

City of Denton

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

Meeting Agenda City Council

Tuesday, June 18, 2019

12:00 PM

Work Session Room & Council Chambers

WORK SESSION BEGINS AT 12:00 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 18, 2019, at 12:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

WORK SESSION

1. Citizen Comments on Consent Agenda Items

This section of the agenda allows citizens to speak on Consent Agenda Items only. Each speaker will be given a total of three (3) minutes to address any items he/she wishes that are listed on the Consent Agenda. A Request to Speak Card should be completed and returned to the City Secretary before Council considers this item.

2. Requests for clarification of agenda items listed on this agenda.

3. Work Session Reports

A. <u>ID 19-856</u> Receive a report, hold a discussion, and give staff direction regarding construction budgeting considerations and construction procurement methods.

Attachments: Exhibit 1 - Agenda Information Sheet

Exhibit 2 -Construction Budget Considerations Presentation rev

Exhibit 3 - Construction Procurement Options

B. ID 19-1353 Receive a report, hold a discussion, and give staff direction regarding a pilot program for valet solid waste and recycling services for the downtown area.

<u>Attachments:</u> Agenda Information Sheet

Presentation - Industrial Valet Pilot - V2

C. <u>ID 19-1320</u> Receive a report, hold a discussion, and give staff direction regarding the 2019 Boards & Commissions Nominee Screening and Appointment Process.

Attachments: Exhibit 1 - Agenda Information Sheet

Exhibit 2 - B&C Screening & Appointment Process 2019

D. ID 19-1323 Receive a report, hold a discussion, and give staff direction regarding the General Fund preliminary FY 2019-20 Proposed Budget, Capital Improvement Program, and Five Year Financial Forecast.

<u>Attachments:</u> Exhibit 1 - Agenda Information Sheet.pdf

Exhibit 2 Preliminary Financial Forecast Presentation.pdf

Exhibit 3 General Fund Supplementals.pdf

E. <u>ID 19-1423</u> Receive a report, hold a discussion, and give direction regarding departmental presentations in preparation for the FY 2019-20 Proposed Budget, Capital Improvement Program, and Five Year Financial Forecast.

Attachments: Exhibit 1 - Agenda Information Sheet.pdf

Exhibit 2 - Materials Management Budget Presentation.pdf

Exhibit 3 - Airport Budget Presentation.pdf

Exhibit 4 - Public Affairs, Cable TV Budget Presentation.pdf

Exhibit 5 - Community Development Budget Presentation.pdf

F. ID 19-651 Receive a report, hold a discussion, and give staff direction regarding the Development Services Fees.

Attachments: Exhibit 1 - Agenda Information Sheet

Exhibit 2 - HB852

Exhibit 3 - Presentation

Following the completion of the Work Session, the City Council will convene in a Closed Meeting to consider specific items when these items are listed below under the Closed Meeting section of this agenda. The City Council reserves the right to adjourn into a Closed Meeting on any item on its Open Meeting agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

1. Closed Meeting:

A. <u>ID 19-1409</u> Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff, discuss, deliberate, and provide staff with direction pertaining to the potential acquisition of real property interests in the Hiram Sisco Survey, Abstract No. 1184, Denton County, Texas, and located generally along the south side of East McKinney Street, between Railroad Avenue and North Bradshaw Street, City of Denton, Texas. Consultation with the City's attorneys regarding legal issues associated with the potential acquisition or condemnation of the real property interests described above where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation. (Police Department Expansion)

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.

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

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.
- **A.** <u>ID 19-1414</u> Layla Comeans regarding citizen support for the Denton Basic Service Center project.
- **B.** <u>ID 19-1401</u> Joel Hunt regarding homelessness.
- C. ID 19-1392 Jane Piper-Lunt regarding homelessness.
- **D.** <u>ID 19-1430</u> Edward Prout regarding liquor establishments to be located immediately next to/across the street from Melrose Apartments.

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 - O). 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. <u>ID 19-1103</u> Consider adoption of a resolution establishing Naming Policy Guidelines for City buildings, facilities, land or any portion thereof; repealing Resolution No. R2012-007; and declaring an effective date.

Attachments: Exhibit 1 Agenda Information Sheet

Exhibit 2 Resolution

Exhibit 3 Proposed Amendments - Redline

B. ID 19-1272 Consider approval of the minutes of June 4, 2019.

Attachments: Exhibit 1 - June 4, 2019 Minutes

C. ID 19-1288 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 PerkinElmer Health Sciences, Inc., for the supply of Inductively Coupled Plasma - Mass Spectrometer Instrument, System Controller and Software; providing for the expenditure of funds therefor; and providing an effective date (RFP 7036-awarded to PerkinElmer Health Sciences, Inc., in the five (5) year not-to-exceed amount of \$149,118). The Public Utilities Board recommends approval (6-0).

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<u>Attachments:</u> Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Pricing Evaluation

Exhibit 3 - Ordinance and Contract

D. <u>ID 19-1289</u>

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 Delta Fuel Company, LLC, for the supply of Denton Energy Center Lubricating Oil; providing for the expenditure of funds therefor; and providing an effective date (IFB 7064 - awarded to Delta Fuel Company, LLC, in the three (3) year not-to-exceed amount of \$1,182,600). The Public Utilities Board recommends approval (6-0).

<u>Attachments:</u> <u>Exh</u>

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Bid Tabulation

Exhibit 3 - LLC Members

Exhibit 3 - Ordinance and Contract

E. ID 19-1290

Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute a contract with Dallas Lite & Barricade, Inc., through an Interlocal Cooperative Purchasing Agreement with the City of Arlington, Bid Number 18-0096, under the Government Code, Chapter 791.001, to authorize City of Denton contracts for the acquisition of barricades to be used throughout the City by various departments; authorizing the expenditure of funds therefor; and declaring an effective date (File 7078 - awarded to Dallas Lite & Barricade, Inc., for one (1) year, with the option for two (2) additional one (1) year extensions, in the total (3) year not-to-exceed amount of \$300,000). The Public Utilities Board recommends approval (6-0).

Attachments:

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - City of Arlington Bid Tabulation

Exhibit 3 - Ordinance and Contract

F. ID 19-1291

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 Gershman, Brickner & Bratton, Inc., amending the contract approved by Purchasing Staff on December 20, 2018, in the not-to-exceed amount of \$48,000; said first amendment to provide the design, evaluation, and procurement of an inventory management and customer work order management system for Solid Waste and Recycling Departments in the amount of \$38,000; providing for the expenditure of funds therefor; and providing an effective date (File 6963 - providing for an additional first amendment expenditure amount not-to-exceed \$38,000, with the total contract amount not-to-exceed \$86,000). The Public Utilities Board recommends approval (6-0).

Attachments:

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Original Contract

Exhibit 3 - Ordinance and Amendment

G. <u>ID 19-1292</u>

Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, accepting competitive bids and awarding a contract for the supply of Traffic Signal Hardware for the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 7019 - awarded to the lowest responsive bidder for each line item: Consolidated Traffic Controls, Inc., in a total not-to-exceed amount of \$375,000; Mobotrex, Inc., in a total not-to-exceed amount of \$375,000; Paradigm Traffic Systems, Inc., in a total not-to-exceed amount of \$540,000; Texas Highway Products, LTD., in a total not-to-exceed amount of \$1,380,000; in a total three (3) year, not-to-exceed amount of \$2,670,000).

Attachments:

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Bid Tabulation

Exhibit 3 - Ordinance and Contract

H. ID 19-1312

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 Presidio Networked Solutions Group, LLC for the purchase of LogRhythm Security Information and Event Management through Department of Information Resources (DIR) Cooperative Purchasing Network, Contract Number DIR-TSO-3847; providing for the expenditure of funds therefor; and providing an effective date (File 7082 - awarded to Presidio Networked Solutions Group, LLC, in the not-to-exceed amount of \$188,748.01).

Attachments:

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - LLC Members

Exhibit 3 - Quote

Exhibit 4 - Ordinance

I. <u>ID 19-1314</u>

Consider adoption of a resolution of the City Council of the City of Denton authorizing the City Manager to execute an agreement with the Texas Historical Commission to participate in the Main Street Program demonstrating the City of Denton's commitment to continue as a "Sustaining Level Official Main Street City" and authorizing payment of the annual fee in the amount of \$2,600; and providing an effective date.

Attachments:

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Resolution and Contract

J. <u>ID 19-1315</u>

Consider adoption of an ordinance of the City Council of the City of Denton, Texas, approving a grant application for JCN Investments, LLC, representing The Loophole, from the Downtown Reinvestment Grant Program not to exceed \$10,000; and providing for an effective date. The Economic Development Partnership Board recommends approval (8-0).

Attachments:

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Ordinance and agreement

Exhibit 3 - LLC Search

K. ID 19-1336

Consider adoption of a resolution of the City of Denton, Texas establishing an acceptance of sponsorships and donations policy; and declaring an effective date.

Attachments: Exhibit 1 Agenda Information Sheet

Exhibit 2 Resolution

Exhibit 3 Proposed Sponsorships and Donations Policy

Exhibit 4 Application Form

L. <u>ID 19-1337</u>

Consider approval of an ordinance of the City of Denton authorizing the City Manager, or his designee, to enter into a development agreement between the City of Denton and Country Lakes West, LLC for the development of park land and construction of park improvements for a neighborhood park at the Country Lakes West Phase Three subdivision; authorizing the expenditure of funds therefor; and providing an effective date.

Attachments:

Exhibit 1 Agenda Information Sheet

Exhibit 2 Ordinance and Agreement

Exhibit 3 Park Location Map

Exhibit 4 Correspondence April 25, 2017 Exhibit 5 Correspondence May 12, 2017

Exhibit 6 Proposed Concept Plan

Exhibit 7 Park Grading Plan

Exhibit 8 Country Lakes West, LLC Ownership Information

N. ID 19-1431

Consider adoption of an ordinance adopting a new interim fee for building permits, needed for interim compliance with a statute having an immediate effective date, pending completion of a new fee study; superseding the prior value-based building permit fee for residential structures, to the limited effect of such conflict; providing for severability; and establishing an effective date.

Attachments:

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - HB852
Exhibit 3 - Ordinance

O. ID 19-1433

Consider adoption of an ordinance of the City of Denton releasing, abandoning, and vacating a public access easement granted to the City of Denton by Windy Hill Development company, recorded as Instrument No. 1996-78213 in the Real Property Records, Denton County, Texas; providing for severability and an effective date. (EAR19-0004 Harvest Hill Addition, temporary turn-around easement abandonment - Mark Laird)

Attachments:

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Location Map

Exhibit 3 - Site Map

Exhibit 4 - Ordinance

Exhibit 5 - Request

Exhibit 6 - Vesting Deed

Exhibit 7 - Harvest Hill filed plat

Exhibit 8 - Public Access Easement 1996-78213

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5. ITEMS FOR INDIVIDUAL CONSIDERATION

A. <u>ID 19-1121</u>

Consider an appeal of the Historic Landmark Commission denial of an amendment to an existing Certificate of Appropriateness for the expansion of a mural to the front façade of a local designated landmark building located at 122 North Locust (COA17-0010, 122 N. Locust) The Historic Landmark Commission recommends denial (7-0).

Attachments:

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Agenda Information Sheet and backup from City Council December 4

B. <u>ID 19-1160</u>

Consider adoption of an ordinance of the City of Denton amending the Code of Ordinances, related to Chapter 25, titled "Streets, Sidewalks and Public Places" Article V, titled "Special Events;" providing a repealer; providing severability; providing codification; confirming proper notice and meeting; and providing for an effective date.

Attachments:

Exhibit 1 Agenda Information Sheet .pdf

Exhibit 2 Presentation.pdf
Exhibit 3 Draft Ordinance.pdf

C. <u>ID 19-1375</u>

Consider appointments to City Council Committees.

Attachments:

Exhibit 1 -Agenda Information Sheet

Exhibit 2 - Council Committee Preferences Updated June 13

Exhibit 3 - Council Committee Narrative

D. ID 19-1417

Consider approval of a resolution of the City Council of the City of Denton appointing an alternate representative to the Denton County Transportation Authority Board of Directors; providing a repealer; and providing an effective date.

Attachments:

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Resolution

E. ID 19-1438

Consider a motion to reconsider the June 11, 2019 approval of an ordinance of the City of Denton, Texas, regarding a change in the zoning district and use classification (ZCI 19-0024a) from a Downtown Commercial General (DC-G) to a Highway Corridor (HC) zoning district and use classification, on approximately 8.32 acres of land, generally located on the northwest corner of I-35E and Fort Worth Drive 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 (City Initiated Zoning Change - Area 24, Richard Cannone).

Attachments:

Exhibit 1 - Agenda Information Sheet

6. PUBLIC HEARINGS

A. Z18-0025b

Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a request by Denton West Joint Venture to amend Ordinance 2014-075 to remove overlay restrictions on approximately 8.627 acres of land zoned Neighborhood Residential Mixed Use (NRMU) District, generally located on the north side of East Ryan

Road, approximately 850 feet west of Teasley Lane 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. THIS ITEM HAS BEEN POSTPONED AND WILL BE NOTICED FOR A LATER DATE. (Z18-0025, Hunters Creek, Julie Wyatt)

Attachments:

Exhibit 1 - Agenda Information Sheet

B. S19-0004b

Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a request by Denton West Joint Venture for a Specific Use Permit for multi-family dwellings on approximately 8.627 acres of land zoned Neighborhood Residential Mixed Use (NRMU) District, generally located on the north side of East Ryan Road, approximately 850 feet west of Teasley Lane 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. THIS ITEM HAS BEEN POSTPONED AND WILL BE NOTICED FOR A LATER DATE. (S19-0004, Hunters Creek, Julie Wyatt)

Attachments:

Exhibit 1 - Agenda Information Sheet

C. S19-0008a

Hold a public hearing and consider adoption of an ordinance amending Specific Use Permit Ordinance 2017-222 to allow for a change in the previously approved building facades within a multi-family development on approximately 0.9 acre. The property is generally located on the north side of the Riney Road and Riney Court intersection in the City of Denton, Denton County, Texas; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. (S19-0008, Riney Road Apartments, Hayley Zagurski).

Attachments:

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Staff Analysis

Exhibit 3 - Aerial Map

Exhibit 4 - Zoning Map

Exhibit 5 - Future Land Use Map

Exhibit 6 - Approved Site Plan

Exhibit 7 - Approved Landscape Plan

Exhibit 8 - Approved Building Elevations

Exhibit 9 - Proposed Building Elevations

Exhibit 10 - Ordinance 2017-222

Exhibit 11 - LLC Members List

Exhibit 12 - Notification Map & Responses

Exhibit 13 - Presentation

Exhibit 14 - Draft Planning and Zoning Commission Meeting Minutes

Exhibit 15 - Draft Ordinance

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.

CERTIFICATE

I certify that the above	notice of meeting w	vas posted on the bulle	tin board at the City Hall of	the City of
Denton, Texas, on the	day of	, 2019 at	o'clock (a.m.) (p.m.)	
			CITY O	ECRETARY
			CHYSI	CURETARY.

NOTE: THE CITY OF DENTON CITY COUNCIL WORK SESSION ROOM AND COUNCIL **CHAMBERS** ARE **ACCESSIBLE** IN **ACCORDANCE** WITH THE **AMERICANS** DISABILITIES ACT. THE CITY WILL PROVIDE SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED 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.