



# City of Denton

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

## Meeting Agenda

### City Council

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Tuesday, February 20, 2024

2:00 PM

Council Work Session Room  
&  
Council Chambers

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**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**

**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.

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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](http://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](http://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.

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After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, February 20, 2024 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 24-327](#) Meeting Questions, Responses & Handouts**

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

**3. Work Session Reports**

- A. [ID 24-109](#) Receive a report, hold a discussion, and give staff direction regarding potential subject matter to be discussed by a future Charter Review Committee.  
[Estimated Presentation/Discussion Time: 45 minutes]  
**Attachments:** [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Presentation](#)  
[Exhibit 3 - Denton City Charter](#)  
[Exhibit 4 - Charter Significant Areas Summary](#)
- B. [ID 24-114](#) Receive a report, hold a discussion, and give staff direction regarding the FY 2023-24 Operating Budget, Capital Improvement Program, and Five-Year Financial Forecast for Denton Municipal Electric.  
[Estimated Presentation/Discussion Time: 45 minutes]  
**Attachments:** [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Presentation](#)
- C. [ID 24-217](#) Receive a report, hold a discussion, and give staff direction regarding a Crypto Mining Data Center Project.  
[Estimated Presentation/Discussion Time: 30 minutes]  
**Attachments:** [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Presentation](#)

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 24-117](#) 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 financial matters regarding the Denton Municipal Electric FY 2023-24 operating budget and financial forecast to the extent such projects are confidential under Texas Government Code Section 551.086; discuss, deliberate, and provide direction to staff regarding same. Consultation with City's attorneys under Texas Government Code Section 551.071 regarding legal issues associated 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 Rules 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 24-169](#) Deliberations Regarding Certain Public Power Utilities Competitive Matters - Under

Texas Government Code Section 551.086.

Receive a presentation from staff containing competitive power information related to a proposed power purchase agreement and lease between the City of Denton, as the seller of power and electric energy services, and lessor, and a cryptocurrency mining operator, as buyer and lessee; discuss, deliberate, and provide direction to staff regarding the same.

C. [ID 24-325](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consult with the City's attorneys on the legal status, strategy and options for resolution of litigation in Cause No. CV-2024-00042, styled "State Farm Mutual Automobile Insurance Company as Subrogee of Antonee Bean v. City of Denton" pending in the Denton County Court at Law No. 2, Denton County, Texas; 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 in pending litigation.

D. [ID 24-374](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consult with City attorneys regarding an amendment to an existing Planned Development District (PD 174, Country Lakes), with amendments including but not limited to, modification to the development plan to increase seating and parking capacity and modify access, 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 in any administrative proceeding or potential litigation.

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. U.S. 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.

- a. [ID 24-305](#) Stephen Dillenberg regarding "The usurpation of the law by Denton City Council is killing us. Their actions are not compliant with Local, State nor Federal Law, so frequently in fact, I asked why, and one of them actually told me, “We can do whatever we want.”
- b. [ID 24-308](#) Amira Rasoul regarding Free Palestine Denton.
- c. [ID 24-309](#) Justin Weis regarding Ceasefire Resolution.
- d. [ID 24-310](#) Malak Abu-esheh regarding Palestine.
- e. [ID 24-320](#) Deb Armintor regarding Ceasefire Resolution.
- f. [ID 24-332](#) Kristine Bray regarding Abundance Denton petition for using the 2024 TRiP funds for getting more buses on the road in Denton.

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 – AD). 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 24-086](#) Consider approval of the minutes of the February 6, 2024 Regular Meeting.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - February 6, 2024 Minutes](#)
- B. [ID 24-094](#) 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 24-184](#) Consider approval of a resolution of the City of Denton providing the December 13, 2023 meeting absence by Planning and Zoning Commission Member Jason Cole be excused; and declaring an effective date.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Draft Resolution and Exhibit](#)
- D. [ID 23-1380](#) 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 Habitat for Humanity of Denton County, Inc. to provide HOME Investment Partnership Program funds for the new construction of four (4) homebuyer units located at Habitat Village (located in Southeast Denton between Duncan St. and Hill St. and along Smith St.), Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$309,350.93; and providing an effective date.
- Attachments: [Exhibit 1 – Agenda Information Sheet](#)  
[Exhibit 2 – Ordinance and Agreement with Habitat for Humanity of Denton Cour](#)
- E. [ID 23-1909](#) Consider adoption of an ordinance of the City of Denton approving the aquatics master plan; and providing an effective date. The Parks, Recreation and Beautification Board

recommends approval (5-0).

**Attachments:**      [Exhibit 1- Agenda Information Sheet](#)  
                                 [Exhibit 2- Ordinance](#)  
                                 [Exhibit 3- Aquatics Master Plan](#)

- F.    [ID 23-2291](#)    Consider adoption of an ordinance of the City of Denton authorizing the City Manager to enter into a Development Agreement between the City of Denton and Curve Development, LLC and Cyrene at Hickory Creek, LLC for the granting of a Public Access Easement for a park trail, for the construction of trail improvements, and for the planting of trees within the Hickory Creek Road Medians; authorizing acceptance of the public access easement; and providing an effective date. The Parks, Recreation, and Beautification Board recommends approval (7-0)

**Attachments:**      [Exhibit 1- Agenda Information Sheet](#)  
                                 [Exhibit 2- Ordinance](#)  
                                 [Exhibit 3- Development Agreement](#)  
                                 [Exhibit 4- Presentation](#)  
                                 [Exhibit 5- LLC Verification](#)

- G.    [ID 24-189](#)    Consider adoption of an ordinance of the City of Denton, a Texas home rule municipality, authorizing the city manager, or designee, to execute an encroachment on easement agreement by and between the City of Denton, as grantor, and Denton ANUSA, LLC, as grantee, for the purpose of the construction and placement of private improvements that encroach into a city owned electric utility easement, recorded in document no. 2015-42438 of the official public records of Denton County and being located in the G. Walker survey, abstract no. 1130, City of Denton, Denton County, Texas; providing an effective date.

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

- H.    [ID 24-247](#)    Consider adoption of an ordinance of the City of Denton approving an Assignment of Airport Lease from Hangar 10 Flying Museum to Sykes-Vaughan Investments, LLC covering property at 1945 Matt Wright Lane, Denton, Texas at the Denton Enterprise Airport; amending the existing Airport Lease; authorizing the City Manager to execute the Assignment of Airport Lease and Consent Agreement; and providing an effective date. Airport Advisory Board recommends approval (6-0).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Location Map](#)  
                                 [Exhibit 3 - Request to Assign](#)  
                                 [Exhibit 4 - Ordinance - Consent to Lease Assignment](#)  
                                 [Exhibit 5 - LLC Information](#)

- I.    [ID 24-268](#)    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 Stearns, Conrad and Schmidt Consulting



Engineers, Inc., amending the contract approved by Purchasing on December 16, 2020, in the not-to-exceed amount of \$23,000.00; amended by Amendment 1 approved by Purchasing; said second amendment to provide a pricing evaluation and update of the original Scope of Work for the Landfill Gas To Energy Project for the Solid Waste and Recycling Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7109-017 - providing for an additional second amendment expenditure amount not-to-exceed \$30,000.00, with the total contract amount not-to-exceed \$55,435.00).

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

- J.    [ID 24-269](#)    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 HDR Engineering, Inc., amending the contract approved by City Council on November 1, 2022, in the not-to-exceed amount of \$217,106.50, said first amendment to provide Lead and Copper Public Outreach and Crisis Communication Plan for the Water Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7574-019 - providing for an additional first amendment expenditure amount not-to-exceed \$93,375.50, with the total contract amount not-to-exceed \$310,482.00).

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

- K.    [ID 24-270](#)    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 Open Systems International, Inc., for the implementation of an Advanced Distribution Management System (ADMS) for Denton Municipal Electric; providing for the expenditure of funds therefore; and providing an effective date (RFP 8255 - awarded to Open Systems International, Inc., in the six (6) year not-to-exceed amount of \$3,800,000.00).

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

- L.    [ID 24-271](#)    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 DNV GL Noble Denton USA, LLC, for the development and implementation of Data Extraction Solution and the Annual Maintenance and Support of Synergi Electric software for Denton Municipal Electric, 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 8322 - awarded to DNV GL Noble

Denton USA, LLC, in the two (2) year not-to-exceed amount of \$125,000.00).

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

- M. [ID 24-272](#)      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 Doble Engineering Company, for the purchase of PRC-005 Compliance Software for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 8350 - awarded to Doble Engineering Company, 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 \$252,222.35).

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

- N. [ID 24-273](#)      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 Hammett Excavation, Inc., for the Moseley Road Landfill Erosion Maintenance Project for the Solid Waste Department; providing for the expenditure of funds therefor; and providing an effective date (CSP 8354 - awarded to Hammett Excavation, Inc., in the not-to-exceed amount of \$1,156,005.17).

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

- O. [ID 24-274](#)      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 27kV circuit breakers for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (IFB 8369 - awarded to Techline, Inc., in the not-to-exceed amount of \$1,145,250.00).

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

- P. [ID 24-276](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, approving a pre-qualified professional services list of state certified Engineers for professional engineering services for various capital infrastructure-related projects within the City of Denton for the Capital Improvements Department; and providing an effective date (RFQ 8377 - for a two (2) year, with the option for one (1) additional one (1) year extension, in the total three (3) year term).

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

- Q. [ID 24-277](#) 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 Aerowave Technologies, LLC, through the Buy Board Cooperative Purchasing Network Contract # 696-23, for the purchase and installation of in-cab radios for the Solid Waste and Recycling Department; providing for the expenditure of funds therefor; and providing an effective date (File 8415 - awarded to Aerowave Technologies, LLC, 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 \$79,500.00).
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Ordinance and Contract](#)
- R. [ID 24-278](#) 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 Universe Technical Translation, Inc., through the Buy Board Cooperative Purchasing Network Contract # 699-23, for the purchase of telephone interpreter services for the Customer Service Department; providing for the expenditure of funds therefor; and providing an effective date (File 8435 - awarded to Universe Technical Translation, Inc., for one (1) year, with the option for two (2) additional one (1) year extensions, in the total three (3) year in the not-to-exceed amount of \$300,000.00).
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Ordinance and Contract](#)
- S. [ID 24-279](#) 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 Axis Construction, LP, through the Buy Board Cooperative Purchasing Network Contract # 662-22, for the installation and procurement of elevated water storage tank mixers for the Water Production Department; providing for the expenditure of funds therefor; and providing an effective date (File 8445 - awarded to Axis Construction, LP, 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 \$90,000.00).
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Cooperative Pricing](#)  
[Exhibit 3 - Ordinance and Contract](#)
- T. [ID 24-280](#) 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 GT Distributors, Inc., amending the contract approved by the City Council on October 13, 2020, in the not-to-exceed amount of \$393,000.00; said first amendment to continue to provide public safety equipment and supplies for the Fire and Police Departments; providing for the expenditure of funds therefor; and providing an effective date (File 7479 - providing for an additional first amendment expenditure amount not-to-exceed \$98,250.00, with the total contract amount not-to-exceed \$491,250.00).

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

- U.    [ID 24-281](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a third amendment to a Professional Services Agreement between the City of Denton and Howell Design Group, LLC (HDG), amending the contract approved by Purchasing on May 28, 2021, in the not-to-exceed amount of \$45,000.00; amended by Amendments 1-2 approved by City Council; said third amendment for additional expedited security consulting and design services for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (PSA 7723 - providing for an additional third amendment expenditure amount not-to-exceed \$150,000.00, with the total contract amount not-to-exceed \$797,300.00).

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

- V.    [ID 24-282](#)      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 Artistic Painting Company, Inc., amending the contract approved by the City Council on June 7, 2022, in the not-to-exceed amount of \$600,000.00; said first amendment to continue to provide interior and exterior painting services for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7952 - providing for an additional first amendment expenditure amount not-to-exceed \$150,000.00, with the total contract amount not-to-exceed \$750,000.00).

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

- W.    [ID 24-283](#)      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 supply of traffic signal poles for the City of Denton Warehouse; providing for the expenditure of funds therefor; and providing an effective date (RFP 8422 - awarded to Techline, 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 \$2,500,000.00).

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

- X.    [ID 24-284](#)      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 Thermo Scientific Portable Analytical Instruments Inc., through the GSA Cooperative Purchasing Network Contract # GS-07F-6099R, for the purchase of one (1) Gemini Raman and FTIR Chemical Analyzer for the Fire Department; providing for the expenditure of funds

therefor; and providing an effective date (File 8456 - awarded to Thermo Scientific Portable Analytical Instruments Inc., in the not-to-exceed amount of \$102,604.53).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Price Comparison](#)  
                              [Exhibit 3 - Quote](#)  
                              [Exhibit 4 - Ordinance](#)

- Y.    [ID 24-285](#)      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 U.S. Venture, Inc. f/k/a Martin Eagle Oil Company, Inc., amending the contract approved by City Council on January 28, 2020, in the not-to-exceed amount of \$16,000,000.00; said first amendment to continue to purchase motor vehicle fuels for use by all City departments; providing for the expenditure of funds therefor; and providing an effective date (File 7251 - providing for an additional first amendment expenditure amount not-to-exceed \$4,000,000.00, with the total contract amount not-to-exceed \$20,000,000.00).

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

- Z.    [ID 24-293](#)      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 August 16, 2022, in the not-to-exceed amount of \$387,500.00, said first amendment to continue to manage and control the geometric network to a utility network in the capacity of Owner's Engineer to Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7804-004 - providing for an additional first amendment expenditure amount not-to-exceed \$65,000.00, for a total contract amount not-to-exceed \$452,500.00).

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

- AA. [ID 24-324](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute contracts regarding use of the Department of Public Safety of the State of Texas (DPS) Interactive System which supplies Driver Records and Monitoring Services for Human Resources; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Comprehensive Driving Policy 409.05](#)  
                              [Exhibit 2 - Ordinance and Contract](#)

- AB. [ID 24-326](#)      Consider adoption of an ordinance approving a Settlement Agreement and Release

implementing the terms of the settlement in litigation styled “State Farm Mutual Automobile Insurance Company as Subrogee of Antonee Bean v. City of Denton;” Cause No. CV-2024-00042, pending in the Denton County Court at Law No. 2, Denton County, Texas; and directing the City Manager or designee and the City’s attorneys to effectuate as necessary and appropriate the terms of a Settlement Agreement and Release to effectuate this approval; and declaring an effective date.

Attachments:      [Exhibit 1 - AIS](#)  
                              [Exhibit 2 - Ordinance and Settlement Agreement and Release](#)

- AC. [ID 24-341](#)      Consider adoption of an ordinance of the City of Denton, Texas, adopting a 100% property tax exemption for qualifying child-care facilities as authorized under Texas Tax Code Section 11.36 and Article VIII, Section 1-R of the Texas Constitution; providing a repealing clause; providing a severability clause; and establishing an effective date.

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

- AD. [ID 24-377](#)      Consider approval of a resolution of the City of Denton confirming the appointment of Bryan Cose as acting Chief of Police of the City of Denton Police Department beginning on February 13, 2024; and declaring an effective date.

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

#### **4. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. [ID 24-376](#)      Consider a motion to reconsider the February 6, 2023 approval of a resolution of the City of Denton supporting Denton Affordable Housing Corporation’s 9% housing tax credit application to Texas Department of Housing and Community Affairs for proposed new construction of the Stella Haven Apartments to provide affordable rental housing; committing to provide fee reductions in an amount of \$500.00; and providing an effective date.

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

#### **5. PUBLIC HEARINGS**

- A. [PDA23-0001b](#)      Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding an amendment to an existing Planned Development District (PD 174, Country Lakes), with amendments including but not limited to, modification to the development plan to increase seating and parking capacity and modify access, on approximately 28 acres of land generally located at the northeast corner of Crawford Road and Carnegie Ridge Road in the City of Denton, Denton County, Texas; adopting an amendment to the City’s official zoning map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted (4-0) to recommend approval of the request. Motion for approval by Commissioner Smith and second by Commissioner

Villareal. (PDA23-0001b, St Mark, Julie Wyatt)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Staff Analysis \(from January 23, 2024 City Council Meeting\)](#)  
                                 [Exhibit 3 - Site Location Map](#)  
                                 [Exhibit 4 - Zoning Map](#)  
                                 [Exhibit 5 - Future Land Use Map](#)  
                                 [Exhibit 6 - Ordinance 99-205](#)  
                                 [Exhibit 7 - Original Approved Detail Plan \(Ordinance 99-350\)](#)  
                                 [Exhibit 8 - Ordinance 2012-315](#)  
                                 [Exhibit 9 - Ordinance 2012-316](#)  
                                 [Exhibit 10 - Amended Proposed Development Plan](#)  
                                 [Exhibit 11 - Notification Map and Responses](#)  
                                 [Exhibit 12 - Presentation](#)  
                                 [Exhibit 13 - Draft Ordinance](#)

NOTE: A motion to reconsider the February 6, 2024 City Council action (Agenda Item 4.A. ID 24-376) must be adopted before Agenda Item 5.B ID 24-383 can be considered.

- B. [ID 24-383](#)**      Hold a public hearing and consider approval of a resolution of the City of Denton supporting Denton Affordable Housing Corporation's 9% housing tax credit application to Texas Department of Housing and Community Affairs for the proposed new construction of the Stella Haven Apartments to provide affordable rental housing; committing to provide fee reductions in an amount of \$500.00; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Stella Haven Presentation](#)  
                                 [Exhibit 3 - Application](#)  
                                 [Exhibit 4 - HTC Resolution & Fee Reduction Letter](#)

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

- A. [ID 24-321](#)**      Consider approval of a resolution of the City of Denton naming Dylan Dorrell Memorial Trail located in South Lakes Park; and providing an effective date. [Parks, Recreation and Beautification Board recommended approval (5-0).]

**Attachments:**      [Exhibit 1- Agenda Information Sheet](#)  
                                 [Exhibit 2- Resolution](#)  
                                 [Exhibit 3- Presentation](#)  
                                 [Exhibit 4- Naming Application](#)  
                                 [Exhibit 5- Naming Policy Guidelines](#)

- B. [ID 24-322](#)**      Consider approval of a resolution of the City of Denton naming Jeff LaQuey Memorial Trail located in Hartlee Field Mountain Bike Park; and providing an effective date. [Parks, Recreation and Beautification Board recommended denial (5-0)]

Attachments:      [Exhibit 1- Agenda Information Sheet](#)  
                              [Exhibit 2- Resolution](#)  
                              [Exhibit 3- Presentation](#)  
                              [Exhibit 4- Naming Application](#)  
                              [Exhibit 5- Naming Policy Guidelines](#)

- C.    [ID 24-275](#)      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 Hawk Construction, LLC., for the construction of precast concrete security/screening walls for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 8370 - awarded to Hawk Construction, 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 \$6,000,000.00).

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

- D.    [ID 24-323](#)      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 HR Green, Inc., for engineering review of private development projects for the Development Services Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8401 - awarded to HR Green, Inc., in the five (5) year not-to-exceed amount of \$12,000,000.00).

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

- E.    [ID 24-128](#)      Consider adoption of an ordinance amending Chapter 25 "Streets, Sidewalks, And Public Places", Article I "In General", Section 25-4 "Painting or marking on public property; permit for painting address numbers for pay", of the Code of Ordinances of the City of Denton, to remove the requirement to obtain a permit; providing a repealer clause; providing a savings clause; providing a severability clause; providing a penalty clause; providing for publication; providing codification; and providing an effective date.

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

## 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 February 16, 2024, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

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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.