



City of Denton

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

Meeting Agenda

City Council

Tuesday, September 12, 2017

12:00 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, September 12, 2017 at 12:00 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 September 12, 2017.

3. Work Session Reports

- A. [ID 17-1155](#) Receive a report, hold a discussion, and give staff direction regarding the Energy Management Organization Financial Review conducted by Deloitte.

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

- B. [ID 17-980](#) Receive a report; hold a discussion, and give staff direction regarding the FY 2017-18 City Manager's Proposed Budget, Capital Improvement Program, and Five-Year Financial Forecast.

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

- C. [ID 17-1019](#) Receive a report, hold a discussion and give staff direction on the design schedule for the proposed reconstruction of Fire Station 3.

Attachments: [Exhibit 1 Agenda Information Sheet](#)
[Exhibit 2 Fire Station 3 .pdf](#)
[Exhibit 3 Fire Station 3.pdf](#)

- D. [ID 17-1141](#) Receive a report, hold a discussion, and give staff direction regarding the Vela Soccer Complex.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - PowerPoint.pptx](#)
[Exhibit 3 - Engineer's Probable Cost / Funding.pdf](#)

- E. [ID 17-523](#) Receive a report, hold a discussion and provide direction regarding staff proposed Perimeter Street Paving Guidelines being developed pursuant to the City's Roadway Impact Fee Ordinance (2016-189).

Attachments: [Exhibit 1 - AIS for Perimeter St. Paving.pdf](#)
[Exhibit 2 - Street Paving Guidelines - Survey Summary.pdf](#)
[Exhibit 3 - DRAFT Perimeter Street Paving Guidelines.pdf](#)
[Exhibit 4 - Presentation.pdf](#)

- F. [ID 17-1182](#) Receive a report, hold a discussion, and give staff direction regarding the transition plan for Stoke Denton.

Attachments: [Exhibit 1 -- Agenda Information Sheet](#)
[Exhibit 2 -- Stoke Terms and Definitions](#)
[Exhibit 3 -- Stoke presentation](#)

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 17-991](#) Certain Public Power Utilities: Competitive Matters --- Under Texas Government Code, Section 551.086.

Receive competitive public power competitive information and financial information from staff regarding the proposed FY 2017-2018 operating budget for Denton Municipal Electric ("DME") including without limitation, proposed rates for DME for FY 2017-2018, expected revenues, expenses, commodity volumes, and financial commitments of DME; discuss, deliberate and provide staff with direction.

- B. [ID 17-1221](#) 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 various tracts in the City of Denton, Denton County, Texas, and generally located on the west side of the 2000 block to the 2600 block of South Mayhill Road, Denton, Texas as they relate to the widening and realignment of Mayhill. Consultation with the City's attorneys regarding legal issues associated with the potential acquisition or release of real property interests in the tracts described above, and the status and strategy of litigation styled City of Denton, Texas v. Robert P. Donnelly, Cause No. 17-5939-158, currently pending in the 158th District Court of Denton County, Texas, 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 litigation.

- C. [ID 17-1181](#) 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 Attorney.

- D. [ID 17-1257](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from, consult with, and provide direction to, the City's attorneys relating to the Council's ability to provide confidential and/or proprietary information to the Public Utility Board where a public discussion associated with these legal matters would clearly 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.

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 17-1125](#) Constitution Week
- B. [ID 17-1160](#) Denton Public Library's Summer Reading Challenge
- C. [ID 17-1183](#) Live United Month
- D. [ID 17-1184](#) Blood Cancer 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 17-1124](#) Bob Clifton regarding eradicating parking and pollution.
2. [ID 17-1153](#) Willie Hudspeth regarding the Confederate monument on the downtown Denton square.
3. [ID 17-1206](#) Valerie Martinez-Ebers regarding Senate Bill 4.
4. [ID 17-1207](#) Lilyan Prado-Carrillo regarding Senate Bill 4.

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.

NOTE: If audio/visual aids during presentations to Council are needed, they must be submitted to the City Secretary 24 hours prior to the meeting.

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 – G). 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 – G 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 17-827](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or designee, to execute generation credit rate agreements with electric utility customers owning renewable energy generating systems larger than 50 kW as needed; and providing an effective date.

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

- B. [ID 17-1151](#) Consider approval of a resolution of the City of Denton, Texas, approving the increase of sick leave accruals from eight (8) hours to ten (10 hours for full-time, non-civil service employees; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Resolution](#)
[Exhibit 3 - August 22, 2017 Agenda Information Sheet](#)
[Exhibit 4 - Vacation and Sick Benefits Summary and Recommended Changes b](#)
[Exhibit 5 - Survey of DFW Metroplex Cities' Vacation and Sick Leave Benefits](#)
[Exhibit 6 - Comparison of Current versus Proposed Non-Civil Service Sick Leav](#)

- C. [ID 17-1169](#) Consider approval of the minutes of August 1, August 3, August 7, August 8, August 15, and August 22, 2017.

Attachments: [Exhibit 1 - August 1, 2017 Minutes](#)
[Exhibit 2 - August 3, 2017 Minutes](#)
[Exhibit 3 - August 7, 2017 Minutes](#)
[Exhibit 4 - August 8, 2017 Minutes](#)
[Exhibit 5 - August 15, 2017 Minutes](#)
[Exhibit 6 - August 22, 2017 Minutes](#)

- D. [ID 17-1173](#) Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton, Texas and Giving Hope, Inc. for the purpose of Homeless Prevention Assistance; providing for the expenditure of funds therefor; and providing for an effective date. (\$450)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Ordinance - Giving Hope Inc](#)
[Exhibit 3 - Agreement - Giving Hope Inc](#)

- E. [ID 17-1191](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or designee, to execute Agreements for Interconnection and Parallel Operation of Distributed Generation as needed; authorizing the expenditure of funds therefor; and providing an effective date.

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

- F. [ID 17-1193](#) Consider adoption of an ordinance to authorize the City Manager to execute the Local Project Advance Funding Agreement (LPAFA) with the Texas Department of Transportation associated with the US 380 ~ SL 288 to US 377/US 380 Intersection. Specifically, the addition of a 10-foot sidewalk along US 380 between Mayhill Road and the Greenbelt Park. The City will pay a portion of the estimated cost of \$878,874.75.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Ord TxDOT Mayhill US 380 Sidewalk](#)
[Exhibit 3 - LPAFA Agreement](#)
[Exhibit 4 - US 380 sidepath limits](#)
[Exhibit 5 - US380 10' SDWLK Cost Estimate from TxDOT](#)
[Exhibit 6 - 10' Sidewalk to Greenbelt Park – Presentation](#)

- G. [ID 17-1251](#) Consider adoption of an ordinance of the City of Denton approving a uniform emergency aid agreement for the provisions of aid by Denton Municipal Electric to other electric utilities in times of weather or natural disaster related emergencies; authorizing the city manager, or designee to execute the aid agreement as needed and provide notification to council and public utilities board; authorizing the expenditure of funds therefor; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance and Agreement](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 17-1142](#) Consider adoption of an ordinance of the City Council of the City of Denton, Texas, amending the establishment of the Downtown Reinvestment Fund; defining and removing the commitment of certain revenues of the City; committing the fund balance remaining in the fund; providing a severability clause; and providing an effective date.

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

- B. [ID 17-1176](#) Consider nominations/appointments to the City's Boards and Commissions: Community Development Advisory Committee and Traffic Safety Commission.

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

- C. [ID 17-1200](#) Consider appointments to Council Committees.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - 2017-18 Council Committees](#)

- D. [ID 17-1256](#) Consider approval of a resolution specifying the intent of the City of Denton, Texas to exercise or not exercise an option to purchase a certain 18.969 acre tract located in the David Hough Survey, Abstract No. 646, in the City and County of Denton, Texas, as provided in that certain Real Estate Contract - Option to Acquire Additional Real Property dated September 23, 1997, for a purchase price of Four Million One and No/100 Dollars (\$4,000,001.00); and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance 97-292 with attachments.pdf](#)
 [Exhibit 3 - Resolution To Exercise Option.pdf](#)
 [Exhibit 4 - Resolution Not To Exercise Option.pdf](#)

6. PUBLIC HEARINGS

- A. [ID 17-994](#) Hold a public hearing on a proposal to adopt a tax rate of \$0.637856 with a maximum allowable rate of \$0.683340 per \$100 valuation, which will exceed the lower of the effective or rollback tax rate.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Tax Rate Notice](#)
 [Exhibit 3 - Presentation](#)

- B. [ID 17-995](#) Hold a public hearing and receive citizen input on the FY 2017-18 Proposed Budget.

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2 - Budget PH Notice](#)

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 _____, 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.