



# City of Denton

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

## Meeting Agenda

### City Council

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Tuesday, January 7, 2025

2:00 PM

Council Work Session Room  
&  
Council Chambers

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WORK SESSION BEGINS AT 2:00 P.M. IN THE COUNCIL WORK SESSION ROOM

**CLOSED MEETING BEGINS IMMEDIATELY FOLLOWING THE WORK SESSION IN THE COUNCIL WORK SESSION ROOM**

**REGULAR MEETING BEGINS AT 6:30 P.M. IN THE COUNCIL CHAMBERS**

#### **REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL**

Individuals may speak during a Council meeting under one of the following categories:

##### **Open Microphone:**

At regular meetings only, individuals can speak on any topic that is not on the agenda for no longer than four (4) minutes per individual. This portion of the meeting occurs immediately after the start of the regular meeting session. Please note, Council members cannot engage in a discussion on topics presented during this portion and there are limited slots available for this portion of the meeting.

##### **Comments on Agenda Items:**

Public comments can be given for any item considered by the Council, EXCEPT work session reports or closed meetings. Individuals are only able to comment one time per agenda item and cannot use more than one method to comment on a single agenda item. Public comments are limited to three (3) minutes per citizen.

##### **Public Hearing Items:**

Individuals are limited to four (4) minutes per public hearing item.

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Individuals may participate by using one of the following methods:

#### **1. In Person for Regular or Consent Agenda Items:**

To provide in-person comments on consent agenda items, individuals must be present at the Work Session portion of the meeting. To provide in-person comments on individual consideration items, individuals must be present at the Regular or Special Session portion of the meeting. In both instances, individuals must also submit a speaker card (available at the meeting location) to the City Secretary prior to the item being called.

#### **2. In Person for Public Hearing Items:**

For public hearing items, speaker cards are encouraged but not required.

### 3. eComment:

The agenda is posted online at [www.cityofdenton.com/publicmeetings](http://www.cityofdenton.com/publicmeetings). Once the agenda is posted, a link to make virtual comments using the eComment module will be made available next to the meeting listing on the Upcoming Events Calendar. Using eComment, Individuals may indicate support or opposition and submit a brief comment about a specific agenda item. eComments may be submitted up until the start of the meeting at which time the ability to make an eComment will be closed. eComments will be sent directly to members of the City Council immediately upon submission and recorded by the City Secretary into the Minutes of the Meeting.

### 4. By Phone:

Individuals may register to provide comments by phone. Instructions and a link to register to comment by phone will be available at [www.cityofdenton.com/publicmeetings](http://www.cityofdenton.com/publicmeetings) until noon of the meeting date. Residents will submit contact information using the link provided and receive further instructions via email on how to join the meeting by phone and provide comments.

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After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, January 7, 2024 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 submitting a completed speaker card (available at the meeting location) to the City Secretary at the commencement of the Work Session meeting. Registration is required prior to the time the City Council considers this item.

### **2. Requests for clarification of agenda items listed on this agenda for public hearing and individual consideration.**

This section allows members of the City Council to ask questions on items listed on this agenda for public hearing and individual consideration. Responses to questions on items listed under the consent agenda that are received prior to the meeting are available by clicking on Exhibit 1 below. The responses will be available prior to the start of the meeting, when applicable. Any handouts distributed at the meeting will also be uploaded to the below link by 12:00 p.m. on the business day following the meeting. Members of the Council may remove items from the consent agenda. When items are removed from the consent agenda and placed on the regular agenda by members of the council, the removed items shall be taken up in the order of removal right after the consent agenda.

#### A. [ID 24-2517](#) Meeting Questions, Responses & Handouts

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

**3. Work Session Reports**

- A. [ID 24-2036](#) Receive a report, hold a discussion, and give staff direction regarding Audit Project 043 - Animal Services.  
[Estimated Presentation/Discussion Time: 30 minutes]  
**Attachments:** [Exhibit 1 - Agenda Information Sheet.pdf](#)  
[Exhibit 2 - Audit of Animal Services.pdf](#)  
[Exhibit 3 - Presentation.pdf](#)
- B. [ID 24-2538](#) Receive a report, hold a discussion, and give staff direction regarding recent department reviews, facility and operational enhancements, procedure updates, and current and future department initiatives for Animal Services.  
[Estimated Presentation/Discussion Time: 1 hour]  
**Attachments:** [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Presentation](#)  
[Exhibit 3 - 2024 Shelter Savvy Management Response](#)  
[Exhibit 4 - 2024 City Auditor's Office Report Management Response](#)
- C. [ID 24-2518](#) Receive a report, hold a discussion, and give staff direction regarding vacancies, terms, quorum issues and/ or dissolution of certain boards and commissions.  
[Estimated Presentation/Discussion Time: 45 minutes]  
**Attachments:** [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Presentation](#)  
[Exhibit 3 - Discover Denton Advisory Board Summary](#)
- D. [ID 24-2514](#) Receive a report, hold a discussion, and give staff direction on pending City Council requests for:  
1) Making the option of remote participation available for Planning and Zoning Commissioners when needed.  
[Estimated Presentation/Discussion Time: 30 minutes]  
**Attachments:** [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Ordinance 24-1725](#)  
[Exhibit 3 - Presentation](#)

Following the completion of the Work Session, the City Council will convene in a Closed Meeting in the Council Work Session Room 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 24-2635](#) Consultation with Attorneys - Under Texas Government Code Section 551.071. This Closed Session item is related to Consent Agenda Item ID 24-2529 and will be a placeholder unless the item is pulled for individual review.

Consultation with City's attorneys under Texas Government Code Section 551.071 regarding proposed 311 short dialing code agreements with Verizon, T-Mobile, and AT&T Mobility 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 Texas Disciplinary Rules of Professional Conduct of State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation.

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.**

Following the Closed Meeting, the City Council will reconvene in Open Meeting to take action, if any, on matters discussed in closed session.

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**AFTER DETERMINING THAT A QUORUM IS PRESENT, THE REGULAR MEETING OF THE CITY OF DENTON CITY COUNCIL WILL CONVENE AT 6:30 P.M. IN THE COUNCIL CHAMBERS 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. PRESENTATIONS 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 24-2549](#) Mr. Charles Lee regarding government corruption.

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.

### **3. CONSENT AGENDA**

Each of these items is recommended by Staff or a board, commission, and committee. Approval thereof will be strictly on the basis of the those 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.

For those items recommended by a specific board, commission, or committee, the agenda item will reference that recommendation. To view the video of the related board, commission, or committee meeting, as applicable, a link can be found within the applicable supporting documentation (Exhibit 1).

Listed below are bids, purchase orders, contracts, and other items to be approved under the Consent Agenda (Agenda Items A – M). 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 24-2515](#) Consider approval of the minutes of the December 17, 2024 Regular Meeting.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - December 17, 2024 Minutes](#)

- B. [ID 24-2516](#) Consider nominations/appointments to the City’s Boards, Commissions, and Committees: Airport Advisory Board, and Community Services Advisory Committee.

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

[Exhibit 2 - Nominations List](#)

- C.    [ID 24-2534](#)    Consider approval of a resolution of the City of Denton providing the December 11, 2024, meeting absence by Airport Advisory Board Member Robert Tickner be excused; and providing an effective date.

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

[Exhibit 2 - Resolution](#)

- D.    [ID 24-2526](#)    Consider adoption of an ordinance approving an insurance claim payment from FM Affiliated insurance company for damage to property located at 1100 South Mayhill Road, and authorizing the city manager, or her Designee, to execute the same, and declaring an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet Settlement Power Screen Updated 12.12](#)

[Exhibit 2 - Settlement Offer](#)

[Exhibit 3 - Ordinance](#)

[Exhibit 4 - Claim Detail](#)

[Exhibit 5 - Quotation](#)

- E.    [ID 24-2347](#)    Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute “DSHS MOU NO. HHS001454300028” (“MOU”) between the City of Denton and the Texas Department of State Health Services (“DSHS”) stating the terms and conditions of the City’s participation in the DSHS Wastewater monitoring program; and providing an effective date.

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

[Exhibit 2: Ordinance and Memorandum of Understanding](#)

- F.    [ID 24-2370](#)    Consider adoption of an ordinance of the City of Denton authorizing the submission of an application to the North Central Texas Council of Governments 2025 Transportation Alternatives (TA) Program Grant in an amount not to exceed \$10,000,000 and City’s matching funds of \$2,500,000 for pedestrian and bicycle infrastructure; and providing an effective date.

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

[Exhibit 2 - Ordinance](#)

- G.    [ID 24-2529](#)    Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute contracts regarding local telephone companies and the use of a 311 short dialing code; and providing an effective date.

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

[Exhibit 2 - Ordinance](#)

- H.    [ID 24-1975](#)    Consider adoption of an ordinance of the City of Denton, a Texas Home-Rule Municipal Corporation, authorizing the City Manager or designee to execute a development agreement with HL FUND II DENTON, L.P., a Texas limited partnership, for the design and construction of paving public improvements; providing for the expenditure of funds in

the not-to-exceed amount of \$643,107.00 therefor; and providing an effective date.

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

- I.    [ID 24-2562](#)    Consider adoption of an ordinance of the City of Denton, Texas (“City”) authorizing the execution of a Retail Wastewater Treatment Services Agreement with TCCI Churchill LLC (“Owner”) and Ponder Farms Municipal Utility District of Denton County (“District”) concerning retail wastewater service by the City to future customers within approximately 274.991 acres of land known as Churchill East and generally located north of FM 2449 and east and south of T N Skiles Road (“Property”), ownership of wastewater flows, and other related matters; and providing an effective date.

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

- J.    [ID 24-2563](#)    Consider adoption of an ordinance of the City of Denton, Texas (“City”) authorizing the execution of a Retail Wastewater Treatment Services Agreement with TCCI Churchill LLC (“Owner”) and Ponder Farms Municipal Utility District of Denton County (“District”) concerning retail wastewater service by the City to future customers within approximately 264.042 acres of land known as Churchill West and generally located north of FM 2449 and south of T N Skiles Road, and east of FM 156 (“Property”), ownership of wastewater flows, and other related matters; and providing an effective date.

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

- K.    [ID 24-2564](#)    Consider adoption of an ordinance of the City of Denton, Texas (“City”) authorizing the execution of a Retail Wastewater Treatment Services Agreement with TCCI Ponder Farms 2021 LLC (“Owner”) and Ponder Farms Municipal Utility District of Denton County (“District”) concerning retail wastewater service by the City to future customers within approximately 154.425 acres of land known as Ponder Farms and generally located south of FM 2449, east of Robinson Road, north of Seaborn Road, and west of Florance Road (“Property”), ownership of wastewater flows, and other related matters; and providing an effective date.

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

- L.    [ID 24-2566](#)    Consider adoption of an ordinance of the City of Denton, Texas (“City”) authorizing the execution of a Retail Wastewater Treatment Services Agreement with TCCI Webster Farms LLC (“Owner”) and Ponder Farms Municipal Utility District of Denton County (“District”) concerning retail wastewater service by the City to future customers within approximately 102.177 acres of land known as Webster Meadows and generally located south of Seaborn Road, west of Florance Road, and north of Blair Road (“Property”), ownership of wastewater flows, and other related matters; and providing an effective

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

- M. [ID 24-2565](#) Consider adoption of an ordinance of the City of Denton, Texas (“City”) authorizing the execution of a Retail Wastewater Treatment Services Agreement with TCCI Ponder WPP LLC (“Owner”) and Ponder Farms Municipal Utility District of Denton County (“District”) concerning retail wastewater service by the City to future customers within approximately 31.434 acres of land known as Texmix and generally located south of Blair Road, north of Eakin Cemetery Road, and east of FM 156 (“Property”), ownership of wastewater flows, and other related matters; and providing an effective date.

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

#### **4. PUBLIC HEARINGS**

- A. [Z24-0010a](#) 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 Light Industrial (LI) district on approximately 16 acres of land generally located 446 feet east of Masch Branch Road, 1,156 feet west of Lovers Lane, and to the south of Farm to Market 1173 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 [5-0] to recommend approval of the request. Motion for approval was made by Commissioner Padron and seconded by Commissioner Thaggard. (Z24-0010a, Metal Towns Rezoning, Bryce Van Arsdale).

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Staff Analysis](#)  
                                 [Exhibit 3 - Applicant's Project Narrative](#)  
                                 [Exhibit 4 - Project Site Location](#)  
                                 [Exhibit 5 - Future Land Use Map](#)  
                                 [Exhibit 6 - Existing Zoning Map](#)  
                                 [Exhibit 7- Proposed Zoning Map](#)  
                                 [Exhibit 8 - Financial Impact Analysis](#)  
                                 [Exhibit 9 - Table of Allowed Uses](#)  
                                 [Exhibit 10 - Notification Map](#)  
                                 [Exhibit 11 - Draft Ordinance](#)  
                                 [Exhibit 12 - Presentation](#)

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

- A. [ID 24-2480](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the city manager or their designee to protest Texas Pollutant Discharge Elimination System (“TPDES”) permit applications filed with the Texas



Commission on Environmental Quality (“TCEQ”), or its successor agency, that seek to discharge treated wastewater into Denton watersheds; providing an effective date.

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

[Exhibit 2: Ordinance](#)

[Exhibit 3 - Presentation](#)

- B.**    [ID 24-2355](#)    Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an amended and restated Development Agreement with VS Development, LLC and Denton County Municipal Utility District No. 16 to remove terms for the fire service; consent to annexation of property into the district; add terms for additional services; and amend the Strategic Partnership Agreement with Denton County Municipal Utility District No. 16; and providing an effective date.

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

[Exhibit 2 - Ordinance and Agreement](#)

[Exhibit 3 - Presentation](#)

- C.**    [ID 24-2356](#)    Consider approval of a resolution of the City Council of the City of Denton, Texas consenting to the annexation of certain land into Denton County Municipal Utility District No. 16; and providing an effective date.

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

[Exhibit 2 - Resolution](#)

- D.**    [ID 24-2634](#)    Consider approval of a resolution of the City Council of the City of Denton, Texas consenting to the annexation of certain land into Denton County Municipal Utility District No. 16; and providing an effective date.

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

[Exhibit 2 - Resolution](#)

**6. 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 official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on January 3, 2024, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

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OFFICE OF THE 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.