



# 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 20, 2020

2:00 PM

Council Work Session Room

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#### **WORK SESSION BEGINS AT 2:00 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 October 20, 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 October 16, 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, October 20, 2020, 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 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 20-556](#) Receive a report, hold a discussion, and give staff direction on municipal broadband service models, and their potential application to the City of Denton.

**Attachments:**

[Exhibit 1 - Agenda Information Sheet - Municipal Broadband](#)

[Exhibit 2 - Informal Staff Report No. 2019-019 Municipal Broadband](#)

[Exhibit 3 - Informal Staff Report No. 2019-085 Municipal Broadband Followup](#)

[Exhibit 4 - Informal Staff Report No. 2020-090](#)

[Exhibit 5 - Presentation](#)

- B. [ID 20-1186](#) Receive a report and hold a discussion regarding plugged gas well issues, including risks and public protections from plugged wells, current inspection practices, setback distances in Denton and other area cities, and zoning incentives such as density bonuses that could encourage plugging wells in areas of new development.

**Attachments:**

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Presentation](#)

- C. [ID 20-1778](#) Receive a report, hold a discussion, and give staff direction regarding pending 2020 Non-Annexation Agreements (NAAs) and Non-Ag Exempt Properties.

**Attachments:**

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Presentation](#)

- D. [ID 20-1492](#) Receive a report, hold a discussion, and give staff direction on pending City Council requests for:

(1) Discuss Collins Road expansion.

- 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 20-1958](#)      Deliberations regarding Personnel Matters - Under Texas Government Code Section 551.074.  
                                 Deliberate and discuss the evaluation, duties, discipline, procedures, and contracts of the City Attorney and City Manager.

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.**

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**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 20-2055](#)      Resolution of Appreciation for Dr. Kenneth E. Banks
- B.    [ID 20-2088](#)      Complete Count Committee

### **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.

a. [ID 20-2120](#) Property deterioration due to construction on Teasley

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 – W). 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 20-1985](#) Consider adoption of an ordinance approving a Pipeline Crossing Contract by and between the City of Denton and the Kansas City Southern Railway Company relating to the location of a City water pipeline within the railroad right-of-way, located at Mile Post D100.16 Alliance Subdivision, within the County and City of Denton, Texas; authorizing the City Manager to execute the Agreement; authorizing the expenditure of funds; and providing an effective date. (KCS RR Agreement, Country Club Terrace Phase 1b - Mark Laird)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Location Map](#)  
                                 [Exhibit 3 - Site Map](#)  
                                 [Exhibit 4 - CCT Water Plan](#)  
                                 [Exhibit 5 - Vesting Deed](#)  
                                 [Exhibit 6 - LLC Members list](#)  
                                 [Exhibit 7 - Ordinance and KCS RR contracts](#)

- B.    [ID 20-1986](#)    Consider adoption of an ordinance approving a Pipeline Crossing Contract by and between the City of Denton and the Kansas City Southern Railway Company relating to the location of a City water pipeline within the railroad right-of-way, located at Mile Post D100.32 Alliance Subdivision, within the County and City of Denton, Texas; authorizing the City Manager to execute the Agreement; authorizing the expenditure of funds; and providing an effective date. (KCS RR Agreement, Country Club Terrace Phase 1a - Mark Laird)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Location Map](#)  
                                 [Exhibit 3 - Site Map](#)  
                                 [Exhibit 4 - CCT Water Plan](#)  
                                 [Exhibit 5 - Vesting Deed](#)  
                                 [Exhibit 6 - LLC Members list](#)  
                                 [Exhibit 7 - Ordinance and KCS RR contracts](#)

- C.    [ID 20-2001](#)    Consider approval of a resolution of the City of Denton amending the Naming Policy Guidelines for City Buildings, Facilities, Land, or any Portion Thereof to include provisions for temporary names; providing a repealer; and declaring an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Resolution](#)  
                                 [Exhibit 3 - Naming Policy Proposed Amendments \(Redline\)](#)

- D.    [ID 20-2002](#)    Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to expend funds for payment of the annual Water Quality Fee to the Texas Commission on Environmental Quality for the operation of the City's 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).

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

- E.    [ID 20-2003](#)    Consider adoption of an ordinance of the City of Denton, Texas, a Texas Home Rule Municipal Corporation, authorizing the City Manager, or his designee, to expend funds for payment of the annual Water System Fee to the Texas Commission on Environmental Quality; and, providing an effective date. (Water System Fee in the total not-to-exceed

amount of \$100,000.00).

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

- F.    [ID 20-2004](#)    Consider adoption of an ordinance of the City of Denton, Texas, a Texas Home-Rule Municipal Corporation, authorizing the expenditure of funds for payment to the U.S. Army Corps of Engineers for the annual major capital repair (“MCR”) and Operations and Maintenance (O&M) fees for water storage at Lake Lewisville and Lake Ray Roberts; and, providing an effective date (Water storage MCR and O&M fees in the total amount not to exceed \$200,000).

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

- G.    [ID 20-1792](#)    Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a contract for public artwork with Daniel Black; approving the conceptual design for a public art mural to be painted on the Union Pacific Railroad underpass located on Robertson Street east of Bell Avenue; providing for the expenditure of funds therefor; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Ordinance](#)  
                                 [Exhibit 3 - Dan Black “Foundations of Our History” Design Concept](#)

- H.    [ID 20-2010](#)    Consider adoption of an ordinance of the City of Denton approving an agreement between the Denton Parks Foundation and the City of Denton to allow the Denton Parks Foundation to raise funds and support programming for the Parks and Recreation Department; authorizing the city manager or his designee to execute the Denton Parks Foundation agreement; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Ordinance](#)  
                                 [Exhibit 3 - Parks Foundation Agreement \(redline\)](#)

- I.    [ID 20-2051](#)    Consider adoption of an ordinance of the City of Denton authorizing the expenditure of funds for payments by the City to the Texas Commission on Environmental Quality for waste disposal fees; and providing an effective date (waste disposal fee in the total amount of \$450,000).

**Attachments:**      [Exhibit 1 Agenda Information Sheet](#)  
                                 [Exhibit 2 30 TAC 330](#)  
                                 [Exhibit 3 30 TAC 330](#)  
                                 [Exhibit 4 Ordinance](#)

- J.    [ID 20-2058](#)    Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to execute a Facility Use Agreement with other law enforcement agencies for the use of Denton Police Department Training Center and Firearms Range; and

providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Ordinance - DPD Training Agreements 10-6-20](#)

- K.    [ID 20-2060](#)    Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 2 to the contract between the City of Denton and Quality Excavation, LLC, for additional work on the Hinkle and Windsor Paving and Drainage Project (Magnolia PH II); providing for the expenditure of funds therefor; and providing an effective date (IFB 6902 - Change Order No. 2 in the not-to-exceed amount of \$494,958.57 for a total contract award aggregated to \$7,240,961.78). The Public Utilities Board recommends approval (6 - 0).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Original Ordinance and Contract](#)  
                                 [Exhibit 3 - Ordinance and Change Order 1](#)  
                                 [Exhibit 4 - LLC Members](#)  
                                 [Exhibit 5 - LTD Conversion to LLC](#)  
                                 [Exhibit 6 - Ordinance and Change Order 2](#)

- L.    [ID 20-2061](#)    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 Quality Excavation, LLC, for the construction of the Downtown Storm Sewer Trunk Line PH I Project for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (IFB 7086 - awarded to Quality Excavation, LLC, in the not-to-exceed amount of \$1,141,102.20). The Public Utilities Board recommends approval (5 - 0).

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

- M.    [ID 20-2062](#)    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 Argos USA, LLC, for concrete delivery for city departments, providing for the expenditure of funds therefor; and providing an effective date (RFP 7414 - awarded to Argos USA, 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 \$400,000). The Public Utilities Board recommends approval (6 - 0).

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

- N.    [ID 20-2063](#)    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 John Burns Construction Company of Texas, Inc., for the construction of the Hickory Substation underground transmission and distribution duct banks; providing for the expenditure of



funds therefor; and providing an effective date (RFP 7420 - awarded to John Burns Construction Company of Texas, Inc., in the not-to-exceed amount of \$811,370.70). The Public Utilities Board recommends approval (6 - 0).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Duct Bank Locations](#)  
                                 [Exhibit 3 - Duct Bank Plans](#)  
                                 [Exhibit 4 - Ordinance and Contract](#)

- O.    [ID 20-2064](#)    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 with Associated Supply Company, Inc., dba ASCO Equipment Co., through the Buy Board Cooperative Purchasing Network Contract # 597-19, for authorized Case construction equipment repair services for the Fleet Department; providing for the expenditure of funds therefor; and providing an effective date (File 7443 - awarded Associated Supply Company, Inc., dba ASCO Equipment Co., in the five (5) year not-to-exceed amount of \$100,000). The Public Utilities Board recommends approval (6 - 0).

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

- P.    [ID 20-2065](#)    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 Bojorquez Law Firm, PC, amending the contract approved by Purchasing on November 28, 2017, in the not-to-exceed amount of \$40,000; amended by Amendments 1-3 approved by Purchasing and City Manager; said fourth amendment to provide additional independent, outside legal services under certain circumstances as defined in the Ethics Ordinance; providing for the expenditure of funds therefor; and providing an effective date (File 6655 - providing for an additional fourth amendment expenditure amount not-to-exceed \$30,000, with the total contract amount not-to-exceed \$115,034.71).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Original Contract](#)  
                                 [Exhibit 3 - Amendment 1](#)  
                                 [Exhibit 4 - Amendment 2](#)  
                                 [Exhibit 5 - Amendment 3](#)  
                                 [Exhibit 6 - Ordinance and Amendment 4](#)

- Q.    [ID 20-2066](#)    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 American Business Electronics, Inc. dba ABE Corp, for security services and card access control for all City Departments; providing for the expenditure of funds therefor; and providing an effective date (RFP 7409 - awarded to American Business Electronics, Inc. dba ABE Corp, 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 - Ordinance and Contract](#)

- R.    [ID 20-2067](#)    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 CapitalEdge Strategies, LLC, for Federal Government Relations and Lobbying Services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 7423 - awarded to CapitalEdge Strategies, LLC, in the total six (6) year not-to-exceed amount of \$354,000).

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

[Exhibit 2 - Pricing Evaluation](#)

[Exhibit 3 - LLC Members](#)

[Exhibit 4 - CapitalEdge Overview](#)

[Exhibit 5 - Ordinance and Contract](#)

- S.    [ID 20-2070](#)    Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an agreement with the Texas Commission on the Arts for an Arts Respond-Cultural District Program Grant in the amount of \$28,000 for the period of September 1, 2020 through August 21, 2021 and authorizing the expenditure of funds therefor; and providing an effective date.

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

[Exhibit 2 - Ordinance and Agreement](#)

[Exhibit 3 - Submitted Grant Application](#)

- T.    [ID 20-2097](#)    Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to accept the Special Projects Grant #SPP-21005 for State Fiscal Year 2021 (Federal Award Identification #LS-246193-OLS-20) from the Texas State Library and Archives Commission through the Institute of Museum and Library Services in the amount of \$54,058.00, for the period of September 1, 2020 through August 31, 2021; authorizing the City Manager to carry out all duties of the City pursuant to the grant; providing a savings clause; and providing an effective date.

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

[Exhibit 2 - Special Projects Grant Ordinance and Agreement](#)

- U.    [ID 20-1873](#)    Consider approval of a resolution of the City of Denton amending Resolution No. 2012-026 to change the name of the Committee on Citizen Engagement to the Committee on Community Engagement; and providing an effective date.

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

[Exhibit 2 - Resolution](#)

[Exhibit 3 - R2012-026](#)

- V.    [ID 20-2125](#)    Consider adoption of an ordinance of the City of Denton ratifying prior expenditures to provide accommodations for persons experiencing homelessness during the declared disaster related to COVID-19 and authorizing the expenditure of additional funds

therefor; and providing an effective date.

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

- W. [ID 20-2132](#)      Consider approval of the minutes of October 6, 2020.

**Attachments:**      [October 6, 2020 Minutes - Draft](#)

## **5. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. [ID 20-2085](#)      Consider adoption of an ordinance of the City of Denton amending Chapter 23 of the City Code - Police - to add Article VI, Section 23-177, creating the Denton Police Department Chief of Police Advisory Board and providing an effective date.

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

- B. [ID 20-1851](#)      Consider approval of a resolution of the City of Denton adopting an Urban Forest Master Plan as policy for the City of Denton; and declaring an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Resolution](#)  
                                 [Exhibit 3 - Urban Forest Master Plan Edits](#)  
                                 [Exhibit 4 - June Presentation](#)  
                                 [Exhibit 5 - Presentation](#)

- C. [ID 20-2068](#)      Consider adoption of an ordinance approving an economic development agreement under Chapter 380 of the Local Government Code to promote economic development and to stimulate business activity and economic growth of the City of Denton, between the City of Denton and From the Future, LLC, regarding the expansion of operations and increase in the number of high wage or knowledge-based jobs in the City of Denton; authorizing the expenditure of funds therefor; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - LLC Members](#)  
                                 [Exhibit 3 - Ordinance and Agreement](#)  
                                 [Exhibit 4 - Business Information & Application](#)  
                                 [Exhibit 5 - Presentation](#)

- D. [ID 20-2069](#)      Consider adoption of an ordinance approving an economic development agreement under Chapter 380 of the Local Government Code to promote economic development and to stimulate business activity and economic growth of the City of Denton, between the City of Denton and TeamOfDefenders, LLC, regarding the expansion of operations and increase in the number of high wage or knowledge-based jobs in the City of Denton, Texas; authorizing the expenditure of funds therefor; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - LLC Members](#)  
                                 [Exhibit 3 - Ordinance and Agreement](#)  
                                 [Exhibit 4 - Business Information & Application](#)  
                                 [Exhibit 5 - Presentation](#)

- E.    [ID 20-2071](#)    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](#)  
                                 [Exhibit 2 - DH1 Ordinance and NAA](#)

- F.    [ID 20-2072](#)    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](#)  
                                 [Exhibit 2 - DH2 Ordinance and NAAs](#)

- G.    [ID 20-2074](#)    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](#)  
                                 [Exhibit 2 - DH3 Ordinance and NAA](#)

- H.    [ID 20-2075](#)    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](#)  
                                 [Exhibit 2 - DH4 Ordinance and NAAs](#)

- I.    [ID 20-2076](#)    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](#)  
                                 [Exhibit 2 - DH5 Ordinance and NAAs](#)

- J.    [ID 20-2077](#)    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](#)  
                                 [Exhibit 2 - DH9 Ordinance and NAAs](#)

- K.    [ID 20-2079](#)    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 D12](#)  
                                 [Exhibit 2 - DH12 Ordinance and NAAs](#)

- L.    [ID 20-2080](#)    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 PAA1](#)  
                                 [Exhibit 2 - PAA 1 Ordinance and NAAs](#)

- M.    [ID 20-2081](#)    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 PAA2](#)

[Exhibit 2 - PAA 2 Ordinance and NAAs](#)

- N.    [ID 20-2082](#)    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 PAA3](#)

[Exhibit 2 - PAA 3 Ordinance and NAAs](#)

- O.    [ID 20-2083](#)    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 PAA4](#)

[Exhibit 2 - PAA 4 Ordinance and NAAs](#)

## **6. PUBLIC HEARINGS**

- A.    [AESA20-000](#)    Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving an Alternative Environmentally Sensitive Area Plan for a renovation at Ryan High School. The approximately 78.904-acre property, generally located on the north side of East McKinney Street, approximately 1,740 feet east of the intersection of Mayhill Road 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 (AESA20-0004, Ryan High School Renovation, Christi Upton).

[4b](#)

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Environmentally Sensitive Areas Map](#)

[Exhibit 5 - Alternative ESA Plan](#)

[Exhibit 5 - Ryan HS Alternative ESA Plan, September 2020](#)

[Exhibit 6 - AESA Overall Site Plan](#)

[Exhibit 7 - Landscape Plans](#)

[Exhibit 8 - Notification Map and Responses](#)

[Exhibit 9 - Ordinance](#)

[Exhibit 10 - Staff Presentation](#)

- B. [AESA20-000](#) [2c](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a request for an Alternative Environmentally Sensitive Area Plan for approximately 18.83-acre site, generally located on the south side Duchess Drive approximately 1,850 feet west of South Loop 288 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. (AESA20-0002, Eagle Cove, Christi Upton).

**Attachments:**

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Preliminary Plat](#)

[Exhibit 5 - Environmentally Sensitive Areas Map](#)

[Exhibit 6 - ESA Field Assessment Reports](#)

[Exhibit 7 - Alternative ESA Plan](#)

[Exhibit 8 - Notification Map and Responses](#)

[Exhibit 9 - Ordinance](#)

[Exhibit 10 - Staff Presentation](#)

- C. [Z19-0012c](#) 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 Residential 2 (R2) District to Residential 4 (R4) District on approximately 2.61 acres of land generally located east of Mockingbird Lane, approximately 133 feet south of Audra Lane 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 recommend denial of the request. (Z19-0012c Mockingbird Single Family Residential, Julie Wyatt)

**Attachments:**

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Existing Zoning Map](#)

[Exhibit 5 - Proposed Zoning Map](#)

[Exhibit 6 - Future Land Use Map](#)

[Exhibit 7 - Applicant's Summary of September 12, 2019 Neighborhood Meeting](#)

[Exhibit 8 - Notification Map and Responses](#)

[Exhibit 9 - Presentation](#)

[Exhibit 10 - September 16, 2020 Planning and Zoning Commission Meeting Min](#)

[Exhibit 11 - Draft Ordinance](#)

- D. [DCA20-0004](#) [a](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Denton Development Code Subchapter 5, "Use Regulations," related to the

Table Of Allowed Uses And Use-Specific Standards for Tattoo and Piercing Parlors in the Mixed-Use Neighborhood (MN) District; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. (DCA20-0004, Tattoo and Body Piercing Parlor, Richard D. Cannone, AICP)

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Draft Ordinance](#)

[Exhibit 4 - Presentation](#)

## **7. 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 16th day of October 2020 at 6:24 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.