



City of Denton

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

Meeting Agenda

City Council

Tuesday, June 6, 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, June 6, 2016 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 June 6, 2017.

3. Work Session Reports

- A. [ID 17-592](#) Receive a report and hold a discussion on the Denton Development Code (DDC) Update.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Clarion Scope of Services](#)

- B. [ID 17-667](#) Receive a report, hold a discussion, and give staff direction regarding Tax Increment Financing Reinvestment Zone Number One (Downtown TIF).

Attachments: [Exhibit 1 Agenda Information Sheet](#)
[Exhibit 2 Ordinance No. 2010-316](#)
[Exhibit 3 Ordinance No. 2011-128](#)
[Exhibit 4 Ordinance No. 2011-129](#)
[Exhibit 5 Ordinance No. 2014-221](#)
[Exhibit 6 Downtown TIRZ \(TIF\) Value History](#)
[Exhibit 7 Secs. 311.005 and 311.006 Texas Tax Code](#)
[Exhibit 8 Presentation](#)

- C. [ID 17-673](#) Receive a report; hold a discussion, and receive departmental presentations in preparation for the FY 2017-18 Proposed Budget, Capital Improvement Program, and Five Year Financial Forecast.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Customer Service Presentation](#)
[Exhibit 3 - Technology Services Presentation](#)
[Exhibit 4 - Human Resources Presentation](#)
[Exhibit 5 - Risk Management Presentation](#)
[Exhibit 6 - Health Insurance Presentation](#)

- D. [ID 17-730](#) Receive a report, hold a discussion, and give staff direction regarding an ordinance prohibiting the use of Engine Compression Brakes within the City of Denton.

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

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 17-696](#) Deliberations regarding Personnel Matters - Under Government Code Section 551.074.

Consultation, discussion and deliberation about the duties, responsibilities, evaluation and employment of the position of City Attorney.

- B. [ID 17-733](#) 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 651 S. Mayhill Rd., Denton, Denton County, Texas. Consultation with the City's attorneys regarding legal issues associated with lease of 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.

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 17-697](#) Denton Citizen Forester Proclamation
- B. [ID 17-712](#) Gay Pride Proclamation
- C. [ID 17-713](#) Men's Health Month Proclamation

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 17-698](#) B.C. Groves regarding the Police Department's refusal to take her complaint.

- 2. [ID 17-699](#) Robert Donnelly regarding trust and confidence in the City.

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 – K). 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 – K 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 17-628](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for Cherwell Service Desk Management Software; providing for the expenditure of funds therefor; and providing an effective date (RFP 6321-awarded to Flycast Partners, Inc. in the three (3) year not-to-exceed amount of \$139,827.60).

Attachments: [Exhibit 1-Agenda Information Sheet](#)
 [Exhibit 2-Evaluation and Ranking sheet](#)
 [Exhibit 3-Ordinance](#)
 [Exhibit 4-Contract](#)

- B. [ID 17-650](#) Consider adoption of an ordinance of the City of Denton, Texas, amending Chapter 18 of the Code of Ordinances by modifying section 18-73 to change the speed zones on Country Club Road (FM 1830), Teasley Lane (FM 2181), and Fort Worth Drive (US 377); amending sections 18-212 and 18-213 to reduce the school zone speed limits for Guyer High to reflect the new speed limit on Teasley Lane (FM 2181); altering the prima facie speed limits established for vehicles under the provision of transportation code, section 545.356 upon the following roadways, or parts thereof, within the incorporated limits of the City of Denton; providing a penalty not to exceed \$200.00 unless the violation occurs in a work zone and then the penalty shall not exceed \$400.00; providing a severability clause; providing a repealing clause; providing for publication; and declaring an effective date. The Traffic Safety Commission recommends approval (5-0).

Attachments: [Exhibit 1-Agenda Information Sheet](#)
 [Exhibit 2-Survey 2181](#)
 [Exhibit 3-Map 2181](#)
 [Exhibit 4-Survey 377](#)
 [Exhibit 5-Map 377](#)
 [Exhibit 6-Survey 1830](#)
 [Exhibit 7-Map 1830](#)
 [Exhibit 8-Ordinance](#)

- C. [ID 17-651](#) Consider adoption of an ordinance authorizing the City Manager to execute a sewer main cost participation agreement between the City of Denton, Texas and Crawford Hospital Partners, LLC for the City's participation in the oversizing of sewer mains and in accordance with the terms and conditions of this ordinance; authorizing the expenditure of funds therefore; and providing an effective date. (In the not-to-exceed amount of \$159,680.00)

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Location Map](#)
 [Exhibit 3 Tabulated Calculation of the Oversize Participation Amount](#)
 [Exhibit 4 Sewer Main Cost Participation Agreement](#)
 [Exhibit 5 FY 2017 CIP Detail Sheet](#)
 [Exhibit 6 Ordinance](#)

- D. [ID 17-668](#) Consider adoption of an ordinance of the City Council of Denton, Texas authorizing the City Manager to execute and deliver a “National Highway System Program Project Agreement for State-Contracted Traffic Signal Construction (With Municipality Providing Limited Materials or Labor)” between the City of Denton and the Texas Department of Transportation, regarding the City’s request for reimbursement of the Federal allowable percentage of the cost of installing traffic signal and other items directly related to the operation of the intersection of US 77 and Nicosia Street 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 (\$38,240.00) therefor; providing an effective date.

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

- E. [ID 17-681](#) Consider adoption of an ordinance releasing, abandoning and vacating a 0.1195 acre portion of a 0.232 acre sanitary sewer easement recorded in Volume 1729, Page 177, Real Property Records, Denton County, Texas, and located in the B.B.B. & C.R.R. Survey, Abstract No. 192; and declaring an effective date. [Abandonment of a portion of a sanitary sewer easement to remove the encumbrance from the property and update the City real estate records] Public Utility Board approved 7-0

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

- F. [ID 17-682](#) Consider adoption of an ordinance authorizing the abandonment and release of certain blanket electric utility easements owned by the City, to the extent that they encumber certain real property owned by Micah Deweerd Holdings, LLC, a Texas limited liability company, containing approximately 1.61 acres, as described in that Deed recorded as Instrument Number 2016-140641, Real Property Records, Denton County, Texas; being located in the W. Garrison Survey, Abstract No. 1545, City of Corinth, Texas, and providing an effective date. [Partial abandonment of blanket electric utility easements as they encumber Micah Deweerd Holdings property aka Pecan Creek Addition Lot 2 located within the City of Corinth] Public Utility Board approved 7-0.

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2 - Location Map](#)
 [Exhibit 3 - Site Map](#)
 [Exhibit 4 - Boundary Survey](#)
 [Exhibit 5 - Applicant Narrative](#)
 [Exhibit 6 - Ordinance](#)

- G. [ID 17-683](#) Consider approval of a resolution by the City of Denton, Texas, authorizing the City Manager to sign and submit to the Department of Housing and Urban Development the 2017 Action Plan for Housing and Community Development with appropriate certifications, as authorized and required by the Housing and Community Development Act of 1974, as amended, and the National Affordable Housing Act of 1990, as amended; and providing for an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Resolution 2017](#)
 [Exhibit 3 - Action Plan 2017](#)
 [Exhibit 4 - CDBG and HOME Budget Information](#)

- H. [ID 17-687](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract for the purchase of liquid caustic soda for City of Denton Water Treatment facilities as awarded by the Buy Board Cooperative Purchasing Network Contract # 526-17; providing for the expenditure of funds therefor; and providing an effective date (File 6458- awarded to Petra Chemical Company in the one year not-to-exceed amount of \$260,000). The Public Utilities Board recommends approval (7-0).

Attachments: [Exhibit 1-Agenda Information Sheet](#)
 [Exhibit 2-Price Comparison](#)
 [Exhibit 3-Buy Board Contract Pricing](#)
 [Exhibit 4-PUB Draft Minutes](#)
 [Exhibit 5-Ordinance.doc](#)

- I. [ID 17-693](#) Consider adoption of an ordinance approving a temporary license agreement between the City of Denton and Jagoe-Public Company for temporary access and use of a 2 acre tract of land situated in the 3800 block of F.M. Highway 1830 (Country Club Road), authorizing the City Manager to execute the agreement; and providing an effective date. (Temporary contractor office and staging area for FM Hwy. 1830 shoulder widening & base repair TxDOT project)

Attachments: [Exhibit 1 - Agenda Information Sheet - Jagoe Temp Use License - FM 1830](#)
 [Exhibit 2 - Location Map - Jagoe Temp Use License - FM 1830](#)
 [Exhibit 3 - Site Map - Jagoe Temp Use License - FM 1830](#)
 [Exhibit 4 - Ordinance - Jagoe Temp Use License - FM 1830](#)

- J. [ID 17-700](#) Consider approval of the minutes of May 23 and 30, 2017.

Attachments: [Exhibit 1 - May 23, 2017 Minutes](#)
 [Exhibit 2 - May 30, 2017 Minutes](#)

- K. [ID 17-729](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract for the installation of a Splash Park at the City of Denton Carl G. Young Park located at 327 South Wood Street as awarded by the Buy Board Cooperative Purchasing Network Contract# 512-16; providing for the expenditure of funds therefor; and providing an effective date (File 6450-awarded to Kraftsman Commercial Playgrounds and Water Parks, Inc. in the not-to-exceed amount of \$252,093.97).

Attachments: [Exhibit 1-Agenda Information Sheet](#)
 [Exhibit 2-Price Comparison](#)
 [Exhibit 3-Quote](#)
 [Exhibit 4-Ordinance](#)
 [Exhibit 5-Contract](#)

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

- A. [ID 17-653](#) 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 0.119 acre tract of land situated in the Eugene Puchalski Survey, Abstract No. 996, in the City of Denton, Denton County, Texas (“Property Interests”), for the public use of expansion, construction, maintenance, and operation of an electrical transmission line, ancillary facilities, and structures; authorizing the City Manager, or his Designee, to acquire the Property Interests by agreement including making all offers required by law; authorizing the use of power of eminent domain to condemn the Property Interests if an agreement cannot be reached; and authorizing the City Attorney, or his Designee, to file eminent domain proceedings if necessary; authorizing the expenditure of funds; making findings; providing a savings clause; and providing an effective date.

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)
 [Exhibit 3 Map](#)
 [Exhibit 4 Motion](#)
 [Exhibit 5 Appraisal](#)
 [Exhibit 6 Presentation](#)

6. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 17-632](#) Consider adoption of an ordinance accepting competitive proposals and awarding a public works contract for the manufacturing and installation of Wayfinding Signage for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 6275C-awarded to Color-Ad Inc. in the not-to-exceed amount of \$599,385.00)

Attachments: [Exhibit 1-Agenda Information Sheet](#)
[Exhibit 2-Evaluation and Ranking](#)
[Exhibit 3-Ordinance](#)
[Exhibit 4-Contract](#)
[Exhibit 5-Vehicular and Pedestrian Menu of Sign Types](#)
[Exhibit 6-Vehicular and Pedestrian Signs Location Maps](#)
[Exhibit 7-Large Gateway Menu of Sign Types](#)
[Exhibit 8-Staff Presentation.pdf](#)

- B. [ID 17-695](#) Hold a discussion and give staff direction on the recruitment process for a new City Attorney.

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

- C. [ID 17-734](#) Consider approval of the appointment of Council Member John Ryan as an alternate member of the Regional Transportation Council.

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

7. PUBLIC HEARINGS

- A. [Z16-0030b](#) Hold a public hearing and consider adoption of an ordinance to rezone approximately 0.4 acre from a Downtown Residential 1 (DR-1) District to a Downtown Residential 2 (DR-2) District. The property is generally located on the west side of Neff Street, 175 feet north of Greenlee 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 recommends approval (4-2). (Z16-0030)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Aerial Map](#)
[Exhibit 4 - Existing Zoning Map](#)
[Exhibit 5 - Future Land Use Map](#)
[Exhibit 6 - Permitted Use Comparison](#)
[Exhibit 7 - Proposed Zoning Map](#)
[Exhibit 8 - Public Notification Map and Response](#)
[Exhibit 9 - Presentation](#)
[Exhibit 10 - Planning and Zoning Commission Meeting Minutes](#)
[Exhibit 11 - Draft Ordinance](#)

- B. [Z17-0007a](#) Hold a public hearing and consider adoption of an ordinance to rezone approximately 0.862 acres from a Neighborhood Residential Mixed Use (NRMU) District to a CM-G District. The subject property is generally located on the north side of Hobson Lane, approximately 340 feet east of Country Club Road. The Planning and Zoning Commission voted 6-0 to approve the request. (Z17-0007,

CST Corner Store).

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 - Permitted Uses Table](#)
 [Exhibit 8 - Presentation Slides](#)
 [Exhibit 9 - Public Notification Map and Responses](#)
 [Exhibit 10 - Planning and Zoning Commission Meeting Minutes](#)
 [Exhibit 11 - 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.