

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF DENTON AND DENTON INDEPENDENT SCHOOL DISTRICT (DISD) REGARDING THE EXCHANGE OF APPROXIMATELY 9.4 ACRES OF PARK LAND IN SOUTH LAKES PARK FOR APPROXIMATELY 3.433 OF DISD LAND TO ACCOMMODATE THE DEVELOPMENT OF A CITY NEIGHBORHOOD PARK AND DISD TRACK IMPROVEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, V.T.C.A. Government Code Chapter 791, the Interlocal Cooperation Act (“Act”), provides authorization for a local government to contract or agree with another local government to perform governmental functions and services under the terms of the Act; and

WHEREAS the City and DISD are political subdivisions within the State of Texas and engage in the provision of governmental services for the benefit of their citizens; and

WHEREAS the City is the owner of 9.4 acres of land situated at the Northwest portion of South Lakes Park, located at 556 Hobson Lane, Denton, Texas 76205, which the McMath Middle School track and field are located, the legal description of which is set forth in Exhibit “A” to the Interlocal Agreement hereto attached (the “City Tract”); and

WHEREAS, the City Tract currently operates as the site for a track and field for McMath Middle School, which is operated as a public land for park and recreational area uses and is protected land under Chapter 26 of the Texas Park and Wildlife Code; and

WHEREAS, DISD is the owner of approximately 2.273 acres situated at Congress Street, Denton, Denton County, Texas, Calhoun Middle School BLK A Lot 2, with Denton County Appraisal District Property ID 468756, the legal description of which is set forth in Exhibit “B” to the Interlocal Agreement hereto attached (the “DISD Tract One”); and

WHEREAS, DISD Tract One currently operates as a track and field and parking lot for DISD and the Old Calhoun Campus; and

WHEREAS, DISD is the owner of approximately 1.16 acres situated at Mounts Avenue, Denton, Denton County, Texas, Calhoun Addition BLK A Lot 1R, with Denton County Appraisal District Property ID 682858, the legal description of which is set forth in Exhibit “C” to the Interlocal Agreement hereto attached (the “DISD Tract Two”); and

WHEREAS, DISD Tract Two currently operates as DISD property and includes four tennis courts and a small parking lot; and

WHEREAS, in connection with future development, DISD desires to contract with the City for the exchange of the City Tract for DISD Tract One and DISD Tract Two (collectively, the “DISD Tract”), together with all rights, privileges, appurtenances thereto (the “Exchange”); and

WHEREAS, the City is willing to agree to the Exchange subject to those certain terms and conditions set forth in the City of Denton Exchange Agreement (“Exchange Agreement”), attached hereto as Exhibit “D” to the Interlocal Agreement, as it will benefit the public interest; and,

WHEREAS, the Exchange is a legally permissible exchange of municipal land under Local Government Code Chapter 272, is exempt from Local Government Code Chapter 272 notice and bidding requirements for the sale of land owned by a municipality in that it is a sale to another political subdivision and will be in compliance with Chapter 272.001(b)(5); and

WHEREAS, the exchange of property complies with Local Government Code Chapter 272 fair market value requirements for the exchange of land owned by a municipality in that the City may exchange the property for less than fair market value because the Exchange is to DISD which is a governmental entity with power of eminent domain; and

WHEREAS, City and DISD both agree that the Exchange triggers public hearing requirements of Chapter 26 of the Texas Parks and Wildlife Code; and

WHEREAS, City conducted public meetings on September 25, 2025 and October 9, 2025 regarding the Exchange as provided in Exhibit “E” to the Interlocal Agreement attached hereto; and

WHEREAS, City and DISD jointly conducted public hearing on October 21, 2025 regarding the Exchange as provided in Exhibit “E” to the Interlocal Agreement attached hereto; and

WHEREAS, City approved an ordinance on October 21, 2025, regarding the Exchange as provided in Exhibit “F” to the Interlocal Agreement attached hereto; and

WHEREAS, DISD approved a resolution on October 28, 2025, regarding the Exchange as provided in Exhibit “G” to the Interlocal Agreement attached hereto; and

NOW, THEREFORE, and in consideration of the mutual consideration, terms, and provisions contained herein, City and DISD hereby enter into this Agreement, which as a matter of mutual agreement shall survive the Exchange Agreement described herein and operate as a binding Interlocal contract between the parties.

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. That the findings set forth in the recitals of this ordinance are found true and correct and hereby adopted as the findings of the City Council.

SECTION 2. The City Council finds that approving this Interlocal Agreement with DISD in the form of Exhibit “1” provides a mutual benefit to the City of Denton and DISD and results in an overall gain to the citizens of Denton.

SECTION 3. The City Manager or designee is hereby authorized to execute the Agreement with DISD in the form of attached hereto as Exhibit “1” and made part of this ordinance by reference for all purposes.

SECTION 4. The rights and benefits set forth in this ordinance may not be assigned without the express written consent of the City.

SECTION 5. That this ordinance shall become effective immediately upon its passage and approval.

The motion to approve this ordinance was made by _____ and seconded by _____; the ordinance was passed and approved by the following vote [____ - ____]:

	Aye	Nay	Abstain	Absent
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Suzi Rumohr, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Jill Jester, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the _____ day of _____, 2025.

GERARD HUDSPETH, MAYOR

ATTEST:
INGRID REX, INTERIM CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:

MACK REINWAND, CITY ATTORNEY

BY: Marcella Lunn