City of Denton

Meeting Agenda

City Council

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

Tuesday, October 17, 2017 **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, October 17, 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 October 17, 2017.

3. Work Session Reports

A. ID 17-1197 Receive a report, hold a discussion, and give staff direction regarding the Department of Economic Development's FY 2017-18 Strategic Plan.

Attachments:
- Exhibit 1 - Agenda Information Sheet
- Exhibit 2 - Dept of Eco Dev Strategic Plan
- Exhibit 3 - COD Incentive Application Form
- Exhibit 4 - SHOP Denton Marketing Plan
- Exhibit 5 - WS 17-1197 presentation

B. ID 17-1392 Receive a report, hold a discussion, and give staff direction regarding the Credit and Collection Policy of the City Utility System.

Attachments:
- Exhibit 1 Agenda Information Sheet.pdf
- Exhibit 2 Presentation.pdf
- Exhibit 3 Utility Credit and Collections Review.pdf
- Exhibit 4 P.L.U.S One Program Contract.pdf
- Exhibit 5 Ordinance 2010-292.pdf
- Exhibit 6 Ordinance 2016-276.pdf

C. ID 17-1405 Receive a report and hold a discussion regarding the Discover Denton Welcome Center.

Attachments:
- Exhibit 1 - Agenda Information Sheet
- Exhibit 2 - Presentation

D. ID 17-1434 Receive a report, hold a discussion, and give staff direction regarding a request to release Extra-territorial Jurisdiction (ETJ) to the City of Corinth.

Attachments: Exhibit 1 - Agenda Information Sheet.pdf
Exhibit 2 - Extra-territorial Jurisdiction Map.pdf
Exhibit 3 - Site Location Aerial Map.pdf
Exhibit 4 - Letter from the City of Corinth.pdf

E. ID 17-1440 Receive a report, hold a discussion, and give staff direction regarding the City's position: (1) as it applies to compliance with Texas Senate Bill 4; (2) as to the language and enforceability of the bill that is being reviewed by the U.S. Court of Appeals for the 5th Circuit and other Texas courts; and (3) as to what position the City should take in the SB4 litigation currently pending in U.S. Court of Appeals for the 5th Circuit.

Attachments: AIS - Flores - SB4 WorkSession.pdf
CCpp SB4.pdf

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 17-1437 Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Consult with and provide direction to City's attorneys regarding compliance with Texas Senate Bill 4, considering recent legal concerns surrounding the lawsuit filed by Texas Attorney General Ken Paxton against Travis County, et. al. (Texas v. Travis County, et.al.) and the lawsuit filed by other Texas municipalities against the State of Texas (City of El Cenizo, et. al. v. State of Texas), including what legal options the City may exercise in these legal proceedings, 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.

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 17-1313 Honor Ted Howard with S. Tracy Howard Project, in partnership with Denton Parks and Recreation for serving over 29,400 free meals and snacks.

B. ID 17-1371 Break the Silence Sunday

C. ID 17-1396 Presentation from staff regarding the Hurricane relief efforts made by the Wastewater, Streets, Drainage, Fleet Services, Parks, Electric, Police and Fire Departments in wake of Hurricane Irma and Hurricane Harvey.

D. ID 17-1408 Domestic Violence Awareness Month

E. ID 17-1452 Peterbilt Pride & Class 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. ID 17-1341 Robert Donnelly regarding the culture of Denton city government.

2. ID 17-1365 Ben Krieger regarding Stoke.

3. ID 17-1415 David Zoltner regarding local Rule of Procedure 2-29(f)4 (Presentations by Members of the Public) and the Texas Open Meetings Act.

4. ID 17-1416 Chris Ice 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 – BB). 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 – BB 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 17-1212 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the purchase of electric transmission line compression fittings 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 6413-awarded to Techline, Inc. in the three (3) year not-to-exceed amount of $35,000 and Anixter, Inc. in the three (3) year not-to-exceed amount of $240,000 for a total three (3) year award not-to-exceed $275,000).

Attachments:
Exhibit 1-Agenda Information Sheet.pdf
Exhibit 2-Evaluation and Ranking Sheet.pdf
Exhibit 3-Ordinance.pdf
Exhibit 4-Anixter Contract.pdf
Exhibit 5-Techline Contract.pdf

B. ID 17-1262 Consider adoption of an ordinance approving a City sponsorship in an amount not to exceed $3,000 of in-kind services and resources for the 3rd Annual Denton County Veterans Resource Fair and Homeless Veterans Stand Down event, to be held in the Civic Center and Quakertown Park located at 321 E. McKinney St., on Thursday, October 26, 2017; and providing an effective date.

Attachments:
Exhibit 1 Agenda Information Sheet.docx
Exhibit 2 Ordinance.pdf
Exhibit 3 Sponsorship Agreement.rtf
Exhibit 4 Letter of Request.pdf
Exhibit 5 In-Kind Support.pdf

C. ID 17-1265 Consider adoption of an ordinance of the City of Denton, Texas, granting the Singing Oaks Church of Christ, pursuant to Section 17-20 of the Code of Ordinances of the City of Denton, Texas, an exception on Sunday, October 29, 2017, granting amplified sound not to exceed 65 dba from noon until 5 p.m. and setting an effective date.

Attachments:
Exhibit 1 Agenda Information Sheet.docx
Exhibit 2 Noise Ordinance.pdf
Exhibit 3 Letter of Request.pdf

D. ID 17-1316 Consider adoption of an Ordinance of the City of Denton, Texas revising the City Council Travel Policy; and providing an effective date. The Audit/Finance Committee recommends approval (3-0).

Attachments:
Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Ordinance No. 2006-273
Exhibit 3 - Red-Lined Council Travel Policy
Exhibit 4 - Ordinance

E. ID 17-1328 Consider adoption of an Ordinance of the City Council of Denton, Texas authorizing the City Manager to execute and deliver an Agreement for Furnishing and Installing of Traffic Signal Equipment by a Municipality regarding the City's request for reimbursement of the cost of installing traffic signals from Texas Department of Transportation and other items directly related to the operation of three intersections on U.S. Highway 377 within the City that are specified in said agreement; providing the City Manager with authority to carry out the rights and duties of the City regarding said agreement; providing the City Manager with authority to expend funds therefor; providing an effective date.

Attachments: Exhibit 1- Agenda Information Sheet
Exhibit 2- Ordinance
Exhibit 3- Agreement

F. ID 17-1329 Consider adoption of an ordinance amending Chapter 18 of the Code of Ordinances to implement a school safety speed zone for Pecan Creek Elementary School along Lakeview Boulevard between Black Walnut and Burr Oak Lane; 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 (6-0).

Attachments: Exhibit 1- AIS
Exhibit 2 - Proposed Zone Map
Exhibit 3 - Ordinance

G. ID 17-1330 Consider adoption of an ordinance amending Chapter 18 of the Code of Ordinances to revise section 18-3 regarding the authority of the traffic engineer to allow the traffic engineer to designate parking zones at or near bus stops within the city; 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 (5-0).

Attachments: Exhibit 1- AIS
Exhibit 2- Ordinance

H. ID 17-1331 Consider adoption of an ordinance of the City of Denton, Texas prohibiting parking on the south side of Congress Street from Bolivar Street to Carroll Boulevard; 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 approval (7-0).

Attachments: Exhibit 1 - AIS
Exhibit 2- Letter to Residents
Exhibit 3 - Door Hanger Congress
Exhibit 4 - Map of Congress
Exhibit 5 - Ordinance

I. ID 17-1333 Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or

Designee, to execute certain amendments to tower leases with Dallas MTA, LP, D/B/A Verizon Wireless and New Cingular Wireless PCS, LLC, or their respective successors, as needed and within the limitations set out herein; providing for a repealer; providing for a severability clause; and providing for an effective date.

Attachments: Exhibit 1 - Agenda Information Sheet.pdf
Exhibit 2 - Ordinance.pdf

J. ID 17-1335 Consider approval of a resolution approving and accepting a grant from the State of Texas, in an amount not to exceed $4,100,000, for design and construction of primary runway and taxiway improvements at Denton Enterprise Airport and Authorizing the City Manager or his designee, to execute on behalf of the City of Denton all contracts, agreements and documents associates with the implementation of the said grant; and providing for an effective date. Airport Advisory Board recommends approval (5-0)

Attachments: Exhibit 1 AIS TxDOT.pdf
Exhibit 2 - Airport Layout Plan.pdf
Exhibit 3 - TxDOT CIP.pdf
Exhibit 4 Resolution.pdf
Exhibit 5 - KSA Letter.pdf

K. ID 17-1339 Consider adoption of an Ordinance accepting competitive proposal and awarding a five (5) year Third-Party Administrator (TPA) contract for Administrative Services Only (ASO) for Medical and Pharmacy for the City of Denton's self-funded health plan; providing for the expenditure of funds therefor; and providing an effective date (RFP 6414-Administrative Services Only (ASO) for Medical and Pharmacy Benefits awarded to United Healthcare Services, Inc. in the annual estimated amount of $667,000 and for a total estimated contract not-to-exceed expenditure of $3,400,000).

Attachments: Exhibit 1-Agenda Information Sheet.pdf
Exhibit 2-Evaluation and Ranking Sheet
Exhibit 3-McGriff ASO Marketing Analysis.pdf
Exhibit 4-Ordinance.pdf
Exhibit 5-UHC Administrative Services Agreement.pdf

L. ID 17-1346 Consider adoption of an ordinance of the City Council of the City of Denton, Texas, approving guidelines for operation of the City of Denton Home Improvement Program and eligibility criteria; authorizing expenditures up to and in excess of $100,000 for projects meeting program guidelines and criteria; and providing for an effective date.

Attachments: Exhibit 1 - HIP AIS
Exhibit 2 - Ordinance
Exhibit 3 - HIP Guidelines

M. ID 17-1347 Consider adoption of an ordinance of the City of Denton, Texas, providing for, authorizing, and approving the purchase of Property and Boiler & Machinery Insurance Coverage for the City of Denton, through the City's sole broker of record, McGriff, Seibels, and Williams of Texas, Inc, and in accordance with Chapter 252.024 of the

Texas Local Government Code such coverage is exempt from the requirements of competitive bidding; and providing an effective date (File 6603 awarded to Affiliated FM Insurance Company with a rate of $0.0646 per $100 of insurable value, with a one (1) year not-to-exceed amount of $340,000 and a three (3) year not-to-exceed amount of $1,020,000).

Attachments: Exhibit 1-Agenda Information Sheet.pdf
Exhibit 2-AFM Proposal.pdf
Exhibit 3-Broker Recommendation Letter.pdf
Exhibit 4-Ordinance.pdf

N. ID 17-1357 Consider adoption of an ordinance approving a First Amendment to a Commercial Operator Airport Lease Agreement between the City of Denton, Texas and James and Nancy Huff for assignment to US Trinity Holdings, LLC; and providing an effective date. Council Airport Committee recommends approval (3 - 0)

Attachments: Exhibit 1 - Huff AIS.pdf
Exhibit 2 - Site Maps.pdf
Exhibit 3 - Huff Request to Assign.pdf
Exhibit 4 - Huff Lease Agreement (2).pdf
Exhibit 5 - Ordinance.pdf

O. ID 17-1356 Consider adoption of an ordinance approving a Second Amendment to a Commercial Operator Airport Lease Agreement between the City of Denton, Texas and HTA Aviation for assignment to US Trinity Holdings, LLC; and providing an effective date. Council Airport Committee recommends approval (3 - 0)

Attachments: Exhibit 1 - AIS HTA.pdf
Exhibit 2 - Site Maps.pdf
Exhibit 3 - HTA Request to Assign.pdf
Exhibit 4 - HTA Lease and Ordinance 2012-236.pdf
Exhibit 5 - HTA First Amendment.pdf
Exhibit 6 - Ordinance.pdf

P. ID 17-1366 Consider approval of the minutes of August 26, September 12, September 19, September 26, and October 2, 2017.

Attachments: Exhibit 1 - August 26, 2017 Minutes.pdf
Exhibit 2 - September 12, 2017 Minutes
Exhibit 3 - September 19, 2017 Minutes
Exhibit 4 - September 26, 2017 Minutes
Exhibit 5 - October 2, 2017 Minutes

Q. ID 17-1374 Consider adoption of an ordinance awarding a contract to upgrade the Supervisory Control and Data Acquisition (SCADA) network equipment utilized by Denton Municipal Electric to monitor and control substations, as awarded by the State of Texas Department of Information Resources (DIR) through the Go DIRect Program, Contract Number

DIR-TSO-2542; providing for the expenditure of funds therefor and providing an effective date. (File 6593 awarded to Presidio Networked Solutions Group, LLC in the not-to-exceed amount of $292,835.00). The Public Utilities Board recommends approval (4-0).

Attachments: Exhibit 1-Agenda Information Sheet.pdf
Exhibit 2-Cost Comparison Analysis.pdf
Exhibit 3-Public Utilities Board Minutes.pdf
Exhibit 4-Ordinance.pdf

R. ID 17-1375 Consider adoption of an ordinance awarding a contract to purchase VNX Data Storage to increase the Storage Area Network (SAN) for Denton Municipal Electric's server infrastructure, as awarded by the State of Texas Department of Information Resources (DIR) through the Go DIRect Program, Contract Number DIR-TSO-2634; providing for the expenditure of funds therefor and providing an effective date. (File 6598 awarded to Presidio Networked Solutions Group, LLC in the not-to-exceed amount of $128,669.89). The Public Utilities Board recommends approval (4-0).

Attachments: Exhibit 1-Agenda Information Sheet.pdf
Exhibit 2-Cost Comparison Analysis.pdf
Exhibit 3-Public Utilities Board Minutes.pdf
Exhibit 4-Ordinance.pdf

S. ID 17-1377 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for Laboratory Services for City of Denton Water and Wastewater Laboratories; providing for the expenditure of funds therefore; and providing an effective date (RFP 6383-awarded to Pace Analytical Services, LLC, in the five (5) year not-to-exceed amount of $250,000). The Public Utilities Board recommends approval (4-0).

Attachments: Exhibit 1-Agenda Information Sheet.pdf
Exhibit 2-Evaluation and Ranking Sheet.pdf
Exhibit 3-Public Utilities Board Minutes.pdf
Exhibit 4-Ordinance.pdf
Exhibit 5-Contract.pdf

T. ID 17-1378 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for printing and mailing services for the City of Denton Citizen Newsletter; providing for the expenditure of funds therefor; and providing an effective date (RFP 6535-awarded to Lessek Enterprises LLC dba IMPress Graphics in the three (3) year not-to-exceed amount of $411,840).

Attachments: Exhibit 1-Agenda Information Sheet .pdf
Exhibit 2-Evaluation and Ranking Form.pdf
Exhibit 3-Ordinance.pdf
Exhibit 4-Contract.pdf

U. ID 17-1383 Consider adoption of an ordinance of the City of Denton, Texas providing for,

authorizing, and approving three (3) year metering software and handheld hardware maintenance for continued vendor support and upgrades for the Meter Data Management System (MDMS) for Denton Municipal Electric Department, which is essential to ensure availability of upgrades, software fixes, and access to knowledge and support resources. Itron, Inc. is the sole-source vendor for continued upgrade, support and maintenance for Itron software and hardware. Therefore this system is available from only one source and in accordance with Texas Local Government Code 252.022, provides that procurement of commodities and services that are available from one source are exempt from competitive bidding; and if over $50,000 shall be awarded by the governing body; and providing an effective date (File 2770 awarded to Itron, Inc. in the three (3) year not-to-exceed amount of $147,755.97). The Public Utilities Board recommends approval (4-0).

Attachments: Exhibit 1-Agenda Information Sheet.pdf
Exhibit 2-Quote.pdf
Exhibit 3-Vendor Sole Source Letter.pdf
Exhibit 4-PUB Minutes.pdf
Exhibit 5-Ordinance.pdf

V. ID 17-1384 Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving three (3) year software maintenance for continued vendor support, upgrades, and sustainment services for Automated Metering Infrastructure (AMI) for the Denton Municipal Electric Metering Department, which is essential to ensure availability of upgrades, software fixes, and access to knowledge and support resources. Trilliant Networks, Inc. is the sole-source vendor for continued upgrade, support and maintenance for Trilliant software and infrastructure. Therefore this system is available from only one source and in accordance with Texas Local Government Code 252.022, procurement of commodities and services that are available from one source are exempt from competitive bidding; and if over $50,000 shall be awarded by the governing body; and providing an effective date (File 4485 awarded to Trilliant Networks, Inc. in the three (3) year not-to-exceed amount of $236,938.13). The Public Utilities Board recommends approval (4-0).

Attachments: Exhibit 1-Agenda Information sheet.pdf
Exhibit 2-Quote.pdf
Exhibit 3-Vendor Sole Source Letter.pdf
Exhibit 4-Public Utilities Board Minutes.pdf
Exhibit 5-Ordinance.pdf

W. ID 17-1386 Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving software maintenance and server patch management services for continued vendor support for Denton Municipal Electric Supervisory Control and Data Acquisition (SCADA) software modules. It is essential for the City of Denton to keep current subscription and maintenance with the software vendor in order to ensure availability of upgrades, software fixes, and access to knowledge and support resources. Open Systems International, Inc. is the sole-source vendor for continued upgrade,

support and maintenance for the SCADA software suite. Therefore this system is available from only one source and in accordance with Chapter 252.022 of the Texas Local Government Code, procurement of commodities and services that are available from one source are exempt from competitive bidding; and if over $50,000 shall be awarded by the governing body; and providing an effective date (File 4074 awarded to Open Systems International, Inc. in the three (3) year not-to-exceed amount of $416,392.22). The Public Utilities Board recommends approval (4-0).

Attachments: Exhibit 1-Agenda Information Sheet.pdf
Exhibit 2-Quote.pdf
Exhibit 3-Vendor Sole Source Letter.pdf
Exhibit 4-Public Utilities Board Minutes.pdf
Exhibit 5-Ordinance.pdf

X. ID 17-1387 Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving the purchase of ERL Tesla 4000 Digital Fault Recorders (DFR) to be installed on specified Texas Municipal Power Agency (TMPA) substations and Denton Municipal Electric substations as mandated by The Electric Reliability Council of Texas (ERCOT). ERLPhase Power Technologies, Ltd. is the sole-source manufacturer and direct seller of the ERL Tesla 4000 Digital Fault Recorder. Therefore this system is available from only one source and in accordance with Chapter 252.022 of the Texas Local Government Code, procurement of commodities and services that are available from one source are exempt from competitive bidding; and if over $50,000 shall be awarded by the governing body; and providing an effective date (File 6587 awarded to ERLPhase Power Technologies, Ltd. in the three (3) year not-to-exceed amount of $293,216). The Public Utilities Board recommends approval (4-0).

Attachments: Exhibit 1-Agenda Information Sheet.pdf
Exhibit 2-Quote.pdf
Exhibit 3-Staff Memo.pdf
Exhibit 4-Public Utilties Board Minutes.pdf
Exhibit 5-Ordinance.pdf
Exhibit 6-Contract.pdf

Y. ID 17-1388 Consider approval of a resolution allowing the Campus Theatre Concessions LLC, to sell alcoholic beverages for the Denton Day of the Dead Festival, on Saturday, October 28, 2017, held at the corners of Mulberry and Industrial Street upon certain conditions; authorizing the City Manager or his designee to execute an agreement in conformity with this resolution; and providing for an effective date.

Attachments: Exhibit 1 Agenda Information Sheet.docx
Exhibit 2 Resolution with Contract.pdf
Exhibit 3 Letter of Request.pdf

Z. ID 17-1389 Consider adoption of an ordinance of the City of Denton, Texas, granting the Denton Day of the Dead Festival, pursuant to Section 17-20 of the Code of Ordinances, a noise exception on Saturday, October 28, 2017, granting amplified sound levels for an outdoor

music festival from 70 to 75 dba from11 a.m. until 9 p.m.; and setting an effective date.

Attachments: Exhibit 1 Agenda Information Sheet.docx
Exhibit 2 Noise Ordinance.pdf
Exhibit 3 Letter of Request.pdf

AA. ID 17-1394 Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving the purchase of Axon body-worn camera systems and associated modules which include Evidence Transfer Manager (ETM), digital evidence management software, data storage, Taser X2 Conductive Electric Weapons (CEWs), holsters, Taser X2 cartridges and batteries, which will be incorporated into use with the Police Department's existing Taser body-worn camera systems. Axon Enterprise, Inc. (formerly Taser International, Inc.) is the sole-source manufacturer of the Taser X2 weapon system. Therefore this system is available from only one source and in accordance with Chapter 252.022 of the Texas Local Government Code, procurement of commodities and services that are available from one source are exempt from competitive bidding; and if over $50,000 shall be awarded by the governing body; (File 5696-awarded to Axon Enterprise, Inc. in the five (5) year not-to-exceed amount of $1,176,243.66).

Attachments: Exhibit 1-Agenda Information Sheet.pdf
Exhibit 2-Quote
Exhibit 3-Staff Sole Source Memo
Exhibit 4-Axon Sole Source Memo
Exhibit 5-Ordinance
Exhibit 6-Contract.pdf

BB. ID 17-1404 Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to execute on behalf of the City of Denton an acceptance of an offer from the Texas Department of Transportation relating to a grant for Routine Airport Maintenance Program and declaring an effective date. Airport Advisory Board recommended approval (4-0).

Attachments: Exhibit 1 - Agenda Information Sheet 9.28.2017.pdf
Exhibit 2 - Ordinance.pdf
Exhibit 3 - TxDOT RAMP Grant.pdf

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

A. ID 17-1403 Consider adoption of an ordinance of the City of Denton determining the public use, need, and necessity for the acquisition of (I) a Sanitary Sewer Easement encumbering 0.128 acres of real property, (II) a Temporary Construction Easement encumbering 0.191 acres of real property, (III) fee simple title to the surface estate, with waiver of surface use related to the mineral estate, of an approximate 1.694 acre tract of real property, and (IV) an Access and Utility Easement encumbering 0.186 acres of real property; for the public use of sanitary sewer system improvements and for the public use of expanding,

improving and maintaining street and drainage in the Hickory Creek watershed related to Bonnie Brae Street, a public street and roadway located in the County of Denton, Texas, generally located in the 3400 block of S. Bonnie Brae Street, and situated in the S. Pritchett Survey, Abstract No. 1004 and the J. Edmonson Survey, Abstract No. 400, Denton County, Texas, all as more particularly described on "Attachment "1", attached to the ordinance and made a part thereof, (collectively the "Property Interests"); authorizing the City Manager and City Attorney, or their respective designees, to acquire the Property Interests by agreement including making all offers required by law; authorizing the use of the power of eminent domain to condemn the Property Interests if agreement cannot be reached; authorizing the City Attorney, or his designee, to file and prosecute eminent domain proceedings to acquire the Property Interests; authorizing the expenditure of funds therefore; making findings; providing a savings clause; and providing an effective date. (Bonnie Brae Widening and Improvements project - Parcel 42 - Holamon & Hickory Creek Sanitary Sewer Interceptor project - Phase II - Holamon)

Attachments: Exhibit 1 - AIS - Holamon.pdf
Exhibit 2 - Location Map.pdf
Exhibit 3 - Site Map.pdf
Exhibit 4 - Recommended motion - Holamon ID 17-1403.pdf
Exhibit 5 - Ordinance - Holamon.pdf

6. ITEMS FOR INDIVIDUAL CONSIDERATION

A. ID 17-1379 Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager to execute a Professional Services Agreement for engineering and design services relating to the McKinney Street Widening project to be located along the section of McKinney Street from 1.4 miles west of Loop 288 to 1.1 miles east of Loop 288; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6401-awarded to Huitt-Zollars, Inc. in the not-to-exceed amount of $1,358,300).

Attachments: Exhibit 1-Agenda Information Sheet.pdf
Exhibit 2-Evaluation
Exhibit 3-Ordinance.pdf
Exhibit 4-Contract.pdf
Exhibit 5-Staff Presentation.pdf

B. ID 17-1381 Consider adoption of an ordinance accepting competitive bids and awarding a public works contract for concrete repair and installation services including the construction of concrete pavement, curb, gutter, sidewalk, ADA ramps, and valley gutters for various City of Denton departments; providing for the expenditure of funds therefor; and providing an effective date (IFB 6547-awarded to the lowest responsible bidder meeting specification, Floyd Smith Concrete, Inc., in the four (4) year not-to-exceed amount of $21,976,261.84).

Attachments: Exhibit 1-Agenda Information Sheet.pdf
Exhibit 2-Evaluation and Ranking Sheet.pdf
Exhibit 3-Ordinance.pdf
Exhibit 4-Contract.pdf
Exhibit 5-Staff Presentation.pdf

C. ID 17-1382 Consider adoption of an ordinance accepting competitive bids and awarding a public works contract for construction of Phase 2 Water and Sanitary Sewer Improvements for the Denton Energy Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 6503-awarded to the lowest responsible bidder meeting specification, Quality Excavation, Ltd., in the not-to-exceed amount of $1,925,345.90).

Attachments: Exhibit 1-Agenda Information Sheet.pdf
Exhibit 2-Bid Tabulation.pdf
Exhibit 3-Project Map.pdf
Exhibit 4-Design Engineer Recommendation.pdf
Exhibit 5-Ordinance.pdf
Exhibit 6-Contract.pdf
Exhibit 7-Staff Presentation

D. ID 17-1399 Consider approval of a resolution creating a Steering Committee to consider and advise the City Council on renovation and operation options for City Hall West.

Attachments: Exhibit 1 - AIS CHW.pdf
Exhibit 2 - Resolution
Exhibit 3 - CHW

E. ID 17-1451 Consider approval of a resolution of the City of Denton, Texas, in support of the lawsuit filed by the City of El Cenizo, Texas, against the State of Texas, in City of El Cenizo, et. al., v. State of Texas, et. al., filed and pending in the District Court of the Western District of Texas, and currently on appeal with the United States 5th Circuit Court of Appeals; and providing an effective date

Attachments: AIS SB4.pdf
Resolution (2).pdf

7. PUBLIC HEARINGS

A. A17-0005a Hold the first of two public hearings for a voluntary annexation of approximately 73.47 acres of land generally located north of Long Road and west of FM 428 by the City of Denton, Texas.

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Location Map
Exhibit 3 - Zoning Map
Exhibit 4 - Staff Presentation

B. Z17-0013b Hold a public hearing and consider adoption of an ordinance of the City of Denton,

Texas, regarding a change in the zoning classification from an Neighborhood Residential 6 (NR-6) District and use classification to a Neighborhood Residential Mixed-Use 12 (NRMU-12) District and use classification with Mixed Use Residential Protection Overlay restrictions on approximately 3.2 acres of land generally located on the east side of Jannie Street, approximately 420 feet north of East McKinney Street 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 recommended approval of the request with Mixed Use Residential Protection Overlay restrictions (4-3). (Z17-0013, Justice Plaza).

Attachments:

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Staff Analysis

Exhibit 3 - Aerial Map

Exhibit 4 - Zoning Map

Exhibit 5 - Future Land Use Map

Exhibit 6 - Proposed Zoning Map

Exhibit 7 - Permitted Use Comparison

Exhibit 8 - Applicant's Mixed Use Residential Protection Overlay Proposal

Exhibit 9 - Notification Map and Responses

Exhibit 10 - Presentation

Exhibit 11 - Draft Planning and Zoning Commission Meeting Minutes

Exhibit 12 - Draft Ordinance

C. Z17-0015b Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a change in the zoning classification from an Employment Center Industrial (EC-I) District and use classification to a Commercial Mixed Use (CM-G) District and use classification on approximately 73 acres of land generally located on the northeast corner of North Loop 288 and East McKinney Street 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 recommended approval of the request (6-0). (Z17-0015, McKinney Mayhill).

Attachments:
Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Staff Analysis
Exhibit 3 - Aerial Map
Exhibit 4 - Existing Zoning Map
Exhibit 5 - Future Land Use Map
Exhibit 6 - Proposed Zoning Map
Exhibit 7 - Permitted Use Comparison Chart
Exhibit 8 - Notification and Responses
Exhibit 9 - Presentation
Exhibit 10 - Draft Planning and Zoning Commission Meeting Minutes
Exhibit 11 - Draft Ordinance

D. Z17-0017a Hold a public hearing and consider adoption of an ordinance to rezone approximately 0.54 acres from a Neighborhood Residential Mixed-Use (NRMU) District to a Community Mixed-Use general (CM-G) District. The property is generally located at the southeast corner of the Teasley Lane and Old Alton Road intersection. The Planning and Zoning Commission voted 4-0 to approve the request. (Z17-0017, Pioneer Automotive Denton)

Attachments:
Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Staff Analysis
Exhibit 3 - Site Location Map
Exhibit 4 - Existing Zoning Map
Exhibit 5 - Future Land Use Map
Exhibit 6 - Proposed Zoning Map
Exhibit 7 - Schedule of Permitted Uses
Exhibit 8 - Public Notification Map and Responses
Exhibit 9 - Planning and Zoning Commission Meeting Minutes
Exhibit 10 - Presentation Slides
Exhibit 11 - Draft Ordinance

E. Z17-0020a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding an initial zoning classification of an Industrial Center General (IC-G) District and use classification on approximately 14 acres of land generally located at the southeast corner of Shelby Lane and Dakota Lane 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 recommended approval of the request (6-0). (Z17-0020, Lineman College).

Attachments:
Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Staff Analysis
Exhibit 3 - Aerial Map
Exhibit 4 - Zoning Map
Exhibit 5 - Future Land Use Map
Exhibit 6 - Proposed Zoning Map
Exhibit 7 - Permitted Use Comparison
Exhibit 8 - Notification Map
Exhibit 9 - Presentation
Exhibit 10 - Draft Ordinance

F. Z17-0021a Hold a public hearing and consider adoption of an ordinance for the proposed revisions requested by RED Development; specifically, to amend Exhibits B-1, B-4, and E-1 of the Rayzor Ranch Overly District in Subchapter 35.7.15 of the Denton Development Code to change approximately 12.17 acres from the South Mixed Use District to the South RR-2 District and to incorporate approximate 22.17 acres into Sign Area 2. The Rayzor Ranch Overlay District consists of approximately 410 acres generally located on both side of West University Drive (US 380) between North Bonnie Brae Street and IH-35. The Planning and Zoning Commission voted 6-0 to approve the request. (Z17-0021, Rayzor Ranch)

Attachments:
Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Staff Analysis
Exhibit 3 - Site Location Map
Exhibit 4 - Existing Zoning Map
Exhibit 5 - Future Land Use Map
Exhibit 6 - Exhibit B-1 - Current
Exhibit 7 - Exhibit B-1 - Proposed
Exhibit 8 - Exhibit B-4 - Current
Exhibit 9 - Exhibit B-4 - Proposed
Exhibit 10 - South Mixed Use v. South RR-2 Comparison Table
Exhibit 11 - Exhibit C-1 South RR-2 Architectural Standards
Exhibit 12 - Exhibit D-1 South RR-2 Landscape Standards
Exhibit 13 - Exhibit E-1 South RR-2 Sign Standards
Exhibit 14 - Exhibit E-1 Appendices 1 and 2 - Proposed
Exhibit 15 - Public Notification Map and Responses
Exhibit 16 - Presentation Slides
Exhibit 17 - Draft Ordinance

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.