



City of Denton

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

Meeting Agenda

City Council

Tuesday, May 23, 2017

2:00 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, May 23, 2017 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:

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 May 23, 2017.

3. Work Session Reports

- A. [ID 17-567](#) Receive a funding recommendation report from the Community Development Advisory Committee (CDAC) and the Human Services Advisory Committee (HSAC). Hold a discussion and give staff direction regarding these activities as they are proposed in the 2017 Action Plan for Housing and Community Development.

Attachments: [Exhibit 1 - CDAC 2017-18 Recommendations](#)
[Exhibit 2 - HSAC 2017-18 Recommendations](#)
[Exhibit 3 - Human Svcs Funding History](#)
[Exhibit 4 - Draft 2017 18 Action Plan](#)

- B. [ID 17-491](#) Receive a report, hold a discussion and give staff direction regarding the use of the Prescott property at US 380 and Virginia Street, which is currently owned by Denton Municipal Electric.

Attachments: [Exhibit 1-March 7 AIS](#)
[Exhibit 2-Response Map and Workload Measure](#)
[Exhibit 3-Tract and Trail Extension](#)
[Exhibit 4-DCTA Presentation](#)
[Exhibit 5-Floodplain Study and Map](#)
[Exhibit 6-Mingo Road Level of Service](#)
[Exhibit 7-Current and Future Land Use](#)
[Exhibit 8-Presentation](#)

- C. [ID 17-607](#) Receive a report, hold a discussion, and give staff direction regarding park turf maintenance and reforestation of parks.

Attachments: [Exhibit 1 - Park Acreage by Maintenance Classification Exhibit 4.docx](#)
[Exhibit 2 - Class A and B](#)
[Exhibit 3 - Class C and D](#)
[Exhibit 4 - PowerPoint](#)

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 17-649](#) Deliberations regarding Real Property - Under Texas Government Code, Section 551.072; and 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 certain real property interests out of the Jeremiah Fisher Survey, Abstract No. 421 and the Stephen Hembrie Survey, Abstract No. 643, Denton County, Texas, and generally located in the 3400 and 3900 blocks of Teasley Lane, Denton, Texas. Consultation with the City's attorneys regarding legal issues associated with the potential acquisition or condemnation of the real property interests 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. (FM 2181 Utility Relocations Project - Meredith - Parcel 17 & VMY Properties, LLC - Parcel 37)

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.

Special Called 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 17-652](#) Mental Health Awareness Month

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 17-647](#) B.C. Groves regarding the Police Department’s refusal to take her complaint.

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 – 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 17-604](#) Consider approval of a resolution of the City Council of the City of Denton nominating Mayday Manufacturing Co. to the Office of the Governor, Economic Development and Tourism (“OOGEDT”) through the Economic Development Bank (“the Bank”) as an Enterprise Project (“Project”); and providing an effective date.

Attachments: [Exhibit 1 - Mayday Enterprise Zone Nominating Resolution](#)

- B. [ID 17-617](#) Consider adoption of an ordinance of the City of Denton Authorizing an agreement between the City of Denton, Texas and Denton Supportive Housing Pilot, at United Way of Denton County, Inc., for the purpose of care packages; authorizing the expenditure of funds; and providing for an effective date. (\$200)

Attachments: [Exhibit 1- Ordinance and Agreement](#)

- C. [ID 17-627](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract through the Buy Board Cooperative Purchasing Network for Komatsu equipment repair services for the City of Denton Fleet Services department; and providing an effective date (File 6437-awarded to Kirby-Smith Machinery in the three (3) year not-to-exceed amount of \$380,000).

Attachments: [Exhibit 1-Kirby Smith Repair Rate](#)
 [Exhibit 2-Buy Board Contract](#)
 [Exhibit 3-Ordinance](#)

- D. [ID 17-629](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the rental of vans for the City of Denton Parks programs; providing for the expenditure of funds therefor; and providing an effective date (RFP 6433-awarded to CAPPS Rent A Car, Inc. in the three (3) year not-to-exceed amount of \$165,000).

Attachments: [Exhibit 1-Evaluation and Ranking Sheet](#)
 [Exhibit 2-Ordinance](#)
 [Exhibit 3-Signed Contract](#)

- E. [ID 17-630](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for pavement markers installation for the City of Denton Traffic Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 6358-awarded to Striping Technology, LP in the three (3) year not-to-exceed amount of \$1,500,000).

Attachments: [Exhibit 1-Evaluation and Ranking Sheet](#)
 [Exhibit 2-Ordinance](#)
 [Exhibit 3-Contract](#)

- F. [ID 17-631](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the purchase of electric utility transformer pads 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 6403-awarded to Anixter, Inc. in the three (3) year not-to-exceed amount of \$230,000).

Attachments: [Exhibit 1-Evaluation and Ranking Sheet](#)
 [Exhibit 2-Ordinance](#)
 [Exhibit 3-Contract](#)

- G. [ID 17-638](#) Consider adoption of an ordinance of the City of Denton, Texas, authorizing the approval of a Sixth Amendment to a contract with Oriental Building Services, Inc., for the supply of janitorial services, along with Amendments 1-5, which was originally approved on November 19, 2013, in the amount of \$1,743,714, in order to extend the term of the contract to September 30, 2017 and provide an additional expenditure of funds for that purpose, pursuant to the change order provisions of the Tex. Loc. Gov't Code Sec. 252.048; and providing an effective date. (RFP 5317-providing for an additional expenditure amount of \$250,000, for a total contract award of \$1,993,714).

Attachments: [Exhibit 1-Original Contract](#)
 [Exhibit 2-Ordinance](#)
 [Exhibit 3-Sixth Amendment to Contract](#)

- H. [ID 17-645](#) Consider approval of a resolution by the City of Denton, Texas ("City"), approving a change in the rates of Atmos Energy Corporation, Mid-Tex Division ("Atmos") as

a result of a settlement between Atmos and the Atmos Texas Municipalities (“ATM”) under the rate review mechanism; finding the rates set by the attached tariffs to be just and reasonable; finding that the meeting complied with the Open Meetings Act; declaring an effective date; and requiring delivery of the resolution to the company and legal counsel; and providing an effective date.

Attachments: [Atmos-Approving a change in rates.pdf](#)
 [Atmos 2017 map](#)

- I. [ID 17-648](#) 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 agreement (“Agreement”), as attached hereto and made a part hereof as Exhibit “A,” for the purchase price of One Hundred Sixty-Three Thousand Six Hundred Twenty-Four Dollars and No Cents (\$163,624.00), and other consideration, as prescribed in the Agreement by and between the City and VMY Properties, LLC providing for the granting to the City of a water and sanitary sewer easement, encumbering a 0.1279 acre tract of land being more particularly described in the Water and Sanitary Sewer Easement, being attached to and made a part of the Agreement, said easement tract being in the Stephen Hembrie Survey, Abstract No. 643, generally located in the 3900 block of Teasley Lane; authorizing the expenditure of funds, providing a savings clause; and providing an effective date. (FM 2181 Utility Relocations Project - Parcel 37)

Attachments: [Exhibit 1 - Location Map - Parcel 37 VMY](#)
 [Exhibit 2 - Site Map - Parcel 37 VMY](#)
 [Exhibit 3 - Ordinance - Parcel 37 - VMY Easement Purchase Agreement](#)

- J. [ID 17-662](#) Consider approval of the minutes of May 2, 9, and 16, 2017.

Attachments: [Exhibit 1 - May 2, 2017 Minutes](#)
 [Exhibit 2 - May 9, 2017 minutes](#)
 [Exhibit 3 - May 16, 2017 minutes](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION – CONSIDERATION OF THE USE OF EMINENT DOMAIN TO CONDEMN REAL PROPERTY INTERESTS

- A. [ID 17-635](#) Consider adoption of an ordinance of the City of Denton (“City”) finding that a public use and necessity exists to acquire fee simple title to a 1.656 acre tract of land situated in the Alexander Hill Survey, Abstract No. 623, City of Denton, Denton County, Texas (“Property Interests”), for the expansion, construction, maintenance, operation, and improvement of electrical transmission lines, facilities and structures, including substations; authorizing the City to acquire the Property Interests by either agreement or through the use of the power of eminent domain; authorizing the use of power of eminent domain to condemn the Property Interests if an agreement cannot be reached; authorizing the expenditure of funds; making findings; providing a savings clause and an effective date. [Eagle Substation]

Attachments: [Eagle Substation Ordinance.pdf](#)
 [Location Map.pdf](#)
 [Eagle Substation Motion.pdf](#)
 [Eagle Appraisal.pdf](#)
 [Eagle Substation 20170523.pdf](#)

6. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [A16-0004d](#) Conduct the second of two readings and consider adoption of an ordinance of the City of Denton annexing approximately 4.7 acre of land, generally located north of Ryan Road, west of FM 2181 (Teasley Lane) and Lake Forest Good Samaritan Village, and east of Country Club Road; providing for a correction to the city map to include the annexed lands; providing for a savings clause and an effective date.

Attachments: [Exhibit 1 - Location Map](#)
 [Exhibit 2 - Zoning Map](#)
 [Exhibit 3 - Draft Ordinance](#)
 [Exhibit 4 - Staff Presentation](#)

- B. [A17-0001](#) Consider adoption of an ordinance of the City of Denton, Texas, setting a date, time, and place for two public hearings on the proposed annexation of certain properties generally located north of McKinney Street and west of Trinity Road by the City of Denton, Texas, authorizing and directing the City Secretary to publish notice of such public hearings.

Attachments: [Exhibit 1 - Site Location Map](#)
 [Exhibit 2 - Zoning Map](#)
 [Exhibit 3 - Draft Ordinance](#)
 [Exhibit 4 - Staff Presentation](#)

- C. [A17-0004](#) Consider adoption of an ordinance of the City of Denton, Texas, setting a date, time, and place for two public hearings on the proposed annexation of certain properties generally located north of Brush Creek Road and east of Fort Worth Drive by the City of Denton, Texas, authorizing and directing the City Secretary to publish notice of such public hearings.

Attachments: [Location Map](#)
 [Zoning Map](#)
 [Draft Ordinance](#)
 [Staff Presentation](#)

- D. [ID 17-636](#) Consider adoption of an ordinance accepting competitive proposals and awarding a three (3) year contract for the supply of hot mix asphalt concrete and the lay down of the asphalt for the City of Denton Street Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 6386-awarded to Jagoe-Public Company, in the three (3) year not-to-exceed amount of \$20,000,000 for Sections A and C and The Lane Construction Corporation in the three (3) year not-to-exceed amount of \$9,000,000 for Sections B and D for a three

(3) year total not-to-exceed amount of \$29,000,000).

Attachments: [Exhibit 1-Project List and Maps](#)
 [Exhibit 2-Evaluation and Ranking Sheet](#)
 [Exhibit 3-District MAp](#)
 [Exhibit 4-Ordinance](#)
 [Exhibit 5-Jagoe-Public Contract](#)
 [Exhibit 6-The Lane Corporation Contract](#)
 [Exhibit 7-Presentation](#)

7. PUBLIC HEARINGS

- A. [ID 17-532](#) Hold a public hearing and consider approval of a resolution regarding the proposed site for construction, expansion, and use of an electric power transmission line generally located in an area bounded by Bernard Street (western boundary), Eagle Drive (northern boundary), S Locust Street and W Collins St. (eastern boundary), and W Collins Street (southern boundary) lying within the City of Denton, Denton County, Texas; as part of Denton Municipal Electric's service territory. [Eagle to Locust Transmission Line]

Attachments: [Eagle to Locust TM Line Options Map.pdf](#)
 [DME Tranmission Line Map.pdf](#)
 [Resolution-Eagle to Locust TM Route.pdf](#)
 [Eagle to Locust public hearing 5-23-17.pdf](#)

- B. [ID 17-570](#) Hold a public hearing inviting citizens to comment on the City of Denton's 2017 Action Plan for Housing and Community Development.

Attachments: [Exhibit 1 - Draft 2017 18 Action Plan](#)

8. 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 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.