



City of Denton

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

Meeting Agenda

City Council

Tuesday, December 6, 2016

1:00 PM

Work Session Room & Council Chambers

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, December 6, 2016 at 1:00 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:

1. Citizen Comments on Consent Agenda Items

This section of the agenda allows citizens to speak on Consent Agenda Items only. Each speaker will be given a total of three (3) minutes to address any items he/she wishes that are listed on the Consent Agenda. A Request to Speak Card should be completed and returned to the City Secretary before Council considers this item.

2. Requests for clarification of agenda items listed on the agenda for December 6, 2016.

3. Work Session Reports

- A. [ID 16-1500](#) Receive a report, hold a discussion, and give staff direction regarding findings and recommendations from Denton's recently completed citywide tree resource assessment.

Attachments: [Presentation of Findings - the State of the Denton Urban Forest](#)

Following the completion of the Work Session, the City Council will convene in a Closed Meeting to consider specific items 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 16-1488](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff and discuss, deliberate, and provide staff with direction regarding the potential acquisition of real property interests generally located in the northeast corner of East Sherman Drive and Hartlee Field Road, in the City of Denton, Denton County, Texas; discussions had, deliberation, and direction given, by the Denton City Council in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. Consultation with the City's attorneys regarding legal issues associated with the acquisition of the real property interests described above; discussion of these legal matters in an open meeting 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 would jeopardize the City's legal position in any administrative proceeding or potential litigation. [Hartlee Field Road Substation]

B. [ID 16-1555](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consultation with the City's attorneys regarding legal issues associated with: (i) the management of the City's Rights-of-Way, including, but not limited to, third-party use of the City's Rights-of-Way for telecommunications, fiber infrastructure, and fiber-based network deployment purposes, all of which include wired and/or wireless facilities; and (ii) the physical attachment of telecommunications, fiber infrastructure, and fiber-based network deployment facilities to the City's electric utility poles, dusk-to-dawn and/or street lighting and traffic signals. Discussion of these legal issues in an open meeting 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 would jeopardize the City's legal position in any administrative proceeding or potential litigation.

C. [ID 16-1556](#) Consultation with Attorneys - under Texas Government Code Section 551.071.

Consult with City's attorneys regarding liability associated with valet parking services and give staff direction on permitting the same, where a public discussion of this legal matter would clearly conflict with the duty of the City's attorneys under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

D. [ID 16-1559](#) Deliberations regarding Real Property -Under Texas Government Code, Section 551.072; and Consultation with Attorneys Under Texas Government Code, Section 551.071.

Discuss, deliberate, receive information from staff and provide staff with direction pertaining to the potential disposal, exchange and/or sale of certain real property interests located in the David Hough Survey, Abstract Number 646, generally located in the 2100 block of South Mayhill Road, in the City of Denton, Denton County, Texas, being 4.936, 3.457, and 0.295 acre tracts of land. Consultation with the City's attorneys regarding legal issues associated with the potential disposal, exchange and/or sale involving the real property described above 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 the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas. (Mayhill Road Widening - Nelms/Greb Parcel M137_M138 & Quail Creek South, LP Parcel M236 dispositions)

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 ACTION, DECISION, OR VOTE IS TAKEN IN THE CLOSED MEETING IN ACCORDANCE WITH THE PROVISIONS OF §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 TEX. GOV'T. CODE, §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 §551.071-551.086 OF THE TEXAS OPEN MEETINGS ACT.

Regular Meeting of the City of Denton City Council 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. PROCLAMATIONS/PRESENTATIONS

- A. [ID 16-1492](#) Gold-Level Certified Scenic City
- B. [ID 16-1512](#) Police Appreciation Day
- C. [ID 16-1569](#) Presentation by the Denton Citizens Police Academy to Officer Shane Kizer.

3. PRESENTATION FROM MEMBERS OF THE PUBLIC

- A. Review of procedures for addressing the City Council.
- B. Receive Scheduled Citizen Reports from Members of the Public.
 - 1. [ID 16-1489](#) Deborah Armintor regarding citizen comments on sidewalks around the Courthouse.
 - 2. [ID 16-1494](#) Susan Vaughan regarding rebuilding the sidewalks around the Denton County Courthouse on the Square.
 - 3. [ID 16-1519](#) Craig Clifton regarding single room occupancy issues.
- C. Additional Citizen Reports - This section of the agenda permits any person not registered for a citizen report to make comments regarding public business on items not listed on the agenda. This is limited to two speakers per meeting with each speaker allowed a maximum of four (4) minutes. Such person(s) shall have filed a "Blue Card" requesting to speak during this period prior to the calling of this agenda item.

4. CONSENT AGENDA

Each of these items is recommended by the Staff and approval thereof will be strictly on the basis of the Staff 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.

Listed below are bids, purchase orders, contracts, and other items to be approved under the Consent Agenda (Agenda Items A – DD). 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, Consent Agenda Items A – DD below 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 16-1331](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Black Chamber of Commerce for the payment and use of hotel tax revenue; and providing an effective date.

Attachments: [Exhibit 1 - Ordinance](#)

- B. [ID 16-1332](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Community Theatre, Inc. for the payment and use of hotel tax revenue; and providing an effective date.

Attachments: [Exhibit 1 - Ordinance](#)

- C. [ID 16-1334](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Chamber of Commerce (Convention and Visitors Bureau) providing for the payment and use of hotel tax revenue; and providing an effective date.

Attachments: [Exhibit 1 - Ordinance.pdf](#)

- D. [ID 16-1335](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Denton Dog Days, Inc. for the payment and use of hotel tax revenue; and providing an effective date.

Attachments: [Exhibit 1 - Ordinance](#)

- E. [ID 16-1336](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Festival Foundation, Inc. for the payment and use of hotel tax revenue; and providing an effective date.

Attachments: [Exhibit 1 - Ordinance](#)

- F. [ID 16-1337](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Holiday Festival Association, Inc. for the payment and use of hotel tax revenue; and providing an effective date.

Attachments: [Exhibit 1 - Ordinance](#)

- G. [ID 16-1338](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Kiwanis Club of Denton, Breakfast, Denton, TX, for the payment and use of hotel tax revenue; and providing an effective date.

Attachments: [Exhibit 1 - Ordinance](#)

- H. [ID 16-1339](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Area Running Club for the payment and use of hotel tax revenue; and providing an effective date.
- Attachments: [Exhibit 1 - Ordinance](#)
- I. [ID 16-1340](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton African American Scholarship Foundation, Inc. for the payment and use of hotel tax revenue; and providing an effective date.
- Attachments: [Exhibit 1 - Ordinance](#)
- J. [ID 16-1341](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Community Market, Inc. for the payment and use of hotel tax revenue; and providing an effective date.
- Attachments: [Exhibit 1 - Ordinance](#)
- K. [ID 16-1342](#) Consider adoption of an ordinance authorizing the City Manager to execute an interlocal agreement between the City of Denton and Denton County for the payment and use of hotel tax revenue in support of the Denton County Office of History and Culture; and providing an effective date.
- Attachments: [Exhibit 1 - Ordinance](#)
- L. [ID 16-1344](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Greater Denton Arts Council, Inc. for the payment and use of hotel tax revenue; and providing an effective date.
- Attachments: [Exhibit 1 - Ordinance](#)
- M. [ID 16-1345](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Central Business District Association, Inc., d/b/a Denton Main Street Association for the payment and use of hotel tax revenue; and providing an effective date.
- Attachments: [Exhibit 1 - Ordinance](#)
- N. [ID 16-1346](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Music Theatre of Denton for the payment and use of hotel tax revenue; and providing an effective date.
- Attachments: [Exhibit 1 - Ordinance](#)
- O. [ID 16-1347](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the North Texas State Fair Association for the payment and use of hotel tax revenue; and providing an effective date.
- Attachments: [Exhibit 1 - Ordinance](#)
- P. [ID 16-1348](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Tejas Storytelling Association, Inc. for the payment and use of hotel tax revenue; and providing an effective date.
- Attachments: [Exhibit 1 - Ordinance](#)

- Q. [ID 16-1349](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Texas Filmmakers' Corporation for the payment and use of hotel tax revenue; and providing an effective date.

Attachments: [Exhibit 1 - Ordinance](#)

- R. [ID 16-1486](#) Consider adoption of an ordinance of the City of Denton, Texas, authorizing an agreement between the City of Denton, Texas and the Children's Advocacy Center for Denton County, Incorporated for providing aid to the City of Denton Police Department; in the investigation of child abuse cases; providing client and clinical services to victims of child abuse and non-offending family members; providing for the expenditure of funds in the amount of \$102,862 therefor; and providing for an effective date.

Attachments: [Exhibit 1 - 16-17 DACDC Ordinance and Contract](#)

- S. [ID 16-1490](#) Consider adoption of an ordinance of the City of Denton, Texas prohibiting parking on opposite sides of McCormick Street from Underwood Street to Margie Street; providing a repealer clause; providing a savings clause; providing for a penalty not to exceed \$500 for violations of this ordinance; providing that violations of this ordinance shall be governed by Chapter 18 of the Code of Ordinances of the City of Denton; and providing for an effective date. The Traffic Safety Commission recommends Option 1 (5-0).

Attachments: [Exhibit 1 Location Map](#)
[Exhibit 2 On-street Parking Condition -McCormick St.](#)
[Exhibit 3 International Fire Code](#)
[Exhibit 4 City of Denton Code of Ordinance](#)
[Exhibit 5 Letter Notice](#)
[Exhibit 6 Door Hanger Notice](#)
[Exhibit 7 Traffic Safety Committee Minutes](#)
[Exhibit 8 Proposed Ordinance](#)

- T. [ID 16-1491](#) Consider adoption of an ordinance of the City of Denton, Texas amending the Fiscal Year 2016-17 Budget and Annual Program of Services of the City of Denton to allow for adjustments to the Tourist and Convention Fund of one hundred fifty six thousand seven hundred and twenty dollars (\$156,720); declaring a municipal purpose; providing a severability clause; providing an open meetings clause; and providing for an effective date.

Attachments: [Budget Amendment Ordinance.pdf](#)
[Exhibit 2- Tourist and Convention Fund Resources and Expenditure Summary](#)

- U. [ID 16-1503](#) Consider adoption of an ordinance authorizing the City Manager of the City of Denton, Texas ("City") to execute, for and on behalf of the City, an Easement Purchase and Abandonment Agreement ("Agreement"), for the purchase price of Nineteen Thousand Four Hundred Dollars and No Cents (\$19,400.00), and other consideration, as prescribed in the Agreement, as attached to the ordinance and made a part thereof as Exhibit "A", by and between the City and Mohamad R.

Haghighi and Soraya Irannejad, providing for (a) the purchase by the City of (i) a Sanitary Sewer Easement, encumbering a 0.1105 acre tract, being more particularly described in the Sanitary Sewer Easement, being attached to and made a part of the Agreement; and (ii) a Temporary Construction Easement encumbering 0.0403 acre tract of land, being more particularly described in the Temporary Construction Easement, being attached to and made a part of the Agreement; (b) the Partial Abandonment and Release by the City of a portion of that certain water and sanitary sewer easement, dated February 12, 1960, from Dwight L. Archer, Jr. and Duane H. Archer to the City, recorded in Volume 454, Page 6, Deed Records, Denton County, Texas; and (c) the Complete Abandonment and Release of (i) that certain water and sanitary sewer easement, dated February 12, 1960, from Ravanelle McMahan to the City, recorded in Volume 454, Page 1, Deed Records, Denton County, Texas; (ii) that certain water and sanitary sewer easement, dated February 18, 1960, from Herbert Cottle and wife, Fae Cottle to the City, recorded in Volume 454, Page 117, Deed Records, Denton County, Texas; (iii) that water and sanitary sewer easement, dated February 12, 1960, from Ruth Rich to the City, recorded in Volume 454, Page 3, Deed Records, Denton County, Texas; and (iv) that certain public utility easement dated April 5, 1974, from Joe Belew and Terry Schneider to the City, recorded in Volume 702, Page 243, Deed Records, Denton County, Texas; all tracts of real property being in the William Daniel Survey, Abstract No. 378, generally located in the 2300 block of Fort Worth Drive; authorizing the expenditure of funds; providing a savings clause; and providing an effective date. (Fort Worth Drive Utility Relocations Project - Parcel 12E)

Attachments: [Exhibit 1 - Location Map](#)
 [Exhibit 2 - Site Plan](#)
 [Exhibit 3 - Ordinance](#)
 [Exhibit 4 - Funding Source](#)

- V. [ID 16-1508](#) Consider adoption of an ordinance authorizing the City Manager of the City of Denton, Texas ("City") to execute, for and on behalf of the City, an Easement Purchase and Abandonment agreement ("Agreement"), as attached to the ordinance and made a part thereof as Exhibit "A", for the purchase price of Twelve Thousand Three Hundred Fifty Dollars and No Cents (\$12,350.00), and other consideration, as prescribed in the Agreement by and between the City and Regi Investments, Inc., providing for (A) the granting to the City of (i) a sanitary sewer easement, encumbering a 0.0066 acre tract of land, a 0.0218 acre tract of land, and a 0.1318 acre tract of land, all being more particularly described in the Sanitary Sewer Easement, being attached to and made a part of the Agreement; and (ii) a temporary construction easement, encumbering 0.0066 acre of land, being more particularly described in the Temporary Construction Easement, being attached to and made a part of the Agreement; and (b) the Partial Abandonment and Release ("Release") by the City of a 0.11 acre portion of that certain sanitary sewer easement, dated November 26, 1956, from R.M. Dobbins and wife, Maude Dobbins to the City, recorded in Volume 427, Page 441, Deed Records, Denton County, Texas; all tracts of real property being in the William Daniel Survey, Abstract No. 378, generally located in the 2200 block of Fort Worth Drive; authorizing the expenditure of funds,

providing a savings clause; and providing an effective date. (Fort Worth Drive Utility Relocations Project - Parcel 12W)

Attachments: [Exhibit 1 - Location Map P12W - Regi](#)
 [Exhibit 2 - Site Map P12W - Regi](#)
 [Exhibit 3 - Ordinance - P12W - Regi](#)
 [Exhibit 4 - Funding Source P12W - Regi](#)

- W. [ID 16-1514](#) Consider approval of a resolution of the City Council of the City of Denton, Texas, appointing a Primary and Alternate Member as official voting representatives to the North Central Texas Council of Governments Regional Transportation Council (Hereinafter “RTC”); and providing an effective date. The Mobility Committee recommends approval (3-0).

Attachments: [Exhibit 1 RTC R2014-014.pdf](#)
 [Exhibit 2 RTC .pdf](#)
 [Exhibit 3 RTC](#)
 [Exhibit 4 Resolution](#)

- X. [ID 16-1515](#) Consider adoption of an ordinance of the City of Denton, Texas, amending the provisions of Chapter 18 relating to Motor Vehicles and Traffic by adding Section 18-91.50 to prohibit stopping or parking of vehicles in certain places: providing a savings clause; providing for a penalty not to exceed \$500 for violations of this ordinance; and providing for an effective date. The Traffic Safety Commission recommends approval (5-0).

Attachments: [Exhibit 1 On-street Parking.pdf](#)
 [Exhibit 2 On-Street Parking.docx](#)
 [Exhibit 3 On-Street Parking \(002\).docx](#)
 [Exhibit 4 - Minutes On Street Parking.docx](#)
 [Exhibit 5 Parking Enforcement Code.pdf](#)

- Y. [ID 16-1520](#) Consider adoption of an ordinance authorizing the City Manager to execute a professional services agreement for Pipeline Inspection and Condition Assessment at the Lake Lewisville Water Treatment Plant; providing for the expenditure of funds therefor; and providing an effective date (File 6281-awarded to Pure Technologies U.S. Inc. in an amount not-to-exceed \$592,740). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1-Staff Sole Source Memo](#)
 [Exhibit 2-PUB Minutes](#)
 [Exhibit 3-Ordinance](#)
 [Exhibit 4-Contract](#)

- Z. [ID 16-1521](#) Consider adoption of an ordinance authorizing the City Manager to execute a professional services agreement for Bond Counsel Services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (File 6254-awarded to McCall, Parkhurst and Horton, LLP (“MPH”). The Audit/Finance Committee recommends approval (3-0).

Attachments: [Exhibit 1-Original MPH Agreement](#)
 [Exhibit 2-MPH Statement of Qualifications](#)
 [Exhibit 3-Ordinance](#)
 [Exhibit 4-Contract](#)

- AA. [ID 16-1523](#)** Consider adoption of an ordinance authorizing the City Manager to execute a consulting services agreement for Financial Advisory, Arbitrage Rebate and Continuing Disclosure Services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (File 6228-awarded to FirstSouthwest, a Division of Hilltop Securities Inc. and FSC Continuing Disclosure Services, a Division of Hilltop Securities Inc., hereinafter called "HilltopSecurities" and affiliate, First Southwest Asset Management, LLC). The Audit/Finance Committee recommends approval (3-0).

Attachments: [Exhibit 1-Current Contract](#)
 [Exhibit 2-FSW Statement of Qualifications](#)
 [Exhibit 3-Ordinance](#)
 [Exhibit 4-Contract](#)

- BB. [ID 16-1526](#)** Consider adoption of an ordinance closing, abandoning and vacating the right of way of Gary Street, conveyed in Volume 66 Page 623, Deed Records, Denton County, Texas, and located in the B.B.B. & C.R.R. Survey, Abstract No. 185, to accommodate construction by the Denton Independent School District; and declaring an effective date. [Abandonment of Gary Street - situated between North Locust and North Elm Street - DISD Administration facility expansion]

Attachments: [Exhibit 1 - Location Map](#)
 [Exhibit 2 - Site Map](#)
 [Exhibit 3 - DISD project narrative letter](#)
 [Exhibit 4 - DISD Near Term Gary Street Concept map](#)
 [Exhibit 5 - DISD Long Term Gary Street Concept map](#)
 [Exhibit 6 - Ordinance - Gary St. Abandonment](#)

- CC. [ID 16-1531](#)** Consider adoption of an ordinance of the City of Denton, Texas, amending Ordinance No. 2015-306 to prescribe updated titles and number of positions for certain classifications of Fire Department personnel; providing repealer, cumulative and severability clauses; and declaring an effective date.

Attachments: [Exhibit 1 Ordinance No 2015-306](#)
 [Exhibit 2 Ordinance](#)

- DD. [ID 16-1573](#)** Consider adoption of an ordinance of the City of Denton, Texas, amending Ordinance No. 2015-230 to prescribe updated titles and number of positions for certain classifications of Police Department personnel; providing repealer, cumulative and severability clauses; and declaring an effective date.

Attachments: [Exhibit 1 Ordinance No. 2015-230](#)
 [Exhibit 2 Proposed Ordinance \(Police\)](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 16-1459](#) Consider a nomination to the City's Economic Development Partnership Board.
- B. [ID 16-1485](#) Consider adoption of an ordinance of the City of Denton, Texas amending Section 18-38 of the Code of Ordinances relating to the use of wireless communication devices while driving to prohibit the use of wireless communication devices while operating a motor vehicle; providing a repealer clause; providing for a penalty as a Class C Misdemeanor for violations of this ordinance; and providing for an effective date. Traffic Safety Commission recommends approval (5-0).

Attachments: [Exhibit 1 - Current Ordinance 2014-112](#)
 [Exhibit 2 - Transportation Code Definitions](#)
 [Exhibit 3 - Proposed Amended Ordinance 2014-112](#)

- C. [ID 16-1558](#) Consider approval of a resolution of the City of Denton, Texas, adopting the City of Denton's 2017 State Legislative Program for the 85th Texas Legislature; and providing an effective date.

Attachments: [Exhibit 1 2017 State Legislative Program](#)
 [Exhibit 2 HOT Fund Legislative Proposal White Paperf](#)
 [Exhibit 3 Tax Code 351.101 referenced in HOT Fund Legislative Proposal](#)
 [Exhibit 4 - Proposed Resolution for 2017 State Legislative Program](#)

6. PUBLIC HEARINGS

- A. [Z16-0007a](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, amending Subchapter 35.7.5, the Fry Street Overlay District, to create a new subarea and development standards for a mixed use development on approximately 1.75 acres of land, generally located north of Hickory Street, south of Oak Street, approximately 200 feet east of Avenue B and approximately 125 feet west of Fry Street, in the City of Denton, Denton County, Texas; 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 recommends denial (4-1). A supermajority vote by Council is required for approval.

Attachments: [Exhibit 1 - Site Location](#)
 [Exhibit 2 - Zoning Map](#)
 [Exhibit 3 - Future Land Use Map](#)
 [Exhibit 4 - Project Narrative](#)
 [Exhibit 5 - Draft Fry Street Overlay District Amendment](#)
 [Exhibit 6 - Notification Map](#)
 [Exhibit 7 - Public Hearing Notice Responses](#)
 [Exhibit 8 - Draft Planning and Zoning Commission Meeting Minutes](#)
 [Exhibit 9 - Draft Ordinance](#)

7. 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 bulletin board at the City Hall of the City of Denton, Texas, on the _____ day of _____, 2016 at _____ o'clock (a.m.) (p.m.)

CITY SECRETARY

NOTE: THE CITY OF DENTON CITY COUNCIL WORK SESSION ROOM AND COUNCIL CHAMBERS ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE 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 349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT A SIGN LANGUAGE INTERPRETER CAN BE SCHEDULED THROUGH THE CITY SECRETARY'S OFFICE.