



City of Denton

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

Meeting Agenda

City Council

Tuesday, August 13, 2019

11:00 AM

Work Session Room

WORK SESSION BEGINS AT 11:00 A.M. IN THE WORK SESSION ROOM

CITY COUNCIL CONSIDERATION OF THE CONSENT AGENDA AND ITEMS FOR INDIVIDUAL CONSIDERATION WILL BEGIN IMMEDIATELY FOLLOWING THE CLOSED MEETING IN THE WORK SESSION ROOM

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 13, 2019, at 11:00 a.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 19-554](#) Receive a report, hold a discussion, and give staff direction regarding the Rayzor Ranch Public Improvement District No. 1.

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

- B. [ID 19-549](#) Receive a report, hold a discussion and give staff direction regarding an internal audit of the Procurement Card (P-Card) Program in the Procurement Department and an Audit of the Procurement Department's Programs and Controls.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Cover Letter P-Card](#)
[Exhibit 3 - Report on the Audit of P-Card Program](#)
[Exhibit 4 - Cover Letter - Procurement](#)
[Exhibit 5 - Report on Audit of Procurement Program-rev](#)
[Exhibit 6 - Procurement Process and P-card Audits Presentation](#)

- C. [ID 19-1610](#) Receive a report, hold a discussion, and give staff direction regarding an internal audit of the City's Utility Cuts Process.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Audit Response Cover Letter](#)
 [Exhibit 3 - Audit of Utility Street Cuts Report](#)
 [Exhibit 4 - Presentation](#)

- D. [ID 19-1753](#) Receive a report, hold a discussion, and give staff direction regarding public meeting video recording prioritization.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Presentation](#)
 [Exhibit 3 - Boards Commissions and Committees List](#)
 [Exhibit 4 - Presentation from April 23 Work Session](#)

- E. [ID 19-1873](#) Receive a report and hold a discussion and give staff direction on the proposed Water, Wastewater and Electric Rates for FY 2019-2020.

Attachments: [Exhibit 1 Agenda Information Sheet.docx](#)
 [Exhibit 2 FY 2019-20 Red Line Water Rate Ordinance.pdf](#)
 [Exhibit 3 FY 2019-20 Red Line Wastewater Rate Ordinance.pdf](#)
 [Exhibit 4 FY 2019-20 Electric Red Line Rate Ordinance.pdf](#)
 [Exhibit 5 Water Rate Comparison.pdf](#)
 [Exhibit 6 Wastewater Rate Comparison.pdf](#)
 [Exhibit 7 Water Rates Presentation.pdf](#)
 [Exhibit 8 Wastewater Presentation.pdf](#)
 [Exhibit 9 DME Rates Presentation.pdf](#)

- F. [ID 19-1842](#) Receive a report, hold a discussion, and give staff direction regarding the FY 2019-20 City Manager's Proposed Budget, Capital Improvement Program, and Five-Year Financial Forecast.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Presentation](#)
 [Exhibit 3 - Supplemental Packages](#)
 [Exhibit 4 Budget Follow Up Memo](#)

- G. [ID 19-1918](#) Receive a report, hold a discussion, and give staff direction regarding the 2019 Bond Program.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Proposed Projects](#)
 [Exhibit 3 - August 13 Bond Program Presentation Revised](#)

- H. [DCA19-0005](#) Receive a report, hold a discussion, and give staff direction regarding 2439 and 3167 House Bill draft ordinances and amendments to the 2019 Denton Development Code.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - 2439 House Bill Draft Ordinance](#)
 [Exhibit 3 - 3167 House Bill Draft Ordinance](#)
 [Exhibit 4 - 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. [ID 19-1796](#) 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.

- B. [ID 19-1892](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.
Receive information from the City's attorneys and discuss legal status, expenses and strategy in Cause No. DC-17-08139, styled "Michael Grim and Jim Maynard v. City of Denton, Texas" pending in the 68th Judicial District Court, Dallas County, Texas; where a discussion of these legal matters in an open meeting 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.

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.

Following the completion of the Closed Meeting, the City Council will convene in a Special Called Meeting to consider the following item(s):

1. 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 – E). 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 19-1837](#) 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 Thelin Recycling Company, L.P. for Brush and Wood Grinding Services for the Beneficial Reuse Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7085 - awarded to Thelin Recycling Company, L.P., 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 \$1,150,000).

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

- B. [ID 19-1893](#) Consider adoption of an ordinance authorizing expenditure of an additional \$100,000 in previously budgeted funds for outside counsel in the litigation styled “Michael Grim and Jim Maynard v. City of Denton, Texas,” pending in the 68th Judicial District Court, Dallas, County, Texas; and declaring an effective date.

Attachments: [Grim Maynard Expenditure 19-1893](#)
 [Agenda Information Sheet 8.08.19](#)

- C. [ID 19-1906](#) Consider approval of the minutes of August 1, 2019 and amendment of the minutes of April 23, 2019.

Attachments: [Exhibit 1 - August 1, 2019 Minutes](#)
 [Exhibit 2 - Amended April 23, 2019 Minutes](#)

- D. [ID 19-1916](#) 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 Program.pdf](#)
 [Exhibit 2 - Ordinance & MOU Agreement - Commercial Motor Vehicle Program](#)

- E. [ID 19-1917](#) 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, establishing responsibilities, policies, and guidelines for the Denton Police Department to conduct federal safety regulation inspections 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.pdf](#)
 [Exhibit 2 - Ordinance and MOU - Commercial Motor Vehicle MOU - State & Fed](#)

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 19-1839](#) 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 Hazen and Sawyer, P.C., amending the contract approved by City Council on July 21, 2015, in the not-to-exceed amount of \$427,368, emended by Amendments 1-2 approved by City Council; said third amendment to provide additional design and construction administration services for Hickory Creek Basin Peak Flow Detention Facility, West Peak Flow Storage Basin and Peak Flow Pump Station, and Hickory Creek Lift Station Reconstruction design; providing for the expenditure of funds therefor; and providing an effective date (File 5768 - providing for an additional third amendment expenditure amount not-to-exceed \$470,449, with the total contract amount not-to-exceed \$1,202,814).

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2a - Original Contract](#)
 [Exhibit 2b - Original Ordinance](#)
 [Exhibit 2c - Amendment 1](#)
 [Exhibit 2d - Amendment 1 Ordinance](#)
 [Exhibit 2e - Amendment 2](#)
 [Exhibit 2f - Amendment 2 Ordinance](#)
 [Exhibit 3 - Ordinance and Contract](#)
 [Exhibit 4 - Presentation](#)

- B. [ID 19-1831](#) Consider adoption of an ordinance of the City Council of the City of Denton, Texas, calling an election to be held on November 5, 2019, within said city on the question of the issuance of \$221,519,000 in ad valorem tax supported public securities for streets, public safety, parks, and public art; making provision for the conduct of the election; and containing other provisions incidental thereto; and declaring an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Proposed Projects](#)
 [Exhibit 3 - Election Ordinance revision](#)

- C. [ID 19-1765](#) Consider nominations/appointments to the City's Boards, Commissions, and Committees: Board of Ethics, Committee on Persons with Disabilities, Health & Building Standards Commission, Historic Landmark Commission, 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 08-13-2019](#)
 [Exhibit 2 - Nominations 08-13-2019](#)

3. 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 salutory 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 IS 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.