



City of Denton

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

Meeting Agenda

City Council

Tuesday, November 12, 2019

2:00 PM

Work Session Room

WORK SESSION BEGINS AT 2:00 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, November 12, 2019, 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 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 19-1721](#) Receive a report, hold a discussion, and give staff direction regarding the subsidy and resource allocation study for the Parks and Recreation Department (PARC).

Attachments: [Exhibit 1 Agenda Information Sheet](#)
[Exhibit 2 Presentation](#)
[Exhibit 3 Proposed Pyramid](#)
[Exhibit 4 Program Back Up](#)

- B. [ID 19-2730](#) Receive a report, hold a discussion and give staff direction regarding the implementation of an exclusive pedestrian phase in the traffic signal operations of the downtown intersections at Oak and Elm, Oak and Locust, Hickory and Elm, and Hickory and Locust as a pilot program for evaluation as a safety improvement for all modes of transportation in the downtown area.

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

- C. [ID 19-2760](#) Receive a report, hold a discussion, and give staff direction regarding the imminent cessation of water services from the water provider that serves the Green Tree Estates

Subdivision and discuss options with City Council to provide immediate and long term infrastructure services to the residents located within this subdivision.

Attachments: [Exhibit 1 - Agenda Information Sheet rev](#)
[Exhibit 2 - Presentation \(Updated\)](#)
[Exhibit 3 - Green Tree Estates Fact Sheet.pdf](#)
[Exhibit 4 - Annexation Ordinance and Service Plan.pdf](#)
[Exhibit 5 - Presentation \(Espanol\)](#)

- D. [ID 19-2759](#) Receive a report, hold a discussion, and give staff direction on a request for a future Council Work Session to discuss whether to adopt additional regulations to the City's Gas Well Ordinance.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - House Bill 40](#)

- E. [ID 19-2210](#) Receive a report, hold a discussion, and give staff direction on pending City Council requests for:
(1) Citizen Police Review Boards

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 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.

Closed Meeting:

- A. [ID 19-2694](#) 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 a presentation from staff regarding public power competitive and financial matters related to a Power Purchase Agreement between the City of Denton, as the seller of power and electric energy services, and Texas Woman's University, as a buyer of power and electric energy services; discuss, deliberate, and provide direction to staff regarding the same. Consultation with the City's attorneys regarding legal issues associated with the above matters 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.

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 – I). 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 19-2621](#) Consider adoption of an ordinance of the City of Denton, approving a City co-sponsorship in an amount not to exceed \$3,748 of in-kind services and resources for the Downtown Denton Turkey Trot and Kids' Gobble Wobble, which will be held on Thursday, November 28, 2019, from 7:00 a.m. to 11:00 p.m., at the McKinney Street parking lot; and providing an effective date.

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

- B. [ID 19-2673](#) Consider adoption of an ordinance of the City of Denton, Texas, approving a City sponsorship of in-kind services and resources in an amount not to exceed \$1,000 for the Denton Fire Traditions Calendar Fundraiser on Saturday, November 16, 2019; and providing an effective date.

Attachments: [Exhibit 1 Agenda Information Sheet.pdf](#)
 [Exhibit 2 Ordinance.pdf](#)
 [Exhibit 3 Letter of Request.pdf](#)

- C. [ID 19-2680](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to utilize a contract through Tarrant County, Bid Number 2019-064, for the repair, replacement, and the installation of new Guard Fence (guardrails); providing for expenditures of funds therefor; and providing an effective date (File 7176 - awarded to Vann/Elli, Inc., in the two (2) year

not-to-exceed amount of \$100,000).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Tarrant Co 2019-064 - Pricing Sheet](#)
 [Exhibit 3 - Ordinance](#)

- D. [ID 19-2681](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute a contract through the TXMAS Cooperative Purchasing Network Contract Number TXMAS-18-00CORP12 for managing live online vehicle and equipment auctions for disposal of City of Denton fleet assets and Police Department impound vehicles; providing for the expenditure of funds therefor; and providing an effective date (File 7212 - awarded to IronPlanet Inc. dba GovPlanet, for one (1) year, with the option for two (2) additional one (1) year extensions, in the total three (3) year).

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

- E. [ID 19-2682](#) Consider adoption of an ordinance of the City of Denton, Texas, Nunc Pro Tunc, correcting an inadvertent mistake in Ordinance No. 19-2196, specifically the awarded amount of the services agreement with IDEXX Distribution, Inc. c/o IDEXX Laboratories for drinking water compliance testing and for laboratory services and animal testing materials for the Denton animal shelter; providing an effective date (File 7133).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance 19-2196 and Contract](#)
 [Exhibit 3 - Ordinance](#)

- F. [ID 19-2684](#) Consider approval of the minutes of October 22, 2019.

Attachments: [Exhibit 1 - October 22, 2019 Minutes](#)

- G. [ID 19-2685](#) Consider adoption of an ordinance of the City of Denton ("City") authorizing the Mayor to act on the City's behalf in executing an amendment to the Joint Operating Agreement (the "JOA") by and between, and among, Texas Municipal Power Agency (the "Agency") and the cities of Bryan, Denton, Garland, and Greenville (the "Parties"); and, providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Amendment No 4 \(Redlined\)](#)
 [Exhibit 3 - Ordinance \(with exhibit, Amendment No. 4 to the JOA\)](#)
 [Exhibit 4 - Presentation- TMPA JOA Amendment 4 CC 12NOV19](#)

- H. [ID 19-2586](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to execute an Interlocal Cooperation Agreement for conducting a traffic study to determine the impacts of a potential closure of a portion of Bell Avenue between the City of Denton and Texas Woman's University, regarding the City's request for reimbursement of a portion of the cost of performing the study that are specified in the

agreement: authorizing the expenditure of funds thereof; and providing an effective date.

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

- I. [ID 19-2735](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, approving an agreement between the City and the Electric Reliability Council of Texas, Inc., a Texas Non-Profit Corporation (“ERCOT”) that allows the City to provide Black Start Services to ERCOT; authorizing the expenditure of funds and providing for the receipt of funds from ERCOT; providing an effective date

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance ERCOT](#)
 [Exhibit 3 - DME ERCOT BSS presentation](#)

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 19-2176](#) Consider adoption of an ordinance of the City of Denton authorizing the execution of a contract of sale between the City of Denton, as buyer, and Pia Kornu, Kimbell Kornu, and Roger Kornu, as trustees for the Pia Kornu 2019 living trust, and Wen Tsei, individually, as sellers, for the purchase of a 71.34 acre tract of land, more or less, being situated in the M. Forrest Survey, abstract no. 0417, located in the City of Denton, Denton County, Texas, and on the south side of Mills Road, west of Trinity Road and north of East McKinney Street, for the purchase price of two million three hundred fifty-four thousand two hundred twenty dollars and no/00 (\$2,354,220.00); authorizing the expenditure of funds therefor; providing for severability; and providing an effective date.

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

- B. [ID 19-2678](#) 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 Archer Western Construction, LLC, for the construction of Lake Lewisville Water Treatment Plant (LLWTP) Phase II Improvements; providing for the expenditure of funds therefor; and providing an effective date (IFB 7138 - awarded to Archer Western Construction, LLC, in the not-to-exceed amount of \$15,588,880).

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

- C. [ID 19-2679](#) 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 Links Construction, LLC, for the construction of a new Fire Station #8, located at 3131 Colorado Boulevard; providing for the expenditure of funds therefor; and providing an effective date (RFP

7140 - awarded to Links Construction, LLC, in the not-to-exceed amount of \$4,188,822.30).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Pricing Evaluation](#)
 [Exhibit 3 - LLC Members](#)
 [Exhibit 4 - Ordinance and Contract](#)
 [Exhibit 5 - Presentation](#)

- D. [ID 19-2515](#) Consider nominations/appointments to the City's Boards, Commissions, and Committees: Library Board and Zoning Board of Adjustment.

Attachments: [Exhibit 1 - Agenda Information Sheet 11-12-2019](#)
 [Exhibit 2 - Nominations 11-12-2019](#)

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 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 8th day of November 2019 at _____

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 ACCOMODATION, 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.