



City of Denton

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

Meeting Agenda

City Council

Tuesday, July 23, 2024

2:00 PM

Council Work Session Room
&
Council Chambers

Special Called

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

CITY COUNCIL CONSIDERATION OF THE CONSENT AGENDA AND ITEMS FOR INDIVIDUAL CONSIDERATION WILL BEGIN IMMEDIATELY FOLLOWING THE CLOSED MEETING IN THE COUNCIL CHAMBERS

CONSIDERATION OF PUBLIC HEARING(S) WILL BEGIN AT/AFTER 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.

Individuals may participate by using one of the following methods:

1. In Person for Regular or Consent Agenda Items:

To provide in-person comments regular or consent agenda items (excluding public hearing items), Individuals must be present at the meeting and 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. 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 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.

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, July 23, 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 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 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 24-474](#) Meeting Questions, Responses & Handouts

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

3. Work Session Reports

- A. [ID 24-1359](#) Receive a report, hold a discussion, and give staff direction regarding the Fiscal Year 2024-25 Annual Internal Audit Plan.

[Estimated Presentation/Discussion Time: 15 minutes]

Attachments: [Exhibit 1 - Agenda Information Sheet.pdf](#)
[Exhibit 2 - Fiscal Year 2024-25 Annual Internal Audit Plan Memo.pdf](#)
[Exhibit 3 - Presentation.pdf](#)

- B. [ID 24-226](#) Receive a report, hold a discussion, and give staff direction regarding the Fiscal Year 2024-25 preliminary utility forecasts for Solid Waste, Water, Wastewater/Drainage, Electric, and Customer Service.

[Estimated Presentation/Discussion Time: 1 hour]

Attachments: [Exhibit 1. Agenda Information Sheet.pdf](#)
[Exhibit 2. Presentation.pdf](#)

- C. [ID 24-1193](#) Receive a report, hold a discussion, and give staff direction regarding the nominations of Council members to standing and ad hoc boards, committees, and other internal/external groups, and the associated nomination and appointment processes.

[Estimated Presentation/Discussion Time: 45 minutes]

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 – 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 24-1368](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072;

Receive information from staff, discuss, deliberate, and provide staff with direction pertaining to the potential purchase of real property situated in the J. White Survey, Abstract 1433, in the City of Denton, Denton County, Texas, located off of Colorado Boulevard, where a public deliberation of such potential purchase would have a detrimental effect on the City's position in negotiations with a third party.

- B. [ID 24-1371](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072;

Receive information from staff, discuss, deliberate, and provide staff with direction pertaining to the potential purchase of real property situated in the H. Sisco Survey, Abstract 1184, in the City of Denton, Denton County, Texas, located near the intersection of McKinney Street and North Bell Avenue, where a public deliberation of such potential purchase would have a detrimental effect on the City's position in negotiations with a third party.

- C. [ID 24-1484](#) Deliberations Regarding Real Property - Under Texas Government Code, Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the potential purchase of real property interests located in the J. Roger, Abstract No 1084, within the City of Denton, Denton County, Texas, generally located along the Hickory Creek Road. The potential purchases are related to the City's Hickory Creek Road Phase 3 Project to construct improvements to Hickory Creek Road (from Riverpass Drive to FM 1830). Consult with the City's attorneys on the legal status, strategy and options for resolution of litigation in Cause No. PR-2022-00917-A Case Style: City of Denton v. Walter E. Leatherwood and Betty A. Leatherwood, Individually and as Trustees of the Walter E. Leatherwood and Betty A. Leatherwood Living Trust pending in the Denton County Probate Court, Denton County, Texas; where 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 the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or otherwise compromise the City's legal position in pending 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.

AFTER DETERMINING THAT A QUORUM IS PRESENT, THE SPECIAL CALLED MEETING OF THE CITY OF DENTON CITY COUNCIL WILL CONVENE IN THE COUNCIL CHAMBERS AT CITY HALL, 215 E. MCKINNEY STREET, DENTON, TEXAS FOR CONSIDERATION OF THE CONSENT AGENDA AND ITEMS FOR INDIVIDUAL CONSIDERATION IMMEDIATELY FOLLOWING THE CLOSED MEETING, AND CONSIDERATION OF PUBLIC HEARING(S) WILL CONVENE AT 6:30 P.M., AT WHICH THE FOLLOWING ITEMS WILL BE CONSIDERED:

4. 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 – L). 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 24-431](#) Consider approval of the minutes of the July 16, 2024 Regular Meeting.
- Attachments:* [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - July 16, 2024 Minutes](#)
- B. [ID 24-498](#) Consider nominations/appointments to the City’s Boards, Commissions, and Committees: Charter Review Committee and Committee on Persons with Disabilities.
- Attachments:* [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Nominations List](#)
- C. [ID 24-1400](#) Consider approval of a resolution of the City of Denton providing the July 8, 2024 meeting absence by Public Utilities Board Member Lee Riback be excused; and providing an effective date.
- Attachments:* [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Resolution & Exhibit](#)
- D. [ID 24-1399](#) Consider approval of a resolution of the City of Denton appointing a Primary Member and Alternate Member as official voting representatives to the North Central Texas Council of Governments’ Regional Transportation Council; and declaring an effective date.

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

[Exhibit 2 - Proposed Resolution](#)

- E. [ID 24-177](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager to sign and submit to the Department of Housing and Urban Development a 2024 Action Plan for Housing and Community Development with appropriate certifications, as authorized and required by the Housing and Community Development Act of 1974, as amended, and the National Affordable Housing Act of 1990, as amended; authorizing the Director of Community Services, or designee, to sign releases of liens and subordination agreements upon certain conditions; and providing for an effective date.

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

[Exhibit 2 – Ordinance, 2024 Action Plan, Application and Certifications](#)

- F. [ID 24-1457](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a temporary license to use agreement between the City and Denton County Transit Authority (DCTA) to temporarily allow DCTA to construct and maintain bus stops and other amenities on City’s right of way for 180 days from the date of execution of this ordinance; and providing an effective date.

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

[Exhibit 2 - Ordinance and Agreement.pdf](#)

- G. [ID 24-1392](#) 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 Weatherproofing Services L.L.C., for the maintenance and installation of roofing, gutters, and downspouts for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8501 - awarded to Weatherproofing Services L.L.C., 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 \$4,462,500.00).

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

[Exhibit 2 - Ordinance and Contract](#)

- H. [ID 24-1393](#) 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 Reliance Environmental Truck Sales LLC dba Reliance Truck & Equipment, through the Buy Board Cooperative Purchasing Network Contract # 686-22, for the purchase and repair of heavy-duty vehicles and equipment for various departments for the Fleet Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 8591 - awarded to Reliance Environmental Truck Sales LLC dba Reliance Truck & Equipment, 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 \$4,013,706.00).

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

[Exhibit 2 - Pricing Index](#)

[Exhibit 3 - Ordinance and Contract](#)

- I. [ID 24-1394](#) 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 Texan Waste Equipment, Inc., dba Heil of Texas, through the Buy Board Cooperative Purchasing Network Contract # 686-22, for the purchase, service, and repairs of sewer equipment, sweepers, brush handling trucks, and similar equipment for the Fleet Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 8600 - awarded to Texan Waste Equipment, Inc., dba Heil of Texas, 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 \$4,059,173.00).

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

[Exhibit 2 - Pricing Sheet](#)

[Exhibit 3 - Ordinance and Contract](#)

- J. [ID 24-1406](#) 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 QRF Combat LLC dba Roe Tactical LLC, through the Buy Board Cooperative Purchasing Network Contract # 698-23, for the acquisition of helmets and communications gear for the Police Department; providing for the expenditure of funds therefor; and providing an effective date (File 8578 - awarded to QRF Combat LLC dba Roe Tactical LLC, in the not-to-exceed amount of \$65,003.07).

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

[Exhibit 2 - Quotes](#)

[Exhibit 3 - Price Comparison](#)

[Exhibit 4 - Ordinance](#)

- K. [ID 24-1407](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Parkhill, Smith & Cooper, Inc., for the renovation at the Water Works Park for the Parks and Recreation Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8461 - Professional Services Agreement for renovation services awarded to Parkhill, Smith & Cooper, Inc., in the not-to-exceed amount of \$1,897,385.00).

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

[Exhibit 2 - Evaluation Sheet](#)

[Exhibit 3 - Ordinance and Contract](#)

- L. [ID 24-1348](#) 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 Signify North America Corporation, for the Amendment No. 1 to Lifecycle Services Agreement for the maintenance and support of Interact City Software currently used by Denton Municipal Electric; which is the sole provider of this software, in accordance with Texas Local Government Code 252.022, which provides that procurement of commodities and services that are available from one source are exempt from competitive bidding, and if over \$50,000, shall be awarded by the governing body; providing for the expenditure of funds therefor; and providing an effective date (File 8534 - awarded to Signify North

America Corporation, in the five (5) year not-to-exceed amount of \$97,500.00).

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

5. PUBLIC HEARINGS

- A. [CA24-0002b](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, adopting the Southeast Denton Area Plan and amending the Denton 2040 Comprehensive Plan. The Southeast Denton Area Plan has an approximate boundary line of 800 feet north of East McKinney Street, 900 feet east of South Woodrow Lane, 700 feet south of Shady Oaks Drive, Dallas Drive to the south, and South Bell Avenue to the west, encompassing approximately 975 acres in the City of Denton, Denton County, Texas; and providing an effective date. The Planning and Zoning Commission recommended approval of the proposal (5-0). The motion was made by Commissioner Villareal and seconded by Commissioner Cole. (CA24-0002b, Southeast Denton Area Plan, Julie Wyatt and Mia Hines)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Draft Southeast Denton Area Plan](#)
 [Exhibit 3 - Presentation](#)
 [Exhibit 4 - Draft Ordinance](#)

- B. [S24-0002b](#) Hold a public hearing and consider adopting an ordinance of the City of Denton, Texas, approving a Specific Use Permit (2003-325) Amendment to allow for site modifications on approximately 0.89 acres of land, generally located approximately one block south of Teasley Lane and to the west of FM 2181/Teasley 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 for severability and an effective date. The Planning and Zoning Commission voted [5-0] to recommend approval. Motion for approval was made by Commissioner Pruett and second by Commissioner Thaggard. (S24-0002b, DATCU, Erin Stanley) THIS HEARING WAS OPENED AND POSTPONED AT THE JUNE 18, 2024 CITY COUNCIL MEETING.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Zoning Map](#)
[Exhibit 5 - Future Land Use Map](#)
[Exhibit 6 - Ordinance 2003-325](#)
[Exhibit 7 - Proposed Site Plan](#)
[Exhibit 8 - Proposed Landscape Plan](#)
[Exhibit 9 - Applicant Project Narrative](#)
[Exhibit 10 - Notification Map and Public Responses](#)
[Exhibit 11 - Draft Ordinance](#)
[Exhibit 12 - Presentation](#)

- C. [DCA23-0002](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Denton Development Code, regarding short-term rental use regulations and definitions, specifically amendments to Table 5.2-A- Table of Allowed Uses, Subsection 5.3.1 Use-Specific Standards - Generally, Subsection 5.3.5: Commercial Use-Specific Standards, Table 7.9-I Parking, and Section 9.2: Definitions; 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 Villareal and seconded by Commissioner Pruett. (DCA23-0002g, Short-Term Rentals, Angie Manglaris)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Redline Markups](#)
[Exhibit 4 - Short-Term Rental Survey Results](#)
[Exhibit 5 - Survey Summary Presentation](#)
[Exhibit 6 - Public Comment \(includes letter from Greater Denton/Wise County A](#)
[Exhibit 7 - Draft Ordinance](#)
[Exhibit 8 - Presentation](#)

- D. [DCA24-0003](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Denton Development Code Subchapter 1; amendments include but are not limited to: Subsection 1.3.4: Conflicts with Other Ordinances and Criteria Manuals; 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 [6-0] to recommend approval of the request. Motion for approval was made by Commissioner Villarreal and seconded by Commissioner Cole. (DCA24-0003a, Conflicts with Other Ordinances, Angie Manglaris)

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Draft Ordinance](#)

[Exhibit 4 - Presentation](#)

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 July 19, 2024, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

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.