



October 16, 2024

Gary Packan
City of Denton
601 E. Hickory St.
Denton, TX 76205

Via Electronic Mail: gary.packan@cityofdenton.com

Mr. Packan,

On behalf of the between Denton Independent School District (“Denton ISD”), a Texas political subdivision, please except this letter to comply with the City’s requirements under Texas Parks and Wildlife Code Section 26.001.

As you are aware, Denton ISD passed a bond initiative in 2023 to, in part, rebuild a number of our local schools. One school that is slated to be rebuilt is Borman Elementary. As a part of this voter approved referendum, Denton ISD has conducted a comprehensive study of potential available locations, public input, community needs and topographic concerns such as aspect and slope and flood considerations. To accomplish this effort, the Denton ISD is requesting to swap land with the City of Denton to rebuild the school within the same neighborhood partially on property owned by Denton ISD as well as property owned by the City of Denton (Denia Park). This proposed exchange would consist of approximately 4.729 acres of property currently owned by Denton ISD in exchange for approximately 3.739 acres of property currently owned by the City of Denton.

Borman Elementary has long required significant upgrades, particularly in the Mechanical, Electrical, and Plumbing (MEP) systems, as well as enhancements to meet modern educational standards. After a thorough assessment, it became clear that upgrading the existing facility would be cost-prohibitive. Consequently, the decision was made to construct a new Borman Elementary School to better serve our students and meet the evolving educational requirements.

In our analysis, Denton ISD looked at numerous other sites, but determined that due to cost, location or the ability to partner with the City of Denton, such sites were not suitable for our purposes. Denton ISD also considered relocating students while rebuilding the Borman Elementary School. However, this alternative was not favorable due to the disruption to families and the negative educational impacts to student learning.

After much analysis of all available options, Denton ISD determined that the opportunity of building a new school adjacent to the existing school would be the least disruptive to the educational integrity, social impact and logistics for families to navigate a temporary school situation. Ultimately, it was decided that Denton ISD would approach the City of Denton to see if this was a feasible option and could be a benefit to all parties, Denton ISD, City, students, parents and park users.

In evaluating potential sites for the new school, we encountered challenges in finding suitable properties without resorting to eminent domain. During this process, the city had previously expressed interest in partnering with us to improve community facilities. We engaged in discussions with the city, exploring how we could align our needs to benefit both the school district and the community. It became evident that a collaborative approach would be mutually advantageous.

Through our partnership, it was determined that constructing the new Borman Elementary School on the proposed site would not only address our educational needs but also provide the city with valuable recreational space within the new school. This collaboration ensures that the city gains programmatic space to support its goals, while the district secures the necessary upgrades for our students.

Denton ISD will take all possible steps including any required by the City to reduce the long-term impacts on the land. Denton ISD will provide land to be used as a park in exchange for existing park land as a method for mitigating negative impacts. For example, the Denton ISD plans call for improved drainage and improved methods of ingress and egress for the future City park site.

Please let this letter serve as notice that there is no feasible and prudent alternative to the use or taking of such land to accomplish the purposes of the land swap, and the project includes all reasonable planning to minimize harm to the land, as a park, recreation area, scientific area, wildlife refuge, or historic site, resulting in the use or taking.

Please let me know if anything further is needed for your purposes.

Sincerely,



Dr. Deron Robinson, JD, EdD
General Counsel