



# 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, October 8, 2019

12:00 PM

Work Session Room

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#### WORK SESSION BEGINS AT 12:00 P.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, October 8, 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 19-2036](#) Receive a report, hold a discussion and give staff direction regarding the 2019-20 audit plan.

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

- B. [ID 19-2037](#) Receive a report, hold a discussion, and give staff direction regarding an internal audit of Roadway Quality Management.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Audit Response Cover Letter](#)  
[Exhibit 3 - Audit of Roadway Quality](#)  
[Exhibit 4 - Presentation](#)

- C. [ID 19-2039](#) Receive a report, hold a discussion, and give staff direction regarding an internal audit of the Accounts Payable Division.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Audit Response Cover Letter](#)  
                                 [Exhibit 3 - Audit of Accounts Payable](#)  
                                 [Exhibit 4 - Presentation](#)

- D.    [ID 19-2350](#)      Receive a report, hold a discussion and give staff direction regarding the potential restriction of on-street parking along the west side of Hinkle Drive between Windsor Drive and University Drive.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Location Map](#)  
                                 [Exhibit 3 - Presentation](#)  
                                 [Exhibit 4 - Option 1](#)  
                                 [Exhibit 5 - Option 2](#)  
                                 [Exhibit 6 - Option 3](#)

- E.    [ID 19-2086](#)      Receive a report, hold a discussion, and give staff direction on pending City Council requests for information.

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

- F.    [ID 19-2134](#)      Receive a report, hold a discussion and give staff direction regarding Changes to Subchapter 1: General Standards, Subchapter 6: Gas Wells, and Subchapter 8: Subdivision of the Denton Development Code related to reverse setbacks and associated definitions and appeal procedures.

**Attachments:**      [Exhibit 1 - Agenda Information sheet](#)  
                                 [Exhibit 2 - Presentation](#)  
                                 [Exhibit 3 - Draft Ordinance](#)

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 19-2217](#)      Deliberations regarding Personnel Matters - Under Texas Government Code Section 551.074.

Deliberate and discuss the evaluation, duties, discipline, procedures, and contracts of the Municipal Judge and City Auditor.

- B.    [ID 19-2337](#)      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 Cisco 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.

C. [ID 19-2417](#) Consultation with Attorneys - Under Texas Government Code Section 551.071

Consult with and provide direction to City's attorneys regarding legal issues and strategies associated with changes to Subchapter 6: Gas Wells of the Denton Development Code related to reverse setbacks and associated definitions, appeal procedures, and legal issues associated with pending development applications; 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 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 – P). 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 19-2182](#) Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager, or his designee, to execute an agreement between the City of Denton, Texas and the Children's Advocacy Center for Denton County, providing for a coordinated

process for child abuse investigations; providing for client and clinical services to victims of child abuse and non-offending family members; and providing for the expenditure of funds in the amount of \$165,485.47 therefor; and providing for an effective date.

**Attachments:**      [Exhibit 1 - AIS - CACDC FY19-20](#)  
                                 [Exhibit 2 Ordinance-Agreement](#)

- B.    [ID 19-2237](#)    Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a Memorandum of Understanding by and between the City of Denton and United Way of Denton County, Inc. providing for the expenditure of funds in the amount of \$40,000 for a matching grant to fund the Barriers Fund for the prevention and diversion of homelessness 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 and Memorandum of Understanding](#)

- C.    [ID 19-2243](#)    Consider adoption of an ordinance of the City of Denton, Texas, approving the continued receipt of bingo prize funds; amending Chapter 10 of the code of ordinances by adding Section 10-82 imposing a bingo prize fee on bingo prize money collected in the City after January 1, 2020; making other findings and provisions related thereto; authorizing the City Manager or his designee to execute and submit a verification notice to the Texas Lottery Commission and provide notice to licensed bingo organizations; and providing for an effective date.

**Attachments:**      [Exhibit 1 Agenda Information Sheet.docx](#)  
                                 [Exhibit 2 Bingo Prize Collection Ordinance.pdf](#)

- D.    [ID 19-2248](#)    Consider adoption of an ordinance of the City of Denton, granting The Village Church Denton an increase in sound levels and a variance in the hours of operation pursuant to section 17-20 of the City of Denton code of ordinances, with respect to sound levels and hours of operation for the Celebration Service, which will be held on Sunday, October 20, 2019, from 10:00 a.m. to 11:00 a.m., at the South Lakes Park; with sound not to exceed 70 decibels; and providing an effective date.

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

- E.    [ID 19-2252](#)    Consider approval of a resolution of the City of Denton, Texas, authorizing the City Manager or his designee, to accept the Tex Treasures Grant #TXT-20003 for SFY 2020 (Federal Award Identification No. LS-00-19-0044-19) from the Texas State Library and Archives Commission through the Institute of Museum and Library Services in the amount of \$24,820.00, for the period of September 1 through August 31, 2020; and providing an effective date.

**Attachments:**      [Agenda Information Sheet-TEX Treasures](#)  
                                 [Tex Treasures Grant Resolution and Agreement](#)

- F.    [ID 19-2265](#)    Consider adoption of an ordinance of the City of Denton, Texas, a Texas home rule municipal corporation, authorizing the City Manager to expend funds for payment by the

City of Denton to the Texas Commission on Environmental Quality for the annual Consolidated Water Quality Fee for operation of the Pecan Creek Water Reclamation Plant; and providing an effective date. (Consolidated Water Quality Fee in the total not-to-exceed amount of \$127,000.00). The Public Utilities Board recommends approval (7-0).

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

- G.    [ID 19-2305](#)    Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, for approval of a pre-qualified professional services list for Solid Waste/Landfill including Planning, Engineering Design, and Facility Permitting; Construction Documents, Technical Specifications, and Construction Management; Environmental Services; Landfill Planning and Engineering Services; Landfill Gas Services; and Drone and Surveying Services; and providing an effective date (RFQ 7109). The Public Utilities Board recommends approval (7 - 0).

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

- H.    [ID 19-2306](#)    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 NO-DIGTEC, LLC, through The Interlocal Purchasing System (TIPS) Cooperative Program Contract # 171105 for the supply of pipe bursting and related services for Wastewater Utilities; providing for the expenditure of funds therefor; and providing an effective date (File 7165 - awarded to NO-DIGTEC, LLC, in the amount of \$642,350). The Public Utilities Board recommends approval (7 - 0).

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

- I.    [ID 19-2307](#)    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 Cable Contractors, LLC dba Contract Services and Equipment, for fiber optic services for Technology Services; providing for the expenditure of funds therefor; and providing an effective date (RFP 7051 - awarded to Cable Contractors, LLC dba Contract Services and Equipment, 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 \$2,000,000).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Pricing Evaluation](#)  
                                 [Exhibit 3 - LLC Members](#)  
                                 [Exhibit 4 - Ordinance and Contract](#)

- J.    [ID 19-2312](#)    Consider approval of a resolution of the City of Denton, Texas, authorizing the City Manager, or his designee, to accept the National Sexual Assault Kit Initiative (SAKI) for

Small Agencies Grant (Grant No. 2019-AK-BX-0026) from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance in the amount of \$499,890.00; for the period of October 1, 2019 through September 30, 2022; and providing an effective date.

Attachments:      [Exhibit 1 - AIS -SAKI Grant](#)  
                              [Exhibit 2 - Resolution - SAKI Grant](#)  
                              [Exhibit 3 - Grant Acceptance Agreement](#)

- K.    [ID 19-2314](#)      Consider approval of the minutes of September 17, 2019.

Attachments:      [Exhibit 1 - September 17, 2019 Minutes](#)

- L.    [ID 19-2334](#)      Consider adoption of an ordinance of the City of Denton granting the Denton Day of the Dead Festival Inc. a noise exception pursuant to Section 17-20 of the City of Denton Code of Ordinances for the Denton's Day of the Dead Festival, which will be held on Saturday, October 26, 2019, from 11:00 a.m. to 11:00 p.m., at Industrial Street and Hickory Street in Denton, Texas; granting an increase in sound levels and a variance in the hours of operation on said date from 11:00 a.m. to 11:00 p.m., with sound not to exceed 75 decibels; and providing an effective date.

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

- M.    [ID 19-2347](#)      Consider adoption of a resolution of the City of Denton adopting the 2019-2020 City Council priorities of the City of Denton for the fiscal year beginning on October 1, 2019, and ending on September 30, 2020; and providing an effective date.

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

- N.    [ID 19-2351](#)      Consider adoption of an ordinance of the City of Denton, approving a City co-sponsorship in an amount not to exceed \$1,928 of in-kind services and resources for the Denton Community Band concerts, which will be held on Sunday, October 27, 2019, from 2:00 p.m. to 5:00 p.m., and Friday, June 5, 2020, from 6:00 p.m. to 9:00 p.m., at the Denton Civic Center; and providing an effective date.

Attachments:      [Exhibit 1 Agenda Information Sheet](#)  
                              [Exhibit 2 Ordinance](#)  
                              [Exhibit 3 Co-Sponsorship Approval Letter](#)

- O.    [ID 19-2353](#)      Consider adoption of an ordinance of the City of Denton, approving a City co-sponsorship in an amount not to exceed \$2,002 of in-kind services and resources for the Denton County Veterans Coalition Stand-Down, which will be held on Thursday, October 24, 2019, from 9:00 a.m. to 3:00 p.m., with event set up on Wednesday, October 23, 2019, from 2:00 p.m. to 5:00 p.m., at the Denton Civic Center; and providing an effective date.

**Attachments:**      [Exhibit 1 Agenda Information Sheet](#)  
                                 [Exhibit 2 Ordinance](#)  
                                 [Exhibit 3 Co-Sponsorship Approval Letter](#)

- P.    [ID 19-2363](#)      Consider adoption of an ordinance of the City of Denton, authorizing the execution of a Joint Election Agreement and Contract with Denton County for joint election services for the Denton Special 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, at a total estimated cost of \$51,361.41; authorizing the expenditure of funds therefor; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Ordinance Approving Contract](#)  
                                 [Exhibit 3 - Contract](#)  
                                 [Exhibit 4 - Contract Exhibit A - CoDenton Early Voting Locations](#)  
                                 [Exhibit 5 - Contract Exhibit B - CoDenton Election Day Locations](#)  
                                 [Exhibit 6 - Contract Estimate Denton](#)  
                                 [Exhibit 7 - Ordinance 19-1831 - Election Order](#)

## **2. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A.    [HLC19-030b](#)      Consider approval of a resolution of the City of Denton, Texas adopting the vision, value statements, goals, policies, recommendations, and the implementation matrix proposed in the Denton Historic Preservation Plan prepared by the Lakota Group, dated August 28, 2019; and providing an effective date. (HLC19-030b, Historic Preservation Plan, Ron Menguita)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet.pdf](#)  
                                 [Exhibit 2 - Draft Denton Historic Preservation Plan.pdf](#)  
                                 [Exhibit 3 - Draft Resolution](#)  
                                 [Exhibit 4 - Presentation.pdf](#)

- B.    [ID 19-2267](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, approving and authorizing the City Manager to execute an interlocal cooperation agreement with Wise County, providing for a guaranteed volume agreement for the landfill; and providing an effective date.

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

- C.    [ID 19-2268](#)      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 Frontier Access, LLC., providing for a guaranteed volume contract for the landfill; and providing an effective date.

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

- D. [ID 19-2269](#) 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 Community Waste Disposal Inc., providing for a guaranteed volume contract for the landfill; and providing an effective date.
- Attachments: [Agenda Information Sheet CWD](#)  
[Exhibit 1 - Draft Ordinance and Contract](#)
- E. [ID 19-2270](#) 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 Waste Connections Lone Star, Inc., providing for a guaranteed volume agreement for the landfill; and providing an effective date.
- Attachments: [Agenda Information Sheet](#)  
[Exhibit 1 - Draft Ordinance and Contract](#)
- F. [ID 19-2271](#) 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 Allied Waste Services of Fort Worth, LLC., providing for a guaranteed volume contract for the landfill; and providing an effective date.
- Attachments: [Agenda Information Sheet](#)  
[Exhibit 1 - Draft Ordinance and Contract](#)  
[Exhibit 2 - Allied Waste LLC Ownership Information](#)
- G. [ID 19-2316](#) Consider adoption of an ordinance approving an amended agreement by and between the City of Denton and the Denton Community Theater, Inc., relocating the location of rehearsal space; authorizing the City Manager to execute the first amendment; approving the expenditure of funds therefor; and providing for an effective date.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Ordinance No. 2015-279](#)  
[Exhibit 3 - Ordinance](#)  
[Exhibit 4 - Presentation](#)
- H. [ID 19-2293](#) Consider nominations/appointments to the City's Boards, Commissions, and Committees: Board of Ethics and Zoning Board of Adjustment.
- Attachments: [Exhibit 1 - Agenda Information Sheet B&C 10-08-2019](#)  
[Exhibit 2 - Nominations 10-08-2019](#)

### **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.