



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Development Services, Real Estate

CM/DCM/ACM: Cassandra Ogden

DATE: 3/25/2025

SUBJECT

Consider adoption of an ordinance of the City of Denton determining the public use, need, and necessity for acquisition of various (i) permanent drainage easements, (ii) temporary construction easements, (iii) permanent slope easements, and (iv) Rights-of-Way parcels, generally located along North/South Westgate Drive and Windsor Drive situated in the Francis Batson Survey, Abstract No. 43, and the Nathan Wade Survey, Abstract No. 1407, all in the City and County of Denton, Texas, and more particularly described in the attached Exhibit(s) "A" (collectively, the "Property Interest(s)"); authorizing the City Manager and City Attorney to acquire the Property Interests by agreement if possible, including making all offers required by law; authorizing the use of the power of eminent domain proceedings if necessary; authorizing the expenditure of funding; making findings; providing a savings clause; and providing an effective date.

BACKGROUND

The Westgate Drive Reconstruction Project Phase 2 ("The Project") involves acquiring critical Property Interests necessary for the construction of public street improvements. These improvements will include a permanent connectivity of the North/South Westgate Drive to Bronco Way, the widening of Windsor Drive from Westgate Drive to Interstate 35 access road, and upgrades to storm drain lines, storm drain manholes, a culvert bridge, and driveway approaches.

This project is continuation of East/West Westgate Drive Project. On November 26, 2024, this project was split into Phase 1 and Phase 2. Phase 1 will connect Bronco Way to Westgate Dr. and the I35 access road. Work will begin on Phase 1 June 2025.

On November 15, 2022, City Council awarded a contract to Halff Associates Inc. ("Halff") for the engineering design services relating to the design, bid phase, and construction services for the Westgate Drive Reconstruction Project Phase 2. Halff will also provide right-of-way and easement acquisition and other services in support of the project. In the event negotiation efforts fail and an impasse is reached, to avoid project delays, the approval of this ordinance will authorize the City Attorney's Office to acquire the necessary Property Interests via the exercise of eminent domain, with the landowners being compensated in accordance with state law.

If a Council member determines that he or she has a conflict of interest pursuant to the Ethics Ordinance, he or she may contact the City Attorney's Office to have a Recusal Form prepared prior to consideration of this agenda item.

OPTIONS

1. Approve proposed ordinance.
2. Decline proposed ordinance.

RECOMMENDATION

Staff recommends approval of the ordinance.

ESTIMATED SCHEDULE OF PROJECT

Begin January 2026

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On May 18, 2021, City Council approved RFQ 7599 for a prequalified list of professional engineering firms (Ordinance 21-894).

On October 14, 2022, Public Utilities Board recommended approval of the Professional Engineering Services Agreement for final design of Westgate Drive Reconstruction Project with Halff Associates, Inc.

On November 15, 2022, City Council approved the Professional Engineering Services Agreement with Halff Associates, Inc. for the design of Westgate Drive Reconstruction Project (Ordinance 22-2303).

On March 5, 2024, City Council approved Amendment No. 1 to the Professional Engineering Services Agreement with Halff Associates for the design of Westgate Drive Reconstruction Project (Ordinance 24-539).

FISCAL INFORMATION

The purchase of the Property Interests will be funded from Capital Improvement Plan Engineering account 350522467.30100.

EXHIBITS

Exhibit 1 – Agenda Information Sheet

Exhibit 2 – Ordinance

Exhibit 3 – Recommended Motion

Exhibit 4 – Location Map

Respectfully submitted:
Angel DeLory, Senior Real Estate Specialist
Development Services-Real Estate