



City of Denton

Meeting Agenda

City Council

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

Tuesday, December 12, 2017

1:00 PM

Work Session Room

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 12, 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 December 12, 2017.

3. Work Session Reports

- A. [ID 17-1171](#) Receive a report, hold a discussion, and give staff direction regarding the Energy Management Organization Review being conducted by Deloitte.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Report](#)
[Exhibit 3 - Presentation](#)
[Exhibit 4 - Management Response](#)

- B. [ID 17-1655](#) Receive a report, hold a discussion and provide direction on design options and schedule for the proposed reconstruction of Fire Station 3.

Attachments: [Exhibit 1 - Agenda Information Sheet.docx](#)
[Exhibit 2 - Station 3.pdf](#)
[Exhibit 3 - Station 3 Cost Estimate .pdf](#)

- C. [ID 17-1710](#) Receive a report, hold a discussion, and give staff direction regarding the potential funding for small scale traffic improvements and the Vela Athletic Complex project.

Attachments: [Exhibit 1 - Small Traffic Improvements & Vela Projects.docx](#)
[Exhibit 2 - Small Traffic Improvements Vela Projects PP.docx.pdf](#)

- D. [ID 17-1706](#) Receive a report, hold a discussion, and give staff direction regarding City staff and organizational changes.

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 17-1658](#) Deliberations Regarding Personnel Matters - Under Texas Government Code Section 551.074.

Discuss and deliberate regarding the evaluation of candidates and the appointment/employment of a City Auditor.

- B. [ID 17-1695](#) Deliberations regarding Real Property - Under Texas Government Code, Section 551.072; and Consultation with Attorneys - Under Texas Government Code, Section 551.

Receive information from staff, discuss, deliberate, and provide staff with direction pertaining to the status, strategy, and possible resolution of condemnation case styled City of Denton, Texas v. RTS&M, LLC, et al., Cause No. PR-2014-00492, currently pending in the Probate Court of Denton County, Texas; Consultation with the City's attorneys regarding legal issues associated with the condemnation of the real property interests where a public discussion of these legal matters could jeopardize the City's legal position in any administrative proceeding or potential litigation. [Mayhill Road Widening & Improvements project - Parcel M134]

- C. [ID 17-1700](#) Deliberations regarding a Personnel Matter - Under Government Code, Section 551.074; and Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Deliberate and discuss the appointment and duties of an interim Internal Auditor and contracting out certain functions of the Internal Auditor on an interim basis; consultation with the City's attorneys regarding associated legal issues where a public discussion associated with 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

- D. [ID 17-1711](#) Deliberations regarding Real Property - Texas Government Code Section 551.072; Consultation with Attorneys - Texas Government Code Section 551.071.

Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the lease and use of 1001 S. Mayhill Rd., Buildings 101 and 102, and 1301 S. Mayhill Rd., Denton, Denton County, Texas. Consultation with the City's attorneys regarding legal issues associated with lease and use of said 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, 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 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.

Following the completion of the Closed Meeting, the City Council will convene in a Special Called Meeting at which the following items will be considered:

1. 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 – J). 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 – J 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 17-1373](#) Consider adoption of an ordinance awarding a contract for radio network design and installation services, the installation of new transmission lines, and the linking of radio communications between seven facilities in relation to the upgrade of the City of Denton Water Production Department's Radio Communication System as awarded by the State of Texas Department of Information Resources (DIR) through the Go DIRect Program, Contract Number DIR-SDD-2678; providing for the expenditure of funds therefor and providing an effective date (File 6518-awarded to Johnston Technical Services, Inc. in the not-to-exceed amount of \$196,496.99). The Public Utilities Board will consider this item on December 11, 2017.

Attachments: [Exhibit 1-Agenda Information Sheet.pdf](#)
 [Exhibit 2-Loop Drawing.pdf](#)
 [Exhibit 3-Ordinance.pdf](#)
 [Exhibit 4-Contract.pdf](#)

- B. [ID 17-1617](#) Consider adoption of an ordinance accepting competitive bids and awarding a contract for the supply of Parkland Maintenance Products including but not limited to landscape and turf fertilizer, insecticides, herbicides, mulch, and peat moss for the City of Denton Parks and Recreation Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 6409-awarded to the lowest responsive bidder for each

line item in the three (3) year not-to-exceed amount of \$196,741).

Attachments: [Exhibit 1-Agenda Information Sheet.pdf](#)
 [Exhibit 2-Tabulation Sheet.pdf](#)
 [Exhibit 3-Ordinance.pdf](#)
 [Exhibit 4-SiteOne Contract.pdf](#)
 [Exhibit 5-Irrigators Supply Contract.pdf](#)
 [Exhibit 6-BWI Contract.pdf](#)
 [Exhibit 7-Harrells LLC Contract.pdf](#)
 [Exhibit 8-Winfield Contract.pdf](#)
 [Exhibit 9-Helena Chemicals Contract.pdf](#)

- C. [ID 17-1653](#) Consider approval of a resolution of the City Council of the City of Denton, Texas, authorizing an agreement between the City of Denton and Member Cities of the “Atmos Cities Steering Committee” (ACSC); finding and determining that the meeting at which this resolution was passed was in accordance with the requirements of the Texas Open Meetings Act; making other findings and provisions related to the subject; and declaring an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Resolution](#)

- D. [ID 17-1654](#) Consider approval of a resolution of the City Council of the City of Denton, Texas, authorizing the City of Denton’s membership in the “Alliance of Oncor Cities” (AOC); finding and determining that the meeting at which this resolution as passed was in accordance with the requirements of the Texas Open Meetings Act; making other findings and provisions related to the subject; and declaring an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Resolution](#)

- E. [ID 17-1683](#) Consider adoption of an ordinance accepting competitive proposals and awarding a best value public works contract for the construction of IOOF and Oakwood Cemetery fences for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 6579-awarded to Rockstar Welding LLC in the not-to-exceed amount of \$442,873.20).

Attachments: [Exhibit 1-Agenda information Sheet.pdf](#)
 [Exhibit 2-Evaluation and Pricing Sheet.pdf](#)
 [Exhibit 3-Ordinance.pdf](#)
 [Exhibit 4-Contract.pdf](#)

- F. [ID 17-1684](#) Consider adoption of an ordinance accepting competitive bids and awarding a contract for the supply of Electric Utility 2500 MCM AAC “Lupine” Transmission Conductor 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 (IFB 6552-awarded to Wesco Distribution in the three (3) year not-to-exceed amount of \$140,000).

Attachments: [Exhibit 1-Agenda Information Sheet lc.pdf](#)
[Exhibit 2-Tabulation Sheet.pdf](#)
[Exhibit 3-Ordinance.pdf](#)
[Exhibit 4-Contract.pdf](#)

- G. [ID 17-1636](#) Consider adoption of an ordinance authorizing the City Manager to execute an Interlocal Agreement with the University of North Texas (UNT) for the purpose of providing for cost and duty allocation of a traffic study to assess the impact of street closures within the UNT campus for a total cost of \$224,700 and authorizing the expenditure of funds up to \$112,350.

Attachments: [Exhibit 1-Agenda Information Sheet.docx](#)
[Exhibit 2 - Agreement.pdf](#)
[Exhibit 3 - Ordinance.pdf](#)

- H. [ID 17-1685](#) Consider adoption of an ordinance authorizing the City Manager to execute a Professional Services Agreement for traffic engineering and planning services relating to a traffic study to be performed in an area within and adjacent to the University of North Texas specifically the area bounded by Scripture Street on the north, Bonnie Brae on the west, IH-35E on the south, and Carroll Boulevard/Fort Worth Drive on the east; providing for the expenditure of funds therefor; and providing an effective date (File 6633 awarded to Walter P. Moore and Associates, Inc. in the not-to-exceed amount of \$224,700).

Attachments: [Exhibit 1-Agenda Information Sheet.pdf](#)
[Exhibit 2-Location Map.pdf](#)
[Exhibit 3-Ordinance.pdf](#)
[Exhibit 4-Contract.pdf](#)

- I. [ID 17-1694](#) Consider adoption of an ordinance of the City of Denton, Texas to enact a Citizen Comment Pilot Program for Section 3.B. ("Receive Scheduled Citizen Reports from Members of the Public") items of the City Council's Regular Meeting Agenda; providing for a severability clause; providing for an effective date; and providing for a sunset date.

Attachments: [AIS re Citizen Comment Pilot Program 12-12-17.pdf](#)
[CC Rules of Procedure Ordinance 121217.pdf](#)
[RULES OF PROCEDURE-version 2.pdf](#)
[CC Regular Agenda Meeting modification of Section 3.B..pdf](#)

- J. [ID 17-1699](#) Consider approval of a Resolution directing and authorizing the City Attorney of the City of Denton to intervene in Staff's Application to Set 2018 Wholesale Transmission Service Charges for the Electric Reliability Council of Texas pending before the Public Utility Commission of Texas under Docket No. 47777 and to use, if needed, the Austin law firm of Lloyd Gosselink Rochelle & Townsend, P.C. to represent the City in the same; and providing an effective date.

Attachments:[AIS](#)[PUC Docket No. 47777- Staff Application](#)[PUC Docket No. 47777 - Order No. 1](#)[Proposed Resolution](#)**2. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. [ID 17-1619](#) Consider adoption of an ordinance authorizing the City Manager to execute a Professional Services Agreement for engineering design services relating to the design, bid phase, and construction services for the PEC-4 Phases 3 and 4 Drainage Improvements project which includes approximately 2,700 linear feet of reinforced concrete box, 2,300 linear feet of waterline relocation and lowering, 1,700 linear feet of sanitary sewer line relocation and adjustment, and pavement repair from West Prairie Street to the beginning of the open channel near the intersection of West Mulberry Street and Bernard Street; providing for the expenditure of funds therefor; and providing an effective date (File 6625 awarded to Freese and Nichols, Inc. in the not-to-exceed amount of \$1,200,000). The Public Utilities Board will consider this item on December 11, 2017.

Attachments:[Exhibit 1-Agenda Information Sheet.pdf](#)[Exhibit 2-Project Map.pdf](#)[Exhibit 3-Ordinance.pdf](#)[Exhibit 4-Contract.pdf](#)

- B. [ID 17-1691](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or designee, to execute non-disclosure or confidentiality agreements as needed; providing for a repealer; providing for a severability clause; and providing for an effective date.

Attachments:[Exhibit 1 - Agenda Information Sheet.docx](#)[Exhibit 2 - NDA Confidentiality Delegation Ordinance - Final - Signed](#)**3. 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 _____, 2017 at _____ o'clock (a.m.) (p.m.)

CITY SECRETARY

NOTE: THE CITY OF DENTON CITY COUNCIL WORK SESSION ROOM IS 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.