



# City of Denton

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

## Meeting Agenda

### City Council

---

Tuesday, August 11, 2020

1:00 PM

Council Work Session Room

---

#### **SPECIAL CALLED MEETING**

**WORK SESSION BEGINS AT 1:00 P.M. IN THE COUNCIL WORK SESSION ROOM**

**THE CLOSED MEETING WILL BEGIN IMMEDIATELY FOLLOWING THE WORK SESSION IN THE COUNCIL WORK SESSION ROOM**

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

Note: Mayor Chris Watts, Mayor Pro Tem Gerard Hudspeth, and Council Members Keely Briggs, Jesse Davis, John Ryan, Deb Armintor and Paul Meltzer will be participating in the work session, closed meeting, and special called meeting via video/teleconference.

#### **REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL**

Due to COVID-19 precautions, members of the public will not be able to attend the August 11, 2020 City Council meeting in-person. To accommodate and receive input on agenda items, citizens will be able to participate in one of the following ways (NOTE: Other than public hearings, citizens are only able to comment one time per agenda item; citizens cannot use both methods to comment on a single agenda item. Public comments are not held for work session reports.):

- Virtual White Card – On August 7, the agenda was posted online at [www.cityofdenton.com/publicmeetings](http://www.cityofdenton.com/publicmeetings). Once the agenda is posted, a link to the Virtual White Card, an online form, will be made available under the main heading on the webpage. Within this form, citizens may indicate support or opposition and submit a brief comment about a specific agenda item. Comments may be submitted up until the start of the meeting, at which time, the Virtual White Card form will be closed. Similar to when a citizen submits a white card to indicate their position on the item, these comment forms will be sent directly to City Council members and recorded by the City Secretary.

City Council Members review comments received in advance of the meeting and take that public input into consideration prior to voting on an agenda item. The Mayor will announce the number of Comment Cards submitted in support or opposition to an item during the public comment period. Comments will not be read during the meeting. The City Secretary will reflect the number of comments submitted in favor/opposition to an item, the registrant's name, address, and (summary of) comments within the Minutes of the Meeting, as applicable.

OR

- By phone – Citizens wishing to speak over the phone during this Council meeting, may call (940) 349-7800 beginning 30 minutes prior to the meeting start time. Comments by phone will be accepted until the item is opened for discussion by the Council. When the call is initially received, a staff member will receive the caller's information and either: 1) offer to call the citizen back when it is time for them to speak, or 2) record the caller's information, support or opposition, and comment. If the caller chooses to record their support or opposition, rather than speaking during the meeting, the Mayor will announce the number of comments submitted in support or opposition to the item. If the caller wishes to receive a call back, the voice of each caller will be broadcast into the meeting during the public commenting time of their desired agenda item. Individuals will be able to comment once per agenda item, no matter the method.
- At regular meetings only, citizens can speak on any topic that is not on the agenda (Open Microphone). Alert the call taker if you wish to speak under the Open Microphone category. If you would like to give a public report, see the information below.

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 11, 2020, at 1:00 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.**

### **3. Work Session Reports**

- A. [ID 20-1205](#) Receive a report, hold a discussion, and give staff direction regarding an update to the City of Denton's COVID-19 response.  
*Attachments:* [Exhibit 1 - Agenda Information Sheet](#)
- B. [ID 20-1349](#) Receive a report, hold a discussion, and give staff direction regarding an update on options concerning the operations of residential recycling centers in the City of Denton.  
*Attachments:* [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Presentation](#)
- C. [ID 20-1352](#) Receive a report, hold a discussion, and give staff direction regarding an update of the 2012 Sustainability Plan entitled: "Simply Sustainable, A Strategic Plan for Denton's Future".

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Simply Sustainable Plan - Draft Watermark](#)  
[Exhibit 3 - Simply Sustainable Plan - Draft Watermark - Redline](#)  
[Exhibit 4 - Goals and Strategies Comparison \(2\)](#)  
[Exhibit 5 - Committee on the Environment Questions and Clarifications](#)  
[Exhibit 6 - Sustainability Plan Adoption Resolution](#)  
[Exhibit 7 - 18-19 Annual Report Summary \(002\)](#)  
[Exhibit 8 - Feedback Responses Final](#)  
[Exhibit 9 - Powerpoint 8.11.2020](#)

- D. [ID 20-1475](#)      Receive a report, hold a discussion, and give staff direction regarding the General Fund preliminary FY 2020-21 Proposed Budget, Tax Rate, Capital Improvement Program, and Five Year Financial Forecast.

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

- E. [ID 20-1049](#)      Receive a report, hold a discussion, and give staff direction on pending City Council requests for:  
(1) Allowing 3-minute comments from individual members of the public at all City Council work session items

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Ordinance 19-2026 - City Council Request Process](#)  
[Exhibit 3 - Section 2-29 of the Code of Ordinances](#)  
[Exhibit 4 - TML Legislative Update 10.25.19](#)  
[Exhibit 5 - TML HB 2840 Q&A](#)  
[Exhibit 6 - 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 20-1541](#)      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 A Hickman Survey, Abstract No. 521, Denton County, Texas, and located generally along the north and west sides of Roselawn Drive within the City of Denton. 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, negotiation, or potential litigation.

**B. [ID 20-1555](#)** Consultation with Attorneys- Under Texas Government Code Section 551.071.

Consultation, discussion, deliberation, and receipt of information from the City's attorneys involving legal matters relating to the annexation or extension/renewal of non-annexation agreements for eligible properties, and to provide the City's attorneys with direction, where a public discussion of these legal matters would clearly 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.

**NOTE: Any item for which a formal action at the Special Called 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 completion of the Closed Meeting, the City Council will convene in a Special Called Meeting to consider the following items

**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 – D). 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 20-1184](#)** Consider approval of the minutes of July 21, July 28, July 30, and August 3, 2020.

Attachments:      [Exhibit 1 - July 21, 2020 Minutes](#)  
                             [Exhibit 2 - July 28, 2018 Minutes](#)  
                             [Exhibit 3 - July 30, 2020 Minutes](#)  
                             [Exhibit 4 - August 3, 2018 Minutes](#)

- B. [ID 20-1425](#) Consider adoption of an ordinance of the City of Denton approving a grant application from H2 Oak, LLC, from the Downtown Reinvestment Grant Program not to exceed \$7,313; and providing for an effective date. The Downtown Denton Tax Increment Financing Reinvestment Zone No. 1 Board recommends approval (6-0).

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

- C. [ID 20-1461](#) 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 Terry K. Davidson dba T.D. Golf, for golf instructor services for the City of Denton Parks Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7346 - awarded to Terry K. Davidson dba T.D. Golf, 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 \$150,000).

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

- D. [ID 20-1462](#) 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 Primary Health, Inc. dba CareNow, for the supply of Drug, Alcohol and Physical Testing Services for the City of Denton Human Resource Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7326 - awarded to Primary Health, Inc. dba CareNow, in the five (5) year not-to-exceed amount of \$360,380).

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

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

- A. [ID 20-1472](#) Consider approval of a resolution of the City Council of the City of Denton, Texas placing a proposal on the September 15, 2020, City Council public meeting agenda to adopt a 2020 Tax Rate that will not exceed the lower of the no-new-revenue rate or the voter approval tax rate; calling a public meeting on a tax rate to be held on September 10, 2020, and calling a budget public hearing on the Fiscal Year 2020-2021 Annual Program of Services of the City of Denton to be held on September 10, 2020; requiring publication of notice of the public meetings and hearings in accordance with the law; requiring the posting of the notice of the public meetings and hearing on the City's Internet website; requiring the posting of the notice on the City's public access channel; and providing an effective date.

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

- B. [ID 20-1468](#) Consider approval of a resolution of the City Council of the City of Denton authorizing the

filing by the City Manager, or his designee, of project applications for a remote camera surveillance system for illegal dumping grant in the amount of \$26,366.79, from the North Central Texas Council of Governments; authorizing the City Manager, or his designee, to act on behalf of the City in all other matters that are related to these project applications, pledging that if funding for these projects is received, the City of Denton will comply with all project requirements of the North Central Texas Council of Governments, the Texas Commission on Environmental Quality, and the State of Texas; and providing for an effective date.

Attachments:      [NCTCOG 2020 Grant AIS](#)  
                             [NCTCOG 2020 Grant resolution](#)

- C.    [ID 20-1426](#)    Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as DH-1, an area of approximately 315 acres located east of H. Lively Road, south side of FM 2449, west side of John Paine Road; providing for severability; and providing an effective date.

Attachments:      [Exhibit 1 - Agenda Information Sheet\\_DH-1](#)  
                             [Exhibit 2 - DH-1 Draft Ordinance](#)  
                             [Exhibit 3 - NAA Presentation](#)

- D.    [ID 20-1427](#)    Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as DH-2, an area of approximately 258 acres located on the south side of University Drive, west and east sides of Thomas J. Egan Road, north of Jim Christal Road, west of Masch Branch Road; providing for severability; and providing an effective date.

Attachments:      [Exhibit 1 - Agenda Information Sheet\\_DH-2](#)  
                             [Exhibit 2 - DH-2 Draft Ordinance](#)

- E.    [ID 20-1428](#)    Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as DH-3, an area of approximately 421 acres located on the south side of Spring Side Road, north, south and west of Corbin Road, west of I-35; providing for severability; and providing an effective date.

Attachments:      [Exhibit 1 - Agenda Information Sheet\\_DH-3](#)  
                             [Exhibit 2 - DH-3 Draft Ordinance](#)

- F.    [ID 20-1429](#)    Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas, generally identified as DH-4, an area of approximately 347 acres located on the east side of Bonnie Brae Street, west of Fort Worth Drive, east

and west of Vintage Boulevard; providing for severability; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet\\_DH-4](#)  
                                 [Exhibit 2 - DH-4 Draft Ordinance](#)

- G.    [ID 20-1430](#)    Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas, generally identified as DH-5, an area of approximately 219.127 acres located on the east side of Fort Worth Drive, west side of Country Club Drive, north of Brush Creek Road; providing for severability; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet\\_DH-5](#)  
                                 [Exhibit 2 - DH-5 Draft Ordinance](#)

- H.    [ID 20-1432](#)    Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas, generally identified as DH-9, an area of approximately 298 acres located on the north side of Pockrus Page Road, north, south and northeast of Edwards Road; providing for severability; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet\\_DH-9](#)  
                                 [Exhibit 2 - DH-9 Draft Ordinance](#)

- I.    [ID 20-1433](#)    Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas, generally identified as DH-12, an area of approximately 1,154 acres located on the south side of E. University Drive, east of N. Mayhill Road, north and south of Blagg Road, north and south of Mills Road, and east and west of S. Trinity Road; providing for severability; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet\\_DH-12](#)  
                                 [Exhibit 2 - DH-12 Draft Ordinance](#)

- J.    [ID 20-1434](#)    Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas, generally identified as PAA-1, an area approximately 1,171 acres located on the south side of Jim Christal Road, the north side of Tom Cole Road, west of Masch Branch Road; providing for severability; and providing an effective date.

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

- K.    [ID 20-1435](#)    Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or

timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas, generally identified as PAA-2, an area approximately 1,472 acres located on the south side of FM 1173, north W. University Drive, west of I-35; providing for severability; and providing an effective date.

Attachments:      [Exhibit 1 - Agenda Information Sheet\\_PAA-2](#)  
[Exhibit 2 - PAA-2 Draft Ordinance](#)

- L. [ID 20-1436](#) Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas, generally identified as PAA-3, an area approximately 1,075 acres located on the south side of Ganzer Road, north and south of Barthold Road, north of FM 1173, west of I-35; providing for severability; and providing an effective date.

Attachments:      [Exhibit 1 - Agenda Information Sheet\\_PAA-3](#)  
[Exhibit 2 - PAA-3 Draft Ordinance](#)

- M. [ID 20-1437](#) Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas, generally identified as PAA-4, an area of approximately 1,555 acres located on the south side of Milan Road, north of Loop 288, east of I-35; providing for severability; and providing an effective date.

Attachments:      [Exhibit 1 - Agenda Information Sheet\\_PAA-4](#)  
[Exhibit 2 - PAA-4 Draft Ordinance](#)

### **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 7th day of August, 2020 at 5:24 p.m.

---

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.