

# **City of Denton**

# Meeting Agenda

# **City Council**

Tuesday, February 21, 2017	12:30 PM	Work Session Room & Council Chambers

The City Council of the City of Denton, Texas will have lunch on Tuesday, February 21, 2017 at 12:30 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, February 21, 2017 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 February 21, 2017.

#### 3. Work Session Reports

A.	<u>ID 17-227</u>	Receive a report, hold a discussion, and give staff direction regarding the Stoke			
		Denton entrepreneur center.			
	Attachments:	Exhibit 1- Stoke Membership Infomration			
		Exhibit 2- Stoke Events and Tours			
		Exhibit 3- Stoke Membership Agreement sample			
		Exhibit 4- City Stoke Operating Budget			
		Exhibit 5- Presentation			

**B.** <u>ID 17-106</u> Receive a report, hold a discussion, and give staff direction regarding multi-family development standards.

<u>Attachments:</u> Exhibit 1 - Downtown Urban Core Zoning Map Exhibit 2 - Staff Presentation

- C. <u>ID 17-214</u> Receive a report, hold a discussion, and give staff direction regarding the Council Appointee Performance Review (CAPR) Committee.
  - Attachments:Exhibit 1 Resolution R2004-020Exhibit 2 Resolution R2005-013Exhibit 3 Resolution R2007-043
- **D.** <u>ID 17-221</u> Receive a report, hold a discussion on the housing programs and other activities carried out by the Denton Housing Authority (DHA) and give staff direction regarding requests for resolutions from developers applying for state tax credit.

Attachments: Exhibit 1 Denton Housing Authority Tax Credit Funding Memo

E. <u>ID 17-224</u> Receive a report, hold a discussion and give staff direction regarding a possible funding allocation for the Employ-2-Empower Program to assist the homeless in gaining the skills, experience and confidence needed to find living-wage jobs.

<u>Attachments:</u> Exhibit 1 - E2E-Project Presentation Exhibit 2 - E2E-Project Proposal

NOTE: 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.

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:

#### **<u>1. PLEDGE OF ALLEGIANCE</u>**

- 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. <u>ID 17-179</u> Resolution of Appreciation for Howard Martin
- **B.** <u>ID 17-182</u> Resolution of Appreciation for Quentin Hix
- C. <u>ID 17-248</u> 4th Annual Beulah Harriss Day

#### 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. <u>ID 17-247</u> Doug Campbell regarding recent road improvements and new bicycle lanes on Eagle Drive.

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 - V). 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 - V 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.

- ID 16-1281 A. Consider adoption of an ordinance of the City of Denton, a Texas home rule municipal corporation ("City"), approving the exchange of a 1.334 acre tract located in the N. Meisenhamer Survey, Abstract, No. 810, Denton, Denton County, Texas ("Property"), to Rayzor Investments, Ltd. ("Rayzor"), for permanent and temporary utility easements, also located in the N. Meisenhamer Survey, and reservations of permanent utility easements and dedication of right of way in the Property to the City, all with the equivalent value of One Hundred and Fifty Thousand Dollars and No Cents (\$150,000.00) as stated in the contract of sale ("Contract"); authorizing the City Manager in accordance with Texas Local Government Code 272.001(k) to execute a deed to Rayzor together with any other documents necessary to exchange the Property for permanent and temporary utility easements and reservations of permanent utility easements and dedication of right of way; and, providing an effective date. Bonnie Brae to North Lakes TM Line Rebuild (Easement Exchange)]
  - Attachments:
     Exhibit 1 Transmission Line Easement Map

     Exhibit 2 Rayzor Sales Ordinance w\_exhibits

     Exhibit 3 Additional information
- **B.** <u>ID 17-131</u> Consider adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract for the acquisition of (1) trommel, (1) sorting station, (1) mobile horizontal high speed grinder and (1) mobile slow speed shredder for use in landfill mining operations by the City of Denton Solid Waste Department; and providing an effective date (File 6212-awarded to multiple vendors in the amount not to exceed \$1,905,610). The Public Utilities Board recommends approval (5-0).
  - Attachments:
     Exhibit 1-Landfill Mining Equipment Schedule

     Exhibit 2 -Evalauation asnd Ranking Sheet

     Exhibit 3-Equipment Funding List

     Exhibit 4-PUB Minutes

     Exhibit 5-Ordinance
- C. <u>ID 17-162</u> Consider adoption of an ordinance approving the First Amendment to the Williams Trade Square parking spaces lease agreement between the City of Denton and Wells Fargo Bank, authorizing the City Manager to execute the First Amendment to the agreement; and providing and effective date.
  - Attachments:
     Ordinance with First Amendment

     Exhibit 1- Site Map

     Exhibit 2- WF Resolution and Recovery plan

     Exhibit 3- Ordinance 2011-184
- **D.** <u>ID 17-169</u> Consider adoption of an ordinance approving a City sponsorship in an amount not

to exceed \$4,600 of in-kind services and resources for the 32nd Annual Texas Storytelling Festival to be held in the Civic Center located at 321 E. McKinney Street, beginning March 9-12, 2017; and providing an effective date.

<u>Attachments:</u> <u>\Exhibit 1 Letter of Request</u> <u>Exhibit 2 Running Total of In-kind Services</u> Exhibit 3 Ordinance

E. <u>ID 17-171</u> Consider approval of the minutes of November 8, November 15, November 21, and December 5, 2016.

Attachments:Exhibit 1 November 8, 2016 MinutesExhibit 2 November 15, 2016 MinutesExhibit 3 November 21, 2016 MinutesExhibit 4 December 5, 2016 Minutes

F. ID 17-189 Consider adoption of an ordinance awarding a contract for a twenty-four (24) month lease of approximately fifty-nine (59) black and white digital copiers for various City of Denton departments as awarded by the State of Texas Department of Information Resources (DIR) through the Go DIRect Program, Contract Number DIR-TSO-3101; providing for the expenditure of funds therefor; and providing an effective date (File 5280 awarded to Canon Solutions America, Inc. in the not-to-exceed amount of \$132,000).

 Attachments:
 Exhibit 1-Equipment and Pricing List

 Exhibit 2-Agreement

 Exhibit 3-Ordinance

- G. ID 17-190 Consider adoption of an ordinance of the City of Denton, Texas authorizing the approval of a second amendment to a contract between the City of Denton and LCG Consulting for Forward Market Modeling Software services for an additional three (3) year period, extending the contract approved by City Council on February 4. 2014 in the amount of \$309,000 and a First Amendment approved by Purchasing staff on November 13, 2014 in the amount of \$10,000; providing for the expenditure of funds therefor; and providing an effective date (File 5424-providing for an additional expenditure amount not-to-exceed \$309,000, with the total contract amount not-to-exceed \$628,000). The Public Utilities Board recommends approval (5-0).
  - Attachments:
     Exhibit 1-Original Contract

     Exhibit 2-First Amendment

     Exhibit 3-PUB Minutes

     Exhibit 4-Ordinance

     Exhibit 5-Contract
- H. ID 17-191 Consider adoption of an ordinance of the City of Denton, Texas authorizing the approval of a third amendment to a contract between the City of Denton and Barco Construction, Inc. for Underground Electric Installation Services which was approved by Council on September 17. 2014 in the originally amount of

\$4,837,484.10 with a first and second amendment providing for additional line items but no change to the contract award amount approved by Purchasing staff; providing for the expenditure of funds therefor; and providing an effective date (File 5567-providing for an additional expenditure amount not-to-exceed \$1,209,371 with the total contract amount not-to-exceed \$6,046,855.10). The Public Utilities Board recommends approval (6-0).

 Attachments:
 Exhibit 1-Original Contract

 Exhibit 2-First Amendment

 Exhibit 3-Second Amendment

 Exhibit 4-PUB Minutes

 Exhibit 5-Ordinance

 Exhibit 6-Third Amendment

I. <u>ID 17-192</u> Consider adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract for the acquisition of one (1) East "Unloader" trailer for the City of Denton Solid Waste Department which is available from only one source and in accordance with Chapter 252.022 of the Texas Local Government Code, such purchases are exempt from requirements of competitive bidding; and providing an effective date (File 6361-awarded to East Manufacturing Corporation in the amount of \$68,200). The Public Utilities Board recommends approval (5-0).

 Attachments:
 Exhibit 1-Quote

 Exhibit 2-Standardization Memo

 Exhibit 3-PUB Minutes

 Exhibit 4-Ordinance

- J. <u>ID 17-193</u> Consider adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract for the acquisition of one (1) boom mower attachment for the City of Denton Parks Department which is available from only one source and in accordance with Chapter 252.022 of the Texas Local Government Code, such purchases are exempt from requirements of competitive bidding; and providing an effective date (File 6370-awarded to Tiger Corporation in the amount of \$62,658).
  - Attachments: Exhibit 1-Quote

Exhibit 2-Standardization Memo Exhibit 3-Ordinance

K. ID 17-197 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the purchase of electric substation class porcelain post insulators for Denton Municipal Electric to be stocked in the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (RFP 6289-awarded to Anixter Inc. in the three (3) year not-to-exceed amount of \$340,000).

 Attachments:
 Exhibit 1-Evaluation and Ranking

 Exhibit 2-Ordinance

 Exhibit 3-Contract

L. <u>ID 17-199</u> Consider adoption of an ordinance accepting competitive proposals and awarding a contract for data cabling services including design and installation, for City of Denton facilities; providing for the expenditure of funds therefor; and providing an effective date (RFP 6138-awarded to T-DataCom, Inc.in the three (3) year not-to-exceed amount of \$544,500).

 Attachments:
 Exhibit 1-Evaluation and Ranking Sheet

 Exhibit 2-Ordinance

 Exhibit 3-Contract

M. ID 17-200 Consider adoption of an ordinance ratifying the expenditure of funds by the City Manager for Weaver Consultants Group (WCG), Ft. Worth, Texas, to provide professional design, engineering, and emergency construction services for the installation of an expansion of the existing soil vapor extraction system for the corrective action to mitigate the exceedance of regulatory gas levels at the perimeter of the landfill, and in accordance with provisions of Section 252.022 of the Local Government Code exempting such purchases from requirements of competitive bidding; and providing an effective date (File 6330-awarded to Weaver Consultants Group in the amount of \$272,225). The Public Utilities Board recommends approval (5-0).

<u>Attachments:</u> Exhibit 1-Declaration of Emergency Exhibit 2-PUB Minutes Exhibit 3-Ordinance

Exhibit 4-Contract

- N. ID 17-201 Consider adoption an ordinance defining a 0.084 acre portion of a 9.5 acre blanket electric easement assigned to the City of Denton from Brazos Electric Power Cooperative, Inc., recorded in Volume 1106, Page 78 of the Deed Records of Denton County Texas, being originally conveyed by Billy W. Claytor and W.O. Claytor to Brazos River Transmission Electric Cooperative, Inc., recorded in Volume 357, Page 48, Deed Records, Denton County, Texas, easement located in the R.B. Longbottom Survey, Abstract No. 775; providing for severability and an effective date. [Blanket electric easement description refinement to provide for specific location of electric infrastructure]
  - <u>Attachments:</u> EXHIBIT 1 Location Map EXHIBIT 2 - Site Map EXHIBIT 3 - Applicant request letter EXHIBIT 4 - Ordinance
- **O.** <u>ID 17-203</u> Consider a request for an exception to Section 17-20 (d) of the Noise Ordinance for the purpose of hosting the Denton Tacofest sponsored by Lucky Lou's, a local bar and grill. Live music will be played in the parking lot behind Lucky Lou's and Riprocks Bar and Grill, located at 1207 and 1211 W. Hickory St., on Saturday,

April 1, 2017, from 3 p.m. to 7 p.m. An exception is specifically requested to increase sound levels from 70 to 75 decibels.

Attachments: Exhibit 1 Letter of Request

P. ID 17-209 Consider approval of a resolution by the City of Denton; authorizing participation in a coalition of similarly situated cities in connection with the statement of intent to change rate CGS and rate PT of Atmos Pipeline-Texas filed on or about January 6, 2017; authorizing participation in related rate proceedings; authorizing the retention of special counsel; requiring the reimbursement of municipal rate case expenses; finding that the meeting complies with the open meetings act; and making other findings and provisions related to the subject

Attachments: Exhibit 1 Resolution

Q. <u>ID 17-222</u> Consider adoption of an ordinance establishing the authority of the City Auditor; and providing an effective date.

Attachments: Exhibit 1 Ordinance

**R.** <u>ID 17-225</u> Consider adoption of an ordinance of the City of Denton, Texas, approving Amendment No. 1 to an interlocal cooperation agreement between the City of Denton and Denton County, Texas, regarding the construction of Metro Street and Improvements to Corbin Street, terminating the agreement; and providing an effective date.

Attachments: Exhibit 1 Ordinance 2006-250

Exhibit 2 Proposed Ordinance

- S. ID 17-228 Consider adoption of an ordinance of the City of Denton, Texas authorizing the approval of a first amendment to a contract between the City of Denton and Clevest Solutions, Inc. for Mobile Workforce Management Software and Automatic Vehicle Location System for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (File 5821-providing for an additional expenditure amount not-to-exceed \$85,000, with the total contract amount not-to-exceed \$451,000). The Public Utilities Board recommends approval (5-0).
  - Attachments:
     Exhibit 1-Original Contract

     Exhibit 2-PUB Minutes

     Exhibit 3-Ordinance

     Exhibit 4-1st Amendment
- T. ID 17-250 Consider adoption of an ordinance amending Chapter 18 of the Code of Ordinances to revise the school safety speed zone for Sam Houston Elementary School along Teasley Lane, for Ryan Elementary School along Ryan Road and to remove the school safety speed zone for Selwyn School along W. University Drive (US 380); providing a penalty of a fine not to exceed two hundred dollars (\$200.00); providing a severability clause, providing for publication; and declaring an effective date. The Traffic Safety Commission recommends approval (7-0).

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<u>Attachments:</u>	Exhibit 1 Map of Teasley Lane at Lillian Miller	
	Exhibit 2 Map of Ryan Road near Ryan Elementary	
	Exhibit 3 Map of US380 near Selwyn School	
	Exhibit 4 Ordinance - School Safety Speed Zones.pdf	

- U. <u>ID 17-251</u> Consider adoption of an ordinance amending Chapter 18 of the Code of Ordinances to revise the speed limits along on W. University Drive (US 380) from IH 35 to the Westerly City limits; providing a penalty of a fine not to exceed two hundred dollars (\$200.00); providing a severability clause, providing for publication; and declaring an effective date. The Traffic Safety Commission recommends approval (7-0).
  - Attachments:
     Exhibit 1 Speed Study

     Exhibit 2 Map of West University (US 380)

     Exhibit 3 Ordinance Speed Limits US-380.pdf
- V. <u>ID 17-265</u> Consider approval of an ordinance of the City of Denton, Texas, concurring with the City Manager's reorganization of the City of Denton's administrative departments and divisions; and providing an effective date.

Attachments: Exhibit 1 Ordinance

### 5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. <u>A16-0004</u> Consider adoption of an ordinance of the City of Denton, Texas setting dates, times, and place for public hearings on the proposed annexation of certain property generally located north of Ryan Road, west of FM 2181 (Teasley Lane) and Lake Forest Good Samaritan Village, and east of Country Club Road by the City of Denton, Texas, authorizing and directing the City Secretary to publish notice of such public hearings.
  - Attachments:Exhibit 1 Location MapExhibit 2 Zoning MapExhibit 3 Draft OrdinanceExhibit 4 Staff Presentation
- **B.** <u>ID 17-168</u> Consider adoption of an ordinance of the City of Denton, Texas, Nunc Pro Tunc, correcting an inadvertent mistake in Ordinance No. 2016-341 relating to an Economic Development Program Grant Agreement with Sally Beauty LLC pursuant to Chapter 380 of the Local Government Code for making grants of public money to promote Economic Development; providing for a severability clause; and providing for an effective date.

Attachments: Exhibit 1 Ordinance

C. ID 17-196 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the City of Denton Employee Health Clinic and Operation Management Services; and providing an effective date (RFP 6198-awarded to CareHere, LLC in the amount of \$20.00 per employee per month (PEPM) for an estimated annual cost of \$386,325 for management costs and \$566,000 for salaries and supplies with a five (5) year total not-to-exceed \$5,010,300).

 Attachments:
 Exhibit 1-Evaluation and Ranking Sheet

 Exhibit 2-Ordinance

 Exhibit 3-Contract

 Exhibit 4-Staff Presentation

**D.** <u>ID 17-243</u> Consider approval of a resolution of the City of Denton, Texas evidencing support for the proposed new construction of Palladium Denton Apartments in Denton; and authorizing such other actions necessary or convenient to carry out this resolution.

Attachments: Exhibit 1 Resolution

E. <u>ID 17-245</u> Consider approval of a resolution of the City of Denton, Texas evidencing support for the proposed new construction of the Reserve at Sherman in Denton; and authorizing such other actions necessary or convenient to carry out this resolution.

Attachments: Exhibit 1 Resolution

### 6. PUBLIC HEARINGS

- A. <u>DCA17-0004</u> a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, expressly repealing Sections 34-35, 34-36, and 34-37 of the Denton Code of Ordinances related to annexation and amending Subchapter 35.3 of the Denton Development Code by adding a periphery development annexation criteria section; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause, savings clause, and an effective date. The Planning and Zoning Commission recommends approval 6-1.
  - Attachments:Exhibit 1 Sections 34-35, 34-36, and 34-37.pdfExhibit 2 Draft OrdinanceExhibit 3 Staff Presentation
- B. Z16-0018b Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, to change the zoning classification from Regional Center Residential 1 District to Employment Center Commercial (EC-C) District (RCR-1) on approximately 5.3 acres of land generally located on the west side of the I-35 Southbound Service Road and 115 feet north of Barthold Road 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 has recommended approval (7-0) of the request. (Z16-0018)

# <u>Attachments:</u>

Exhibit 1 - Staff Analysis
 Exhibit 2 - Aerial Map
 Exhibit 3 - Zoning Map
 Exhibit 4 - Future Land Use Map
 Exhibit 5 - RCR-1 District Permitted Uses
 Exhibit 6 - EC-C District Permitted Uses
 Exhibit 7 - Proposed Zoning Map
 Exhibit 8 - Public Notification Map
 Exhibit 9 - Presentation
 Exhibit 10 - 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.

#### CERTIFICATE

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 \_\_\_\_\_\_, 2017 at \_\_\_\_\_o'clock (a.m.) (p.m.)

#### CITY SECRETARY

NOTE: THE CITY OF DENTON CITY COUNCIL WORK SESSION ROOM AND COUNCIL CHAMBERS ARE ACCESSIBLE ACCORDANCE WITH AMERICANS IN THE WITH THE CITY WILL PROVIDE SIGN LANGUAGE INTERPRETERS FOR THE DISABILITIES ACT. HEARING IMPAIRED IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE PLEASE CALL THE CITY SECRETARY'S OFFICE AT 349-8309 OR SCHEDULED MEETING. TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING USE 1-800 -RELAY-TX SO THAT A SIGN LANGUAGE INTERPRETER CAN BE SCHEDULED THROUGH THE CITY SECRETARY'S OFFICE.