presentation](#)  
                                 [Exhibit 3 ISR Credit and Collections Follow-Up.pdf](#)  
                                 [Exhibit 4 Interfaith Ministries Inc Evaluation and Follow-Up.pdf](#)

- D.    [ID 19-1202](#)      Receive a report, hold a discussion, and provide staff direction regarding the fee charged to commercial accounts when utilizing the online and phone payment channel.

**Attachments:**      [Exhibit 1 - Agenda Informaiton Sheet.pdf](#)  
                                 [Exhibit 2 - Presentation.pdf](#)

- E.    [ID 19-1205](#)      Receive a report, hold a discussion, and give staff direction regarding an internal audit of the Police Property Room.

**Attachments:**      [Exhibit 1- Agenda Information Sheet](#)  
                                 [Exhibit 2 - Audit of the Police Property Room Cover Sheet](#)  
                                 [Exhibit 3 - Audit of the Police Property Room Report](#)  
                                 [Exhibit 4 - Audit of the Police Property Room Presentation](#)

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.

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**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 19-1090](#)      Resolution of Appreciation for Tim Fisher.
- B.    [ID 19-1263](#)      National Pollinator Week
- C.    [ID 19-1265](#)      Denton LGBTQ Pride Month

**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 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 – J). 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 19-1041](#) Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton Music and Arts Collaborative; providing for the expenditure of funds; authorizing the City manager, or his designee, to execute said agreement; and providing for an effective date. (\$500)

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

- B. [ID 19-1126](#) Consider approval of a resolution appointing Frank Pugsley as the City's representative to serve as a member of the Board of Directors of the Upper Trinity Regional Water District; and providing an effective date. The Public Utilities Board recommends approval 6-0.

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - UTRWD Board appointment resolution](#)

- C.    [ID 19-1146](#)    Consider adoption of an ordinance by the City of Denton, Texas, authorizing the City Manager to sign and submit to the Department of Housing and Urban Development a 2019 Action Plan for Housing and Community Development with appropriate certifications, as authorized and required by the Housing and Community Development Act of 1974, as amended, and the National Affordable Housing Act of 1990, as amended; authorizing the Community Development Manager and Community Development Coordinator to sign release of liens and subordination agreements upon certain conditions; and providing for an effective date.

Attachments:      [Exhibit 1-AIS-Adoption of the Action Plan](#)  
                              [Exhibit 2-AP2019 Final Draft with Appendix](#)  
                              [Exhibit 3-Ordinance \(Action Plan\)](#)

- D.    [ID 19-1156](#)    Consider adoption of an ordinance of the City Council of the City of Denton, Texas, amending Chapter 22 “Parks and Recreation” of the Code of Ordinances, City of Denton, Texas by amending Section 22-6 “Public Art Committee” to provide that the Public Art Committee shall have the duty to make recommendations to the City Council related to cultural districts; amending Section 22-6 to add the Director of Economic Development as an ex-officio member of the Public Art Committee; and providing an effective date. The Public Art Committee recommends approval (6-0).

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

- E.    [ID 19-1157](#)    Consider adoption of a resolution of the City Council of the City of Denton designating the Original Denton District as a Cultural District; and providing an effective date. The Public Art Committee recommends approval (6-0).

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

- F.    [ID 19-1158](#)    Consider adoption of a resolution of the City Council of the City of Denton in support of the Original Denton District seeking state designation as an official cultural district from the Texas Commission on the Arts; and providing an effective date. The Public Art Committee recommends approval (6-0).

Attachments:      [Exhibit 1- Agenda Information Sheet](#)  
                              [Exhibit 2 - Resolution](#)  
                              [Exhibit 3 - Draft TCA Application](#)

- G.    [ID 19-1159](#)    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 Ponder Company, Inc., for the Replacement of Resilient Sports Gym Floor at City of Denton’s North Lakes Recreation Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 7005 - awarded to Ponder Company, Inc., in the not-to-exceed amount of \$100,595.45).

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

[Exhibit 2 - Bid Tabulation](#)

[Exhibit 3 - Ordinance and Contract](#)

- H. [ID 19-1174](#) Consider adoption of an ordinance of the City of Denton, approving a City co-sponsorship in an amount not to exceed \$18,167 of in-kind services and resources for the Denton Juneteenth Celebration, which will be held on Friday, June 14, 2019, from 6:00 p.m. to 11:30 p.m., and Saturday, June 15, 2019, from 8:00 a.m. to 12:00 a.m., at the Fred Moore Park; and providing an effective date.

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

[Exhibit 2 Ordinance](#)

[Exhibit 3 Sponsorship Approval Letter](#)

- I. [ID 19-1187](#) Consider adoption of an ordinance of the City of Denton, granting the Denton Juneteenth Celebration Committee a noise exception, pursuant to section 17-20 of the City of Denton Code of Ordinances, for the Denton Juneteenth Celebration, which will be held on Friday, June 14, 2019, from 6:00 p.m. to 11:30 p.m. and Saturday, June 15, 2019, from 8:00 a.m. to 12:00 a.m. at the Fred Moore Park; granting an increase in sound levels from 70 to 75 dba and a variance in hours of operation for amplified sound levels for an outdoor event; and providing an effective date.

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

[Exhibit 2 Ordinance](#)

- J. [ID 19-1190](#) Consider approval of the minutes of May 21, 2019.

Attachments:      [Exhibit 1 - May 21, 2019 Minutes](#)

## **6. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. [ID 19-1137](#) Consider adoption of an ordinance considering all matters incident and related to the issuance, sale and delivery of up to \$47,990,000 in principal amount of "City of Denton General Obligation Bonds, Series 2019"; authorizing the issuance of the Bonds; delegating the authority to certain City officials to execute certain documents relating to the sale of the Bonds; approving and authorizing instruments and procedures relating to said Bonds; enacting other provisions relating to the subject; and providing an effective date.

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

[Exhibit 4 - 2014 GO Bond Issuance Timeline.pdf](#)

[Exhibit 3 - Preliminary Official Statement.pdf](#)

[Exhibit 2 - Municipal Bond Rates.pdf](#)

[Exhibit 5 - Ordinance.pdf](#)

- B. [ID 19-1138](#) Consider adoption of an ordinance considering all matters incident and related to the issuance, sale and delivery of up to \$26,720,000 in principal amount of "City of Denton Certificates of Obligation, Series 2019" for General Government and Technology Services; authorizing the issuance of the Certificates; delegating the authority to certain

City officials to execute certain documents relating to the sale of the Certificates; approving and authorizing instruments and procedures relating to said Certificates; enacting other provisions relating to the subject; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet.pdf](#)  
                                 [Exhibit 2 - Preliminary Official Statement.pdf](#)  
                                 [Exhibit 3 - Ordinance.pdf](#)

- C.    [ID 19-1191](#)    Consider nominations/appointments to the City's Boards, Commissions, and Committees: Committee on Persons with Disabilities, Health & Building Standards Commission, Historic Landmark Commission, Special Citizens Bond Advisory Committee, and Zoning Board of Adjustment.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet B&C 6-04-2019](#)  
                                 [Exhibit 2 - Nominations Sheet 6.04.2019 - Updated](#)

## **7. PUBLIC HEARINGS**

- A.    [DCA19-0004](#)    Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, amending Subchapters 5, 8, 14, and 23 of the Denton Development Code by adding definitions, development standards, and minimum parking standards for supportive residential and treatment facility uses; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing for severability; and establishing an effective date. The Planning and Zoning Commission recommended approval (6-0). (DCA19-0004e, Treatment Centers, Julie Wyatt)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Staff Analysis](#)  
                                 [Exhibit 3 - Proposed Subchapter 5](#)  
                                 [Exhibit 4 - Proposed Subchapter 8](#)  
                                 [Exhibit 5 - Proposed Subchapter 14](#)  
                                 [Exhibit 6 - Proposed Subchapter 23](#)  
                                 [Exhibit 7 - Texas Health and Safety Code Chapter 464](#)  
                                 [Exhibit 8 - "Municipal Issues and Sober Homes"](#)  
                                 [Exhibit 9 - Joint Statement of the Department Of HUD and the Department Of Ju](#)  
                                 [Exhibit 10 - Americans with Disabilities Act of 1990, as amended](#)  
                                 [Exhibit 11 - Planning and Zoning Commission May 15, 2019 Meeting Minutes](#)  
                                 [Exhibit 12 - Presentation](#)  
                                 [Exhibit 13 - Draft Ordinance](#)

- B.    [S19-0009a](#)    Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a Specific Use Permit for a Treatment Facility on an approximately 4.4-acre site, generally located on the east side of North Ruddell Street, approximately 495 feet north of Mingo 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. The Planning and Zoning Commission

recommended approval (6-0). (S19-0009a, Ruddell Campus, Julie Wyatt)

**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 - Conceptual Site Plan](#)

[Exhibit 7 - Project Narrative](#)

[Exhibit 8 - Notification Map](#)

[Exhibit 9 - Planning and Zoning Commission May 15, 2019 Meeting Minutes](#)

[Exhibit 10 - Presentation](#)

[Exhibit 11 - Draft Ordinance](#)

- C. [Z19-0002b](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a change in the zoning classification from a Downtown Commercial Neighborhood (DC-N) zoning district and use classification to a Downtown Commercial General (DC-G) zoning district and use classification on approximately 0.964 acres of land generally located at the northwest corner of the intersection of W. Mulberry Street and S. Carroll Boulevard, 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 establishing an effective date. The Planning and Zoning Commission recommends approval (7-0). (Z19-0002b, Denton Bank, Cindy Jackson)

**Attachments:**

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Existing Zoning Map](#)

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

[Exhibit 6 - Proposed Zoning Map](#)

[Exhibit 7 - Comparison of Permitted Uses](#)

[Exhibit 8 - Applicant Project Narrative](#)

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

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

[Exhibit 11 - Draft Ordinance](#)

- D. [S19-0007b](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a specific use permit to allow a drive-through facility in association with a bank on a property generally located in a Downtown Commercial General (DC-G) zoning district and use classification on approximately 0.964 acres of land generally located at the northwest corner of the intersection of W. Mulberry Street and S. Carroll Boulevard, 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 establishing an effective date. The Planning and Zoning Commission recommends approval with conditions (7-0). (S19-0007, Denton Bank, Cindy Jackson)

**Attachments:**

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Zoning Map](#)

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

[Exhibit 6 - Concept Plan](#)

[Exhibit 7 - Landscape Plan](#)

[Exhibit 8 - Applicant Project Narrative](#)

[Exhibit 9 - Notification Map](#)

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

[Exhibit 11 - Draft Ordinance](#)

- E. [DCA18-0007](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, amending the 2002 Denton Development Code as currently amended: to add Subchapter 35.25 The Denton Square District; to add Section 35.25.2.1.2.A, Design Standards Review Procedures, listing a new type of planning procedure; to add Table 35.25.2.10-A: Summary of Development Review Procedures, illustrating a new type of planning procedure; to add Section 35.25.2.10 Design Standards Review Procedures, establishing procedures for processing an application for a Certificate of Design Consistency; to add Section 35.25.4.10 the Denton Square District, establishing a design district and providing for design standards for new construction and certain repairs and renovations in the Denton Square area; providing an appeals process; providing that this ordinance shall be cumulative; providing for severability; providing a penalty clause in the maximum amount of \$2,000.00 for violations thereof; providing a savings clause; providing a repealer clause; providing for publication in the official newspaper; and establishing an effective date. (DCA18-0007e, The Denton Square District, Sean Jacobson).

**Attachments:**

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Staff Presentation](#)

[Exhibit 3 - Standards and Guidelines for the Denton Square District](#)

[Exhibit 4 - Understanding the Square District](#)

[Exhibit 5 - Draft Ordinance](#)

[Exhibit 6 - Public Forum Feedback Notes](#)

[Exhibit 7 - Public Notification Response Map](#)

## **8. 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.