



City of Denton

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

Meeting Agenda

City Council

Tuesday, August 6, 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, August 6, 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. [ID 19-1879](#) Receive a report, hold a discussion, and give staff direction regarding the City's proposed agreement with the Denton Parks Foundation.

Attachments: [Exhibit 1 Agenda Information Sheet](#)
[Exhibit 2 Presentation](#)
[Exhibit 3 Ordinance and Agreement](#)
[Exhibit 4 2019 Annual Plan](#)

- B. [ID 19-1781](#) Receive a report, hold a discussion, and give staff direction regarding the prohibition of parking on the north side of Gregg Street between Fulton Street and Denton Street.

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

- C. [ID 19-1378](#) Receive a report and hold a discussion on staffing levels, departmental resources, and recruitment and training efforts in the Denton Police Department.

Attachments: [Exhibit 1 - Agenda Information Sheet - PD Overview](#)
[Exhibit 2 - DPD Overview for City Council](#)

- D. [ID 19-1881](#) Receive a report, hold a discussion, and give staff direction regarding the 2019 Bond Program.

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

- E. [ID 19-1684](#) Receive a report, hold a discussion, and give staff direction regarding research on tiny house villages for individuals experiencing homelessness and the proposed Denton Basic Services Center project addressed during Presentations from Members of the Public at the August 7, 2018 City Council meeting and June 18, 2019 City Council meeting.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Presentation](#)
 [Exhibit 3 - Research on Villages for Homelessness](#)
 [Exhibit 4 - Denton Basic Services Center Proposal \(June 2019\)](#)

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. [ID 19-1755](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consult with the City's attorneys on the status, strategy, and potential resolution of litigation styled, Adolfo Fabela Rios v. City of Denton, Cause No. 17-6532-16, currently pending in the 16th District Court of 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.

- B. [ID 19-1800](#) Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086.

Deliberate and discuss competitive information regarding public power operational and financial matters pertaining to the purchases and risks of wholesale energy supply pertaining to the proposed electric budget.

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

- A. [ID 19-1757](#) Summer Youth Job Program 2019
- B. [ID 19-1758](#) National Health Center Week

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. [ID 19-1775](#) Brandi Price regarding the Citizen's Climate Lobby's bipartisan climate change fee and dividend plan to stop carbon pollution
- B. [ID 19-1784](#) Craig Clifton regarding the aquifer under the SRO being built by Park 7 at Normal - Bryan - Scripture Streets

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 – K). 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 19-1449](#) An ordinance of the City of Denton authorizing the City Manager, or his designee, to execute a Memorandum of Understanding by and between United Way of Denton County, Inc. and the City of Denton and providing for the expenditure of funds for Homelessness initiatives in the amount of \$80,000 for partial funding for staffing of the program in furtherance of the coordinated system of homeless assistance programs; authorizing the expenditure of funds therefor; and providing an effective date.

Attachments: [Exhibit 1-Agenda Information Sheet](#)
[Exhibit 2 - Ordinance-19-1449](#)
[Exhibit 3 - Memorandum of Understanding](#)

- B. [ID 19-1715](#) Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, rejecting any and all competitive bids under IFB 7013 for the Lake Lewisville Water Treatment Plant (LLWTP) Phase II rehabilitation and modification of the Lake Lewisville raw water structures and installation of dual chemical feed systems at Lake Lewisville and Lake Ray Roberts; and providing an effective date (IFB 7013). The Public Utilities Board recommends approval (5-0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Opinion of Probable Construction Costs \(OPCC\)](#)
[Exhibit 3 - Ordinance](#)

- C. [ID 19-1594](#) Consider adoption of an ordinance partially releasing, abandoning, and vacating a 165 square foot tract of an existing 420 square foot guy wire and anchor easement granted to the City of Denton by Bob E. Tripp on January 20, 1976, and recorded in Volume 771 Page 703 in the Deed Records of Denton County, Texas; and fully releasing, abandoning, and vacating (I) a 0.175 acre public access easement granted to the City of Denton by McKamy Development, Ltd., a Texas limited partnership (“McKamy Development”) on August 28, 2002, recorded as Instrument No. 2003-60472 in the Real Property Records of Denton County, Texas; (II) a 0.175 acre public access easement granted to the City of Denton by McKamy Development on August 28, 2002, recorded as Instrument No. 2003-60473 in the Real Property Records of Denton County, Texas; (III) a 0.406 acre public drainage easement granted to the City of Denton by McKamy Development on August 28, 2002, recorded as Instrument No. 2003-60471 in the Real Property Records of Denton County, Texas; and (IV) a 0.283 acre public drainage easement granted to the City of Denton by McKamy Development on August 28, 2002, recorded as Instrument

No. 2003-60470 in the Real Property Records of Denton County, Texas; providing for severability and an effective date. (Evers way Addition - guy wire easement, access easements and drainage easements abandonments)

Attachments: [Exhibit 1 - Agenda Information Sheet Exhibit 1 AIS](#)
 [Exhibit 2 - Location Map](#)
 [Exhibit 3 - Site Map](#)
 [Exhibit 4 - Narrative](#)
 [Exhibit 5 - Easements for Abandonment](#)
 [Exhibit 6 - Vesting Deed](#)
 [Exhibit 7 - LLC member list](#)
 [Exhibit 8 - Ordinance](#)

- D. [ID 19-1756](#) Consider adoption of an ordinance approving a Compromise Settlement Agreement implementing the terms of a claim settlement in litigation styled Adolfo Fabela Rios v. City of Denton, Cause No. 17-6532-16, pending in the 16th Judicial District Court of Denton County Texas, as discussed in closed session; and further approving the expenditure of funds therefor; and directing the City Manager, or his designee, and the City's Attorneys to effectuate as necessary and appropriate the terms of the Compromise Settlement Agreement; and declaring an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance](#)
 [Exhibit 3 - Compromise Settlement Agreement](#)

- E. [ID 19-1465](#) Consider the adoption of an ordinance of the City of Denton prohibiting on-street parking along the north side of Gregg Street between Fulton Street and Denton Street; providing a repealer clause; providing a savings clause; providing for a penalty not to exceed \$500 for violations of this ordinance; providing that violations of this ordinance shall be governed by Chapter 18 of the Code of Ordinances of the City of Denton; and providing for an effective date. Traffic Safety Commission recommends 5-0.

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

- F. [ID 19-1777](#) Consider adoption of an ordinance of the City of Denton amending Chapter 18 of the Code of Ordinances by modifying Section 18-210 Subsection A12 to update the school zone limits on Pockrus Page Road for Pecan Creek Elementary; providing a repealer clause; providing a savings clause; providing for a penalty not to exceed \$200 for violations of this ordinance; providing that violations of this ordinance shall be governed by Chapter 18 of the Code of Ordinances of the City of Denton; and providing for an effective date.

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

- G. [ID 19-1790](#) Consider approval of the minutes of July 16 and July 23, 2019.

Attachments: [Exhibit 1 - July 16, 2019 Minutes](#)
 [Exhibit 2 - July 23, 2019 Minutes](#)

- H. [ID 19-1817](#) 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 Bibliotheca, LLC, for the purchase of CloudLibrary digital services for downloadable eBooks and Audiobooks for the Denton Public Library, 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; and providing an effective date. (File 7121 - awarded to Bibliotheca, LLC in the three (3) year not-to-exceed amount of \$342,142).

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

- I. [ID 19-1829](#) Consider adoption of an ordinance of the City of Denton, Texas, authorizing the City Manager, or his designee, to execute a Memorandum of Understanding with the Texas Department of Public Safety, State of Texas, authorizing the Denton Police Department to perform uniform commercial vehicle weight inspections and enforcement for the period of August 1, 2019 through August 1, 2021; and providing an effective date.

Attachments: [Exhibit 1 - AIS - Commercial Motor Vehicle Enforcement MOU - State](#)
 [Exhibit 2 - Ordinance - Commercial Motor Vehicle - State](#)
 [Exhibit 3 - MOU - Commercial Motor Vehicle Enforcement - State](#)

- J. [ID 19-1844](#) Consider adoption of an ordinance of the City of Denton, Texas, authorizing the City Manager, or his designee, to execute a Memorandum of Understanding with the Texas Department of Public Safety authorizing the Denton Police Department to perform uniform commercial vehicle weight inspections and enforcement for the period of August 1, 2019 through August 1, 2021; and providing an effective date.

Attachments: [Exhibit 1 - AIS - Commercial Motor Vehicle MOU - State & Federal](#)
 [Exhibit 2 - Ordinance - Commercial Motor Vehicle - State & Federal](#)
 [Exhibit 3 - MOU - Commercial Motor Vehicle - State & Federal](#)

- K. [ID 19-1847](#) Consider approval of a resolution of the City of Denton, Texas dissolving the Special Citizens Bond Advisory Committee for the Proposed 2019 bond election; ending appointments to the Committee; and declaring an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Resolution Dissolving SCBAC](#)
 [Exhibit 3 - Resolution 19-920](#)
 [Exhibit 4 - Resolution 19-1687](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 19-1060](#) Consider adoption of an ordinance by the City of Denton, a Texas home-rule municipal corporation authorizing the City Manager, or his designee, to execute an Interlocal Agreement with the University of North Texas to define the duties and obligations involved with the coordination of public safety related efforts; and providing an effective date.

Attachments: [Exhibit 1 - AIS UNT Interlocal Agreement](#)
 [Exhibit 2 - Ordinance and Agreement-r](#)
 [Exhibit 3 - DPD Presentation UNT Interlocal](#)

- B. [ID 19-1764](#) Consider nominations/appointments to the City's Boards, Commissions, and Committees: Animal Shelter Advisory Committee, Board of Ethics, Committee on Persons with Disabilities, Community Development Advisory Committee, Human Services Advisory Committee, Library Board, Parks, Recreation & Beautification Board, Planning & Zoning Commission, Public Art Committee, Public Utilities Board, Traffic Safety Commission, and Zoning Board of Adjustment.

Attachments: [Exhibit 1 - Agenda Information Sheet B&C 08-06-2019](#)
 [Exhibit 2 - Nominations 08-06-2019](#)

6. PUBLIC HEARINGS

- A. [ID 19-1832](#) Hold a public hearing concerning the proposed \$221,519,000 Bond Election to be held on November 5, 2019, and associated project recommendations.

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

- B. [DCA18-0009t](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a city-wide rezoning, to coincide with zoning regulations adopted under the newly revised Denton Development Code; establishing a penalty in the maximum amount of \$2000.00 for violations thereof; providing for severability; and establishing an effective date. STAFF IS REQUESTING THAT THIS ITEM BE POSTPONED INDEFINITELY. (DCA18-0009t, DDC Update, Ron Menguita)

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

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 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.