



City of Denton

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

Meeting Agenda

City Council

Tuesday, September 15, 2020

12:00 PM

Council Work Session Room

WORK SESSION BEGINS AT 12:00 P.M. IN THE COUNCIL WORK SESSION ROOM

REGULAR MEETING BEGINS AT 6:30 P.M. 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 regular 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 September 15, 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 September 11, the agenda was posted online at 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, September 15, 2020, 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 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 20-1494](#) 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 20-1384](#) Receive a report, hold a discussion, and give staff direction regarding an internal audit of COVID-19 Response: Pandemic Preparedness.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Audit Response Cover Letter](#)
[Exhibit 3 - Internal Audit of COVID-19 Response: Pandemic Preparedness](#)
[Exhibit 4 - Presentation](#)

- C. [ID 20-1368](#) Receive a report, hold a discussion, and give staff direction regarding the November 3, 2020 General and Special Elections.

Attachments: [Exhibit 1 - AIS - Work Session Item](#)
[Exhibit 2 - Ordinance 20-264 Ordering 5-2-2020 General Election](#)
[Exhibit 3 - Ordinance 20-265 Ordering 5-2-2020 Special Election](#)
[Exhibit 4 - Ordinance 20-741 Postponing Denton General Election to 11-03-2020](#)
[Exhibit 5 - Ordinance 20-742 Postponing Denton Special Election to 11-03-2020](#)
[Exhibit 6 - Governor Abbott - Proclamation re November 3rd election - EV Period](#)
[Exhibit 7 - Ordinance Amending General Election Date - Places 5_6_7 \(Mayor\)](#)
[Exhibit 8 - Ordinance Amending Special Election Date - Districts 1 and 2 Amended](#)
[Exhibit 9 - Presentation v2](#)

- D. [ID 20-1524](#) Receive a report, hold a discussion, and give staff direction regarding the FY 2020-21 Budget, Capital Improvement Program, and Five Year Financial Forecast.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Budget Feedback Memo](#)
- E. [ID 20-1202](#) Receive a report, hold a discussion, and give staff direction on pending City Council requests for:
1. Installing a “Wall of Fame” at the American Legion Hall
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Ordinance 19-2026 - City Council Request Process](#)
[Exhibit 3 - Presentation](#)

Following the completion of the Work Session, the City Council will convene in a Closed Meeting to consider specific item(s) 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 20-1670](#) 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 information from staff about and discuss and deliberate (i) the City’s current renewable energy resources portfolio and (ii) new opportunities to add additional renewable energy resources to the portfolio. Consultation with the City’s attorneys regarding legal issues associated with the procurement of the additional renewable energy resources, including, but not limited to, agreements related to the above, where discussions 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 Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

- B. [ID 20-1840](#) Deliberate regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Discuss, deliberate, receive information from staff, and provide staff with direction pertaining to the potential purchase of real property located southeast of the corner of Thomas J. Egan Rd. and Jim Christal Rd. in Denton, Denton County, Texas (“Property”), where the deliberation of same in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person or potential litigation. Consultation with the City’s attorneys regarding legal issues associated with potential claims against the City associated with the Property, 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 negotiations or

potential litigation.

- C. [ID 20-1793](#) Consultation with Attorneys under Texas Government Code Section 551.071, Personnel Matters under Texas Government Code Chapter 551.074, and Deliberations Involving Medical or Psychiatric Records of Individuals under Texas Government Code Chapter 551.0785.

Discuss, deliberate, receive information from staff, and provide staff with direction pertaining to the line of duty injury of Denton Police Officer Urban Rodriguez. Consultation with the City's attorney regarding legal issues, personnel matters, and medical records associated with Officer Rodriguez' line of duty injury, including an extension of line of duty injury leave of absence under Texas Local Government Code Chapter 143.073 as well as the workers' compensation benefits available to and received by Officer Rodriguez, where a public discussions 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 negotiations or potential litigation.

- D. [ID 20-1822](#) 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 William Wilburn Survey, Abstract No. 1419 Denton County, Texas, and located generally on the north side of Tom Cole Road, adjacent to the northwest end of Denton Enterprise Airport, 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.

- E. [ID 20-1842](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consult with the City's attorneys on the legal status, strategy and options for resolution of litigation, including a discussion of what information may be shared with the Public Utility Board, 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 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.

- F. [ID 20-1883](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consultation with the City's attorneys regarding legal matters with the escrow agreement related to the Denton Grove specific use permit (S20-0004), 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.

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 Regular 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.

REGULAR MEETING OF THE CITY OF DENTON CITY COUNCIL AT 6:30 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:

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 20-1849](#) Fall Prevention Awareness Day
- B. [ID 20-1850](#) National Suicide Awareness Month

3. PRESENTATION FROM MEMBERS OF THE PUBLIC

- A. Review of procedures for addressing the City Council.
- B. Reports from members of the public shall be received through the following two (2) methods. A total of up to seven (7) speakers are permitted to provide public comment and may include any combination of prior registration and open microphone speakers.

1) Pre-registration. 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. Each speaker is 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.

2) Open Microphone. This section of the agenda permits any person who has not registered in advance for a citizen report to make comments about public business items not listed on the agenda. Such person(s) shall have registered using the "Virtual White Card" or "By Phone" process outlined by the City on its website or meeting notice.

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 information; 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 – L). 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 20-1634](#) Consider adoption of an ordinance approving an agreement between the City of Denton and the Denton Chamber of Commerce regarding an Economic Development Program; and providing an effective date. The Economic Development Partnership Board recommends approval (11-0).

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

- B. [ID 20-1684](#) 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 North Texas Five Star Events, LLC, for the supply of Chemical Toilet Rental Services for the City of Denton, Section A - Standard and Handicap Rentals, Section F - Hand Washing Stations, Section G - Accessories and Additional Service Fees, and Section H - Special Event/Weekend Rentals; providing for the expenditure of funds therefor; and providing an effective date (RFP 7070 - awarded to North Texas Five Star Events, LLC, 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 \$225,000).

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

- C. [ID 20-1686](#) 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 United Site Services of Texas, Inc., for the supply of Chemical Toilet Rental Services for the City of Denton, Section B - Trailer Mounted Rentals, Section C - Restroom Trailer, Section D - Laundry Trailer and Section E - Shower Trailer; providing for the expenditure of funds therefor; and providing an effective date (RFP 7070 - awarded to United Site Services of Texas, Inc., 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 \$225,000).

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

- D. [ID 20-1688](#) 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 Techline Inc., for the supply of underground distribution cables for Denton Municipal Electric to be stocked in the Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (RFP 7391 - awarded to Techline Inc., for three (3) years, with the option for one (1) additional one (1) year extension, in the total four (4) year not-to-exceed amount of \$1,000,000).

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

- E. [ID 20-1689](#) 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 an interlocal agreement with Tarrant County, for the purchase of High Performance Asphalt Cold Mix Patch Material, as awarded by Tarrant County Bid RFB #2019-264; providing for the expenditure of funds therefor; and providing an effective date (File 7445 - awarded to Austin Asphalt, Inc. and Texas Materials Group, Inc., dba TexasBit, in the not-to-exceed amount of \$400,000).

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

- F. [ID 20-1757](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract through the Department of Information Resources (Dir) Cooperative Purchasing Network Contract Number

DIR-CPO-4470 with DataVox, Inc., for audio/video design and installation for the Development Services Center; providing for the expenditure of funds therefor; and providing an effective date (File 7467 - awarded to DataVox, Inc., in the not-to-exceed amount of \$337,287.17).

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

- G. [ID 20-1788](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a second amendment to a contract between the City of Denton and Rehrig Pacific Company, amending the contract approved by City Council on January 15, 2019, in the not-to-exceed amount of \$1,010,208; amended by Amendment 1 approved by Purchasing, said second amendment to provide for the additional purchase of residential refuse and recycling carts and replacement parts; providing for the expenditure of funds therefor; and providing an effective date (File 6926 - providing for an additional second amendment expenditure amount not-to-exceed \$190,000, with the total contract amount not-to-exceed \$1,200,208).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Original Ordinance and Contract](#)
 [Exhibit 3 - Amendment 1](#)
 [Exhibit 4 - Ordinance and Amendment 2](#)

- H. [ID 20-1867](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an Interlocal Agreement with the Town of Little Elm, under the Government Code, Chapter 791.001, to authorize City of Denton contracts for the purpose of providing public safety communication services to the Town of Little Elm, Texas; authorizing the expenditure of funds therefor; and declaring an effective date (File 7374 - authorize an Interlocal Agreement with the Town of Little Elm).

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

- I. [ID 20-1708](#) Consider approval of a resolution of the City of Denton in support of the Texas Department of Transportation's proposed alignment and construction schedule for the Loop 288 West Northbound and Southbound Frontage Road Construction Project; authorizing the City Manager to sign a letter of support; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Resolution and Letter](#)
 [Exhibit 3- Proposed Alignment for Loop 288 West Construction Project](#)

- J. [ID 20-1740](#) Consider approval of the minutes of August 25, August 27 and September 1, 2020.

Attachments: [Exhibit 1 - August 25, 2020 Minutes](#)
 [Exhibit 2 - August 27, 2020 Minutes](#)
 [Exhibit 3 - September 1, 2020](#)

- K. [ID 20-1782](#) 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 City of Fort Worth to define the duties and obligations involved with the coordination of public safety related efforts; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Ordinance.pdf](#)
[Exhibit 3 - Communications System Agreement.pdf](#)

- L. [S17-0008e](#) Consider adoption of an ordinance of the City of Denton, Texas, Nunc Pro Tunc, correcting an inadvertent mistake in Ordinance No. S17-0008d, relating to the approval date; providing for a savings clause and an effective date. (S17-0008e, Woodlands of McKinney Street)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - January 8, 2019 Meeting Minutes](#)
[Exhibit 3 - Draft Nunc Pro Tunc Ordinance](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 20-1870](#) Consider approval of a resolution of the city council of the City of Denton, a Texas home-rule municipal corporation, approving a negotiated settlement between the Atmos cities steering committee (“ASCS”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2020 rate review mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC’s reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas open meetings act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC’s legal counsel.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Resolution](#)
[Exhibit 3 - Resolution Attachments](#)
[Exhibit 4 - Presentation](#)

- B. [ID 20-1694](#) Consider adoption of an ordinance amending Ordinance No. 20-741 postponing the election to be held in the City of Denton, Texas, on May 2, 2020 and, if a runoff election is required, on June 13, 2020, for the purpose of electing Council Members to Places 5 and 6 and electing a Mayor to Place 7 of the City Council of the City of Denton, to November 3, 2020 by extending early voting; confirming candidate filings; providing dates for voter registration and applications for a ballot by mail; authorizing the City Manager and City Secretary to coordinate with the Elections Administrator of Denton County as necessary; providing a savings clause; providing an open meetings clause; and providing

an effective date.

Attachments: [Exhibit 1 - AIS - General Election](#)
 [Exhibit 2 - Ordinance 20-264 Ordering 5-2-2020 General Election](#)
 [Exhibit 3 - Ordinance 20-741 Postponing Denton General Election to 11-03-2020](#)
 [Exhibit 4 - Governor Abbott - Proclamation re November 3rd election - EV Period](#)
 [Exhibit 5 - Ordinance & Exhibits](#)
 [Exhibit 6 - Presentation v2](#)

- C. [ID 20-1695](#) Consider adoption of an ordinance amending Ordinance No. 20-742 postponing the special election to be held in the City of Denton, Texas, on May 2, 2020 and, if a runoff election is required, on June 13, 2020, to fill a vacancy in Districts 1 and 2 for the unexpired term ending in May, 2021, to November 3, 2020 by extending early voting; confirming candidate filings; providing dates for voter registration and applications for a ballot by mail; authorizing the City Manager and City Secretary to coordinate with the Elections Administrator of Denton County as necessary; providing a savings clause; providing an open meetings clause; and providing an effective date.

Attachments: [Exhibit 1 - AIS - Special Election](#)
 [Exhibit 2 - Ordinance 20-265 Ordering 5-2-2020 Special Election](#)
 [Exhibit 3 - Ordinance 20-742 Postponing Denton Special Election to 11-03-2020](#)
 [Exhibit 4 - Governor Abbott - Proclamation re November 3rd election - EV Period](#)
 [Exhibit 5 - Ordinance & Exhibits](#)
 [Exhibit 6 - Presentation v2](#)

- D. [ID 20-1871](#) Consider approval of a resolution of the City of Denton expressing support for Mayor Watts to approve certain outdoor components of the North Texas Fair and Rodeo organized by the North Texas State Fair Association to be held October 16-24, 2020 at 221 N. Carroll Boulevard in compliance with Governor Abbott's executive orders regarding outdoor gatherings; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Draft Resolution](#)
 [Exhibit 3 - Initial Event Waiver Request Materials.pdf](#)
 [Exhibit 4 - Supplemental Event Waiver Request Materials.pdf](#)
 [Exhibit 5 - Presentation](#)

- E. [ID 20-1749](#) Consider adoption of an ordinance of the City of Denton approving a City co-sponsorship to the North Texas State Fair Association in an amount not to exceed \$6,501 of in-kind services and resources for the Annual North Texas Fair and Rodeo Parade, which will be held on Saturday, October 17, 2020, at 10:00 a.m., at the historic downtown square; and providing an effective date.

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

- F. [ID 20-1755](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a fourth amendment to a Professional Services Agreement between the City of Denton and Graham Associates, Inc., amending the contract approved by City Council on January 10, 2017, in the not-to-exceed amount of \$900,256.25; amended by Amendments 1 - 3 approved by the City Council, City Manager and Purchasing; said fourth amendment to provide additional engineering services to the Bonnie Brae Phase 4 I-35 Scripture project; providing for the expenditure of funds therefor; and providing an effective date (File 6285 - providing for an additional fourth amendment expenditure amount not-to-exceed \$594,234.70, with the total contract amount not-to-exceed \$1,871,640.95).

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Original Ordinance and Contract](#)

[Exhibit 3 - Ordinance and Amendment 1](#)

[Exhibit 4 - Amendment 2](#)

[Exhibit 5 - Amendment 3](#)

[Exhibit 6 - Presentation](#)

[Exhibit 7 - Ordinance and Amendment 4](#)

- G. [ID 20-1786](#) Consider adoption of an ordinance of the City of Denton, Texas, granting the North Texas State Fair Association an exception pursuant to section 17-20 of the City of Denton code of ordinances, with respect to sound levels and hours of operation for the North Texas Fair and Rodeo, which will be held October 16-24, 2020 at 221 N. Carroll Boulevard; granting a variance in the hours of operation for said dates on Monday through Thursday from 10:00 p.m. to midnight, Friday and Saturday from 10:00 p.m. to 1:00 a.m., and Sunday from 11:00 a.m. to 11:00 p.m., with sound not to exceed 70 decibels; and providing an effective date.

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Ordinance](#)

- H. [AESA20-0003d](#) Consider adoption of an ordinance of the City of Denton, Texas regarding an Alternative Environmentally Sensitive Area Plan for approximately 213.9-acres of land generally located north of the 3500-3600 block of Roselawn Drive and the east side of the Kansas City Southern Railroad tracks in the City of Denton, Denton County, Texas; adopting an amendment to the City's official Environmentally Sensitive Areas map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. (AESA20-0003d, Christi Upton)

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Existing Zoning Map](#)
[Exhibit 5 - Environmentally Sensitive Areas Map](#)
[Exhibit 6 - Rayzor Forestar AESA Restoration Plan September 2020](#)
[Exhibit 7 - Project Narrative](#)
[Exhibit 8 - Approved Preliminary Plat](#)
[Exhibit 9 - ESA Field Assessments](#)
[Exhibit 10 - Notification Map and Response](#)
[Exhibit 11 - Community Participation Report](#)
[Exhibit 12 - Draft Ordinance](#)
[Exhibit 13 - Staff Presentation](#)

- I. [ID 20-1882](#) Consider adoption of an ordinance of the City of Denton, Texas, Authorizing the City Manager to execute the certified local government subgrant fiscal year 2021 grant letter of support for Historic Denton Inc., relating to the Texas Historic Commission Certified Local Government (CLG) grant to conduct a historical survey of the North Texas State normal neighborhood for nomination as a National Historic District.

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Draft Ordinance](#)
[Exhibit 3 - Informal Staff Report \(ISR\) 2020-007](#)
[Exhibit 4 - Responses from Historic Denton Inc](#)

- J. [S20-0004b](#) Consider adoption of an ordinance of the City of Denton, Texas, approving a Specific Use Permit to allow for a Multi-Family Dwelling use on approximately 16.2 acres of land, generally located on the northwest corner of Duchess Drive and Loop 288, in the City of Denton, Denton County, Texas; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing for severability; and establishing an effective date. The Planning and Zoning Commission recommended approval (6-0). (S20-0004b, Denton Grove Apartments, Julie Wyatt)

- Attachments:** [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Aerial Map](#)
[Exhibit 4 - Future Land Use Map](#)
[Exhibit 5 - Zoning Map](#)
[Exhibit 6 - Concept Plan](#)
[Exhibit 7 - Landscape Plan](#)
[Exhibit 8 - Conceptual Architectural Elevations](#)
[Exhibit 9 - Resolution of No Objection – Affordable Housing Tax Credits](#)
[Exhibit 10 - Notification Map and Responses](#)
[Exhibit 11 - Presentation](#)
[Exhibit 12 - August 5, 2020 Planning and Zoning Commission Meeting Minutes](#)
[Exhibit 13 - Draft Ordinance](#)
[Exhibit 14 - Ordinance Exhibits](#)

- K. [S20-0004c](#) Consider adoption of an ordinance approving an Escrow Agreement between the City of Denton, Texas, and Pedcor Investments, A Limited Liability Company, regarding Pedcor's funding of Traffic Control Facilities to be constructed at the intersection of Duchess Drive and S. Loop 288 (\$400,000); authorizing the City Manager, or his designee, to execute the same; approving the expenditure of funds therefor; and declaring an effective date. (S20-0004c, Denton Grove Apartment)

- Attachments:** [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Ordinance w agreement executd by Pedcort](#)

6. PUBLIC MEETING

- A. [ID 20-1544](#) Hold a public meeting on a proposal to adopt a tax rate of \$0.590454 with a maximum allowable rate of \$0.615454 per \$100 valuation, which will not exceed the lower of the non-new revenue rate or the voter approval tax rate. Public comments will be received in accordance with the public hearing process

- Attachments:** [Exhibit 1 - Agenda Information Sheet.docx](#)
[Exhibit 2 - 2020 Notice of Proposed Tax Rate.pdf](#)

7. PUBLIC HEARINGS

- A. [Z20-0007a](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a change in the zoning district and use classification from Rural Residential (RR) District to General Office (GO) District on approximately 55.37 acres of land generally located on the west side of Interstate Highway 35, approximately 680 feet north of Barthold Road, in the City of Denton, Denton County, Texas; adopting an amendment to the City's official zoning map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted [7-0] to approve the request with conditions. (Z20-0007a, Primoris Corporate Offices, Hayley Zagurski)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Future Land Use Map](#)
[Exhibit 5 - Existing Zoning Map](#)
[Exhibit 6 - Proposed Zoning Map](#)
[Exhibit 7 - LLC Members List](#)
[Exhibit 8 - Notification Response Map](#)
[Exhibit 9 - Draft Ordinance](#)
[Exhibit 10 - Presentation](#)

- B. [ID 20-1543](#) Hold a public hearing and receive citizen input on the FY 2020-21 Proposed Budget.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - FY 2020-21 Notice of Proposed Budget](#)

- C. [S19-0013b](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas approving a Specific Use Permit to allow for a Multi-Family Dwelling use on approximately 4 acres of land generally located on the north side of Mingo Road, approximately 150 feet southwest of Boyd Street in the City of Denton, Denton County, Texas; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing for severability; and establishing an effective date. The Planning and Zoning Commission voted 6-0 to recommend approval of the request with conditions. (S19-0013b, Mingo Road Apartments, Julie Wyatt)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Aerial Map](#)
[Exhibit 4 - Future Land Use Map](#)
[Exhibit 5 - Previous SUP Ordinance S17-0006a](#)
[Exhibit 6 - Concept Plan](#)
[Exhibit 7 - Landscape Plan](#)
[Exhibit 8 - Conceptual Architectural Elevations](#)
[Exhibit 9 - LLC Members List](#)
[Exhibit 10 - Notification Map and Responses](#)
[Exhibit 11 - Presentation](#)
[Exhibit 12 - July 22, 2020 Planning and Zoning Meeting Minutes](#)
[Exhibit 13 - Draft Ordinance](#)
[Exhibit 14 - Ordinance Exhibits](#)

- D. [PD20-0003a](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a Detailed Plan for a charter school on a 37.3 acre phase of Planned Development District No. 139 (The Vintage), generally located on the southeast corner of Vintage Boulevard and I-35W Vintage Boulevard Ramp intersection, in the City of

Denton, Denton County, Texas; adopting an amendment to the City's official zoning map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted (7-0) to approve the request. (PD20-0003b, PD 139; Charter School, Julie Wyatt)

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Existing Zoning Map](#)

[Exhibit 5 - Future Land Use Map](#)

[Exhibit 6 - Ordinance 1991-034](#)

[Exhibit 7 - Ordinance 1999-317](#)

[Exhibit 8 - Ordinance 2002-147](#)

[Exhibit 9 - PD Development Plan](#)

[Exhibit 10 - Vintage Boulevard Paving Plan](#)

[Exhibit 11 - Notification Map and Response](#)

[Exhibit 12 - Presentation](#)

[Exhibit 13 - September 1, 2020 Planning and Zoning Commission Meeting Minu](#)

[Exhibit 14 - Draft Ordinance](#)

[Exhibit 15 - Ordinance Exhibits](#)

8. 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 11th day of September, 2020 at 5:50 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.