City of Denton

Meeting Agenda

City Council

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

Tuesday, November 15, 2022 | **4:00 PM** | **Council Work Session Room & Council Chambers**

WORK SESSION BEGINS AT 4:00 P.M. IN THE COUNCIL WORK SESSION ROOM

CLOSED MEETING BEGINS IMMEDIATELY FOLLOWING THE WORK SESSION IN THE COUNCIL WORK SESSION ROOM

REGULAR MEETING BEGINS AT 6:30 P.M. IN THE COUNCIL CHAMBERS

REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL

Individuals may speak during a Council meeting under one of the following categories:

Open Microphone:

At regular meetings only, individuals can speak on any topic that is not on the agenda for no longer than four (4) minutes per individual. This portion of the meeting occurs immediately after the start of the regular meeting session. Please note, Council members cannot engage in a discussion on topics presented during this portion and there are limited slots available for this portion of the meeting.

Comments on Agenda Items:

Public comments can be given for any item considered by the Council, EXCEPT work session reports or closed meetings. Individuals are only able to comment one time per agenda item and cannot use more than one method to comment on a single agenda item. Public comments are limited to three (3) minutes per citizen.

Public Hearing Items:

Individuals are limited to four (4) minutes per public hearing item.

Individuals may participate by using one of the following methods:

1. **In Person for Regular or Consent Agenda Items:**

   To provide in-person comments regular or consent agenda items (excluding public hearing items), Individuals must be present at the meeting and submit a speaker card (available at the meeting location) to the City Secretary prior to the item being called.

2. **In Person for Public Hearing Items:**

   For public hearing items, speaker cards are encouraged but not required.

3. eComment:

The agenda is posted online at https://tx-denton.civicplus.com/242/Public-Meetings-Agendas. Once the agenda is posted, a link to make virtual comments using the eComment module will be made available next to the meeting listing on the Upcoming Events Calendar. Using eComment, Individuals may indicate support or opposition and submit a brief comment about a specific agenda item. eComments may be submitted up until the start of the meeting at which time the ability to make an eComment will be closed. eComments will be sent directly to members of the City Council immediately upon submission and recorded by the City Secretary into the Minutes of the Meeting.

4. By Phone:

Individuals may register to provide comments by phone. Instructions and a link to register to comment by phone will be available at www.cityofdenton.com/publicmeetings until noon of the meeting date. Residents will submit contact information using the link provided and receive further instructions via email on how to join the meeting by phone and provide comments.

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, November 15, 2022, at 4:00 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:

WORK SESSION

1. Citizen Comments on Consent Agenda Items

This section of the agenda allows citizens to speak on any item listed on the Consent Agenda prior to its consideration. Each speaker will be given a total of three (3) minutes to address any item(s). Any person who wishes to address the City Council regarding these items may do so by utilizing the "By Phone" registration process as referenced under the REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL detailed at the beginning of this agenda. Registration is required prior to the time the City Council considers this item. Registrants may call in and remain on hold or receive a call back at the time the Work Session is called to Order and are encouraged to ensure they remain accessible to accept the call.

2. Requests for clarification of agenda items listed on this agenda.

3. Work Session Reports

A. ID 22-1719 Receive a report, hold a discussion, and give staff direction regarding the updates to the Roadway Impact Fees.

[Estimated Presentation/Discussion Time: 45 minutes]

Attachments: Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Presentation

B. ID 22-1677 Receive a report, hold a discussion, and give staff direction on the development of a Comprehensive Diversion Ordinance for the City of Denton.

:[Estimated Presentation/Discussion Time: 30 minutes]

Attachments: Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Presentation

Following the completion of the Work Session, the City Council will convene in a Closed Meeting in the Council Work Session Room to consider specific item(s) 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.

NOTE: The City Council reserves the right to adjourn into a Closed Meeting or Executive Session as authorized by Texas Government Code, Section 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 Sections 551.071-551.086 of the Texas Open Meetings Act.

NOTE: Any item for which a formal action at the Regular Meeting has been taken by Council may be subject to a request for a motion for reconsideration at any time during the meeting, at the Concluding Items Section, or after the meeting. In order to comply with the Texas Open Meetings Act, a request for a motion for reconsideration made during, at the end of, or after a Council meeting will be placed on the agenda and considered at the next official meeting of the City Council.

AFTER DETERMINING THAT A QUORUM IS PRESENT, THE REGULAR MEETING OF THE CITY OF DENTON CITY COUNCIL WILL CONVENE 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. PRESENTATIONS FROM MEMBERS OF THE PUBLIC

A. Review of procedures for addressing the City Council.

B. Reports from members of the public shall be received through the following two (2) methods. A total of up to seven (7) speakers are permitted to provide public comment and may include any combination of prior registration and open microphone speakers.

1) Pre-registration. This section of the agenda permits any person who has registered in advance to make a citizen report regarding a public business item he or she wishes to be considered by the City Council. Each speaker is allowed a maximum of four (4) minutes to present their report. At the conclusion of each report, the City Council may pose questions to the speaker or may engage in discussion. If the City Council believes that a speaker's report requires a more detailed review, the City Council will give the City Manager or City Staff direction to place the item on a future work session or regular meeting agenda and advise staff as to the background materials to be desired at such meeting.

a. ID 22-2306 Ms. Martha Henderson following up on behalf of Villas of Piney Creek HOA regarding ownership of their streets.

b. ID 22-2326 Mr. Stephen Dillenburg regarding representation and fraud.

c. ID 22-2368 Mr. Max Folmar regarding Go Zone and Bus Transportation Systems.

2) Open Microphone. This section of the agenda permits any person who has not registered in advance for a citizen report to make comments about public business items not listed on the agenda. Such person(s) shall have registered using the "Virtual White Card" or "By Phone" process outlined by the City on its website or meeting notice.

During open microphone reports under this section of the agenda, the Council may listen to citizens speak. However, because notice of the subject of the open microphone report has not been provided to the public in advance, the Texas Open Meetings Act limits any deliberation or decision by the Council to: a proposal to place the item on a future agenda; a statement of factual information; or a recitation of existing policy. Council Members may not ask the open microphone speakers questions or discuss the items presented during open microphone reports.

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.

3. CONSENT AGENDA

Each of these items is recommended by Staff or a board, commission, and committee. Approval thereof will be strictly on the basis of the those 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.

For those items recommended by a specific board, commission, or committee, the agenda item will reference that recommendation. To view the video of the related board, commission, or committee meeting, as applicable, a link can be found within the applicable supporting documentation (Exhibit 1).

Listed below are bids, purchase orders, contracts, and other items to be approved under the Consent Agenda (Agenda Items A – AT). 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, the Consent Agenda Items 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 22-826 Consider approval of the minutes of October 18, 2022 (Joint Council/Planning & Zoning Special Called), October 18, 2022 (Regular), and October 25, 2022 Meetings.

Attachments:
Exhibit 1 - Agenda Information Sheet
Exhibit 2 - October 18, 2022 Joint Council and Planning & Zoning Special Called
Exhibit 3 - October 18, 2022 Regular Meeting Minutes
Exhibit 4 - October 25, 2022 Minutes

B. ID 22-1394 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Airport Advisory Board, Animal Shelter Advisory Committee, Board of Ethics, Committee on Persons with Disabilities, Community Services Advisory Committee, Denton Police Department Chief of Police Advisory Board, Health & Building Standards Commission, Historic Landmark Commission, Internal Audit Advisory Committee, Library Board, Parks, Recreation & Beautification Board, Planning & Zoning

Commission, Public Art Committee, Public Utilities Board, Sustainability Framework Advisory Committee, Traffic Safety Commission, and Zoning Board of Adjustment.

Attachments: Exhibit 1 - Agenda Information Sheet B&C - 11-15-2022

Exhibit 2 - Nominations List 11-15-2022

C. ID 22-2330 Consider approval of a resolution of the City of Denton removing a member of the Committee on Persons with Disabilities; and providing an effective date.

Attachments: Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Notification Letter to Mathew Granados

Exhibit 3 - Proposed Resolution

D. ID 22-2331 Consider approval of a resolution of the City of Denton removing a member of the Committee on Persons with Disabilities; and providing an effective date.

Attachments: Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Notification Letter to Beth Haswell-Kirkby

Exhibit 3 - Proposed Resolution

E. ID 22-2216 Consider adoption of an ordinance of the City of Denton granting the TW Restaurant Holder, LLC dba Hooters of Denton, a noise exception for the Hooters Fall Festival Chili Cook-Off on Saturday, November 19, 2022, from 2 p.m. to 10 p.m., at 985 S Interstate 35; and providing an effective date.

Attachments: Exhibit 1- Agenda Information Sheet

Exhibit 2 - Ordinance

Exhibit 3- LLC Verification

F. ID 22-2235 Consider adoption of an ordinance of the City of Denton granting the Denton Holiday Lighting Festival Association, a noise exception for the Denton Holiday Lighting on Friday, December 2, 2022, from 6 p.m. to 9 p.m., at the Downtown Square and surrounding streets; and providing an effective date. The Parks, Recreation, and Beautification Board recommends approval (4-0).

Attachments: Exhibit 1- Agenda Information Sheet

Exhibit 2- Ordinance

G. ID 22-2353 Consider adoption of an ordinance of the City of Denton, Texas approving an Assignment of Airport Leases from Sykes-Vaughan Investments, LLC to Sheltair Aviation Denton, LLC of Airport Leases covering property located at 4700 Spartan Drive, 4780 Spartan Drive, 4849 Spartan Drive, 4700 John Carrell, 4790 John Carrell, 4600 Spartan Drive, 4850 Spartan Drive, 5007 Airport Road, 5077 Sabre Drive, and 5050 Warbird Drive, Denton, Texas at the Denton Enterprise Airport; authorizing the City Manager to execute the Assignment of Airport Leases and related Ground Lessor Estoppel and Consent Agreement; and providing an effective date. Airport Advisory Board recommends approval (6-0).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Location Map
Exhibit 3 - Request to Assign
Exhibit 4 - Ordinance - Consent to Lease Assignment (6)
Exhibit 5 - LLC Information

H. ID 22-1760 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute contracts regarding partner agency program services for in house library services and outreach programming for the Denton Public Library; and providing an effective date.

Attachments: Agenda Information Sheet
Ordinance and Agreements

I. ID 22-2008 Consider adoption of an ordinance of the City of Denton approving a one time lump sum merit payment for Municipal Court Presiding Judge Tyler Atkinson (Presiding Judge); approve a Third Amended Compensation Agreement for the Presiding Judge under the review provision of his current agreement with the City; amending the current agreement to authorize the Presiding Judge to perform magistrate duties for Denton County and to provide for an increase in severance pay, salary, and car allowance; authorizing the expenditure of funds; and providing an effective date.

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Ordinance and Amended Agreement

J. ID 22-2327 Consider adoption of an ordinance of the City of Denton appointing Tyler Atkinson as Presiding Judge for the City of Denton Municipal Court of Record; establishing a two-year term of office for the Presiding Judge commencing on the 1st day of October 2022 and extending through the 30th day of September 2024; providing severability and repealer clauses; and declaring an effective date.

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

K. ID 22-2391 Consider adoption of an ordinance approving the Standard Utility Agreements ("Agreements") by and between the City of Denton and the Texas Department of Transportation ("TxDOT"), for the reimbursement of design, property acquisition and related services, construction, inspection and project management costs associated with the adjustment, removal, and/or relocation of both Water and Wastewater Utilities along I-35E from Mayhill to Loop 288 more specifically called the I-35E/Mayhill Utility Relocations Project, within the County and City of Denton, Texas; authorizing the City Manager, or their designee, to execute and deliver the Agreements; 1) Standard Utility Agreement -Utility ID No. U00008008 for Water Utility Relocation efforts in the amount of $15,407,417.25 and 2) Standard Utility Agreement - Utility ID No. U00011546 for Wastewater Utility Relocation efforts in the amount of $1,624,824.00; providing for the expenditure of funds therefor; and providing an effective date.

Attachments: Exhibit 1 - Agenda Information Sheet (00A)

Exhibit 2 - Ordinance & Agreements

L. ID 22-2028 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton Main Street Association for the 2023 Arts & Autos Extravaganza sponsorship; and providing an effective date. ($2,500 cash sponsorship and $6,776.72 in-kind services - Community Partnership Committee recommends approval 3-0)

Attachments: Exhibit 1 Agenda Information Sheet

Exhibit 2 Ordinance

M. ID 22-2034 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton Black Film Festival Institute for the 2023 Denton Black Film Festival sponsorship; and providing an effective date. ($10,000 cash sponsorship and $7,176.77 in-kind services - Community Partnership Committee recommends approval 3-0)

Attachments: Exhibit 1 Agenda Information Sheet

Exhibit 2 Ordinance

N. ID 22-2035 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton Festival Foundation, Inc., for the 2022 Denton Arts and Jazz Festival sponsorship; and providing an effective date. ($15,000 cash sponsorship and $202,857.52 in-kind services - Community Partnership Committee recommends approval 3-0)

Attachments: Exhibit 1 Agenda Information Sheet

Exhibit 2 Ordinance

O. ID 22-2036 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Greater Denton Arts Council, Inc., for the Community Art Grants Program sponsorship; and providing an effective date. ($6,000 cash sponsorship - Community Partnership Committee recommends approval 3-0)

Attachments: Exhibit 1 Agenda Information Sheet

Exhibit 2 Ordinance

P. ID 22-2039 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and North Texas State Fair Association, Inc., for the 2023 North Texas Fair and Rodeo Kids Zone sponsorship; and providing an effective date. ($3,000 cash sponsorship and $9,360.54 in-kind services - Community Partnership Committee recommends approval 3-0)

Attachments: Exhibit 1 Agenda Information Sheet

Exhibit 2 Ordinance

Q. ID 22-2040 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Texas Filmmakers Corporation for the Thin Line Fest 2023 sponsorship; and providing an effective date. ($10,000 cash sponsorship -

Community Partnership Committee recommends approval 3-0)

Attachments: Exhibit 1 Agenda Information Sheet

Exhibit 2 Ordinance

R. ID 22-2041 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and the Texas Veterans Hall of Fame for the 2022 Honor Veterans Day sponsorship; and providing an effective date. ($3,000 cash sponsorship - Community Partnership Committee recommends approval 3-0)

Attachments: Exhibit 1 Agenda Information Sheet

Exhibit 2 Ordinance

S. ID 22-2137 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton's Day of the Dead Festival for the 2022 Day of the Dead Festival sponsorship; and providing an effective date. ($6,631.89 in-kind services - Community Partnership Committee recommends approval 3-0)

Attachments: Exhibit 1 Agenda Information Sheet

Exhibit 2 Ordinance

T. ID 22-2138 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton Holiday Festival Association, Inc. for the 2022 Denton Holiday Lighting Festival sponsorship; and providing an effective date. ($2,000 cash sponsorship and $41,222.25 in-kind services - Community Partnership Committee recommends approval 3-0)

Attachments: Exhibit 1 Agenda Information Sheet

Exhibit 2 Ordinance

U. ID 22-2141 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Tejas Storytelling Association for the 2023 Tejas Storytelling Festival sponsorship; and providing an effective date. ($10,157.42 in-kind services - Community Partnership Committee recommends approval 3-0)

Attachments: Exhibit 1 Agenda Information Sheet

Exhibit 2 Ordinance

V. ID 22-2143 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and United Way of Denton County for the 2022 Pride and Class Truck Parade sponsorship; and providing an effective date. ($4,113.55 in-kind services - Community Partnership Committee recommends approval 3-0)

Attachments: Exhibit 1 Agenda Information Sheet

Exhibit 2 Ordinance

W. ID 22-2173 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton Main Street Association for the 2022 Fall Twilight Tunes sponsorship; and providing an effective date. ($500 cash sponsorship and $3,278.49 in-kind services - Community Partnership Committee recommends approval 3-0)

Attachments: Exhibit 1 Agenda Information Sheet
Exhibit 2 Ordinance

X. ID 22-2191 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and American Legion Post 71; providing for the expenditure of council contingency funds; and providing an effective date. ($370 - Community Partnership Committee recommends approval 3-0).

Attachments: Exhibit 1 Agenda Information Sheet
Exhibit 2 Ordinance

Y. ID 22-2260 Consider approval of a resolution of the City of Denton ratifying the submission of an application to the Texas Parks and Wildlife Department (TPWD) Community Outdoor Outreach Program 2023 in the amount of $67,385 for equipment and training costs to create a Trail Tour Program; and providing an effective date.

Attachments: Exhibit 1 Agenda Information Sheet
Exhibit 2 Resolution
Exhibit 3 Grant Application

Z. ID 22-2265 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a second amendment to a Professional Services Agreement between the City of Denton and Freese and Nichols, Inc., amending the contract approved by City Council on September 22, 2020, in the not-to-exceed amount of $1,472,700.00; amended by Amendment 1 approved by City Council; said second amendment to provide additional professional, construction, and bid phase services for the Lake Ray Roberts Regulatory and Performance Upgrade Project; providing for the expenditure of funds therefor; and providing an effective date (File 6590-093 - providing for an additional second amendment expenditure amount not-to-exceed $1,470,477.00, with the total contract amount not-to-exceed $3,606,487.00).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Original Ordinance and Contract
Exhibit 3 - Ordinance and Amendment 1
Exhibit 4 - Ordinance and Amendment 2

AA. ID 22-2280 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 2 to the contract between the City of Denton and Mountain Cascade of Texas, LLC, for the construction of the North South Phase III 42-inch Water Transmission Line Project for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (IFB 7200-1- Change Order No. 2 in the not-to-exceed amount of $220,574.60, for a total contract award aggregated to $4,439,953.34).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Original Ordinance and Contract
Exhibit 3 - Ordinance and Change Order 1
Exhibit 4 - LLC Members
Exhibit 5 - Ordinance and Change Order 2

AB. ID 22-2281 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a contract between the City of Denton and Wesco Distribution, Inc., amending the contract approved by the City Council on December 1, 2020, in the not-to-exceed amount of $600,000.00; said first amendment to provide for additional concrete streetlight poles for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (File 7488 - providing for an additional first amendment expenditure amount not-to-exceed $150,000.00, with the total contract amount not-to-exceed $750,000.00).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Original Ordinance and Contract
Exhibit 3 - Ordinance and Amendment 1

AC. ID 22-2283 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, ratifying the expenditure of funds by the City Manager for the emergency repairs to the DEC starting air compressor that sustained catastrophic failure, and for equipment rental while awaiting replacement; and providing an effective date (File 8086 - awarded to MS AIR, Inc., and Texas First Rentals, Inc., in the not-to-exceed amount of $225,384.48).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Declaration of Emergency
Exhibit 3 - Ordinance

AD. ID 22-2284 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a contract between the City of Denton and CBS Mechanical Services, Inc., dba CMS Mechanical Services, Inc., amending the contract approved by the City Council on November 5, 2019, in the not-to-exceed amount of $2,500,000.00; said first amendment to continue to provide HVAC repairs, replacement, and preventive maintenance in City of Denton buildings for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 7127 - providing for an additional first amendment expenditure amount not-to-exceed $625,000.00, with the total contract amount not-to-exceed $3,125,000.00).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Original Ordinance and Contract
Exhibit 3 - Ordinance and Amendment 1

AE. ID 22-2285 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a contract between the City

of Denton and C&G Electric, Inc., amending the contract approved by the City Council on June 22, 2021, in the not-to-exceed amount of $500,000.00; said first amendment to continue to provide electrical repairs, replacement, and installation in City of Denton buildings for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7658 - providing for an additional first amendment expenditure amount not-to-exceed $125,000.00, with the total contract amount not-to-exceed $625,000.00).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Original Ordinance and Contract
Exhibit 3 - Ordinance and Amendment 1

AF. ID 22-2286 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an Interlocal Cooperative Purchasing Agreement with the City of Allen, under the Texas Government Code, Section 791.001, to authorize the City of Allen and City of Denton to utilize each entities' solicited contracts for the purchasing of various goods and services; authorizing the expenditure of funds therefor; and declaring an effective date (File 7977 - award an Interlocal Cooperative Purchasing Agreement with the City of Allen).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Ordinance and Interlocal Agreement

AG. ID 22-2289 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Modern Geosciences, LLC, for gas well inspection services for the Environmental Services and Sustainability Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8101 - awarded to Modern Geosciences, LLC, for three (3) year, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of $1,375,000.00).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - LLC Members
Exhibit 3 - Ordinance and Contract

AH. ID 22-2290 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Vigilant Solutions, LLC, through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program Contract Number EF04-21, for the purchase of the Motorola Vigilant Solutions IDP (Investigative Data Platform) for the Police Department; providing for the expenditure of funds therefor; and providing an effective date (File 8123 - awarded to Vigilant Solutions, LLC, in the five (5) year not-to-exceed amount of $113,900.00).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Quote
Exhibit 3 - LLC Members
Exhibit 4 - Ordinance

AI. ID 22-2291 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Presidio Networked Solutions Group, LLC, through The Interlocal Purchasing System (TIPS) Cooperative Program Contract #21050301, for the acquisition of Freshservice, an Information Technology Service Management (ITSM) solution to centrally track technology assets, licenses, and support service tickets for the Technology Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 8124 -awarded to Presidio Networked Solutions Group, LLC, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed in the amount of $500,000.00).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Quotes
Exhibit 3 - LLC Members
Exhibit 4 - Ordinance

AJ. ID 22-2292 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with GTS Technology Solutions, Inc., through the Department of Information Resources (DIR) Cooperative Purchasing Network Contract No. DIR-CPO-4526, for Information Technology (IT) Staff Augmentation Services for the Technology Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 8127 - awarded to GTS Technology Solutions, Inc., for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of $2,200,000.00).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - NTE Rates for DIR-CPO-4526
Exhibit 3 - Ordinance and Contract

AK. ID 22-2293 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Midwest Tape, LLC, for the purchase of streaming digital content through the Hoopla service for the Library, which is the sole provider of this software, in accordance with Texas Local Government Code 252.022, which 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; providing for the expenditure of funds therefor; and providing an effective date (File 8135 - awarded to Midwest Tape, LLC, in the five (5) year not-to-exceed amount of $484,000.00).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - LLC Members
Exhibit 3 - Ordinance and Contract

AL. ID 22-2294 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Public Insight Sector, Inc., through the Department of Information Resources (DIR) Cooperative

Purchasing Network Contract No. DIR-TSO-4341, for the purchase of SPIDR Tech Notification System for calls for service and incident notifications for the Police Department; providing for the expenditure of funds therefor; and providing an effective date (File 8139 - awarded to Public Insight Sector, Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of $174,341.00).

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

AM. ID 22-2295 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Axon Enterprise, Inc., through the Sourcewell Cooperative Purchasing Network Contract Number 010720, for the purchase of an Axon Interview Room System for the Police Substation and Headquarters including cameras, software, peripherals, warranty, maintenance, and installation services for the Police Department; authorizing the expenditure of funds therefor; and providing an effective date (File 8140 - awarded to Axon Enterprise, Inc., in the five (5) year not-to-exceed amount of $351,000.00).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Ordinance and Contract

AN. ID 22-2297 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Quorum Architects, Inc., for professional design services for the Solid Waste Fleet Maintenance Shop for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7818-004 - awarded to Quorum Architects, Inc., in the not-to-exceed amount of $663,800.00).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Ordinance and Contract

AO. ID 22-2298 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with J&B Five Point Construction, LLC, for directional boring services for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 8054 - awarded to J&B Five Point Construction, LLC, for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of $12,000,000.00).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Pricing Evaluation
Exhibit 3 - LLC Members
Exhibit 4 - Ordinance and Contract

AP. ID 22-2303 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement

with Halff Associates, Inc., for the design of the Westgate Drive Reconstruction Project for the Capital Improvements Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7599-011 - Professional Services Agreement for design services awarded to Halff Associates, Inc., in the not-to-exceed amount of $1,144,280.00).

Attachments: Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Ordinance and Contract

AQ. ID 22-2305 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Environmental Systems Research Institute, Inc., for an Enterprise Geographic Information System (GIS) Solution for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 8069 - awarded to Environmental Systems Research Institute, Inc., in the three (3) year not-to-exceed amount of $565,500.00).

Attachments: Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Ordinance and Contract

AR. ID 22-2310 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Bond Equipment Company, Inc., through the Buy Board Cooperative Purchasing Network Contract # 601-19, for the purchase of Crane Carrier Refuse Trucks for the Solid Waste Department; providing for the expenditure of funds therefor; and providing an effective date (File 8152 - awarded to Bond Equipment Company, Inc., in the two (2) year not-to-exceed amount of $2,420,000.00).

Attachments: Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Cooperative Pricing

Exhibit 3 - Ordinance

AS. ID 22-2311 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Tyler Technologies, Inc., through the Sourcewell Cooperative Purchasing Network Contract Number 090320-TTI, for the purchase of Public Safety's Brazos eCitation system including equipment, software, peripherals, warranty, interface, professional service, maintenance, and repair for the Police Department; providing for the expenditure of funds therefor; and providing an effective date (File 8142 - awarded to Tyler Technologies, Inc., in the five (5) year not-to-exceed amount of $680,724.00).

Attachments: Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Quote

Exhibit 3 - Ordinance

AT. ID 22-2315 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Starboard Consulting, LLC, for hosting, implementing, and integrating Maximo Software Suite for Utilities (MSSU) for Denton Municipal Electric (DME); providing for the expenditure of funds therefor; and providing an effective date (RFP 7817 - awarded to Starboard

Consulting, LLC, for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of $3,300,000.00).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Pricing Evaluation
Exhibit 3 - LLC Members
Exhibit 4 - Ordinance and Contract

4. ITEMS FOR INDIVIDUAL CONSIDERATION

A. A22-0001 Consider adoption of an ordinance of the City of Denton, Texas regarding a Municipal Services Agreement, pursuant to Tex. Loc. Gov. Code Sec. 43.0672, between the City of Denton and IR2 Holdings LLC for the provision of city services to approximately 18.60 acres of land, generally located approximately 500 feet north of US 380 (University Drive) and east of Thomas J. Egan Road; approving a schedule of annexation; authorizing the City Manager to execute the agreement; and providing an effective date. (A22-0001, 380 and Thomas J Egan, Ron Menguita)

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Site Location Map
Exhibit 3 - Conceptual Site Plan
Exhibit 4 - LLC Member's List
Exhibit 5 - Draft Municipal Services Agreement Ordinance
Exhibit 6 - Presentation

5. PUBLIC HEARINGS

A. A22-0001a Hold a public hearing and consider a petition for voluntary annexation of approximately 18.60 acres of land, generally located approximately 500 feet north of US 380 (University Drive) and east of Thomas J. Egan Road into the City of Denton, Denton County, Texas. (A22-0001a, 380 and Thomas J Egan, Ron Menguita)

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Site Location Map
Exhibit 3 - Future Land Use Map
Exhibit 4 - Current Zoning Map
Exhibit 5 - Presentation

B. Z22-0011b Hold a public hearing and consider approval of an ordinance of the City of Denton, Texas regarding a change in the zoning district and use classification from a Mixed-Use Residential (MR) Zoning District to a Light Industrial (LI) Zoning District on approximately 53.681 acres of land, generally located south of Barthold Road, north of FM 1173, approximately 712 feet west of the intersection of FM 1173 and North I-35E, 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 establishing an effective date. The Planning and Zoning Commission voted [7-0] to recommend approval of the request.

Motion for approval by Vice-Chair Smith and second by Commissioner McDade. (Z22-0011b, Deeper Life Bible Church Industrial, Sean Jacobson) The Planning and Zoning Commission voted [7-0] to recommend approval of the request. Motion for approval by Vice-Chair Smith and second by Commissioner McDade. (Z22-0011b, Deeper Life Bible Church Industrial, Sean Jacobson)

Attachments:
Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Staff Analysis
Exhibit 3 - Site Location Map
Exhibit 4 - Existing Zoning Map
Exhibit 5 - Proposed Zoning Map
Exhibit 6 - Future Land Use Map
Exhibit 7 - Comparison Table of Permitted Uses
Exhibit 8 - Notification Response Packet
Exhibit 9 - LLC Member List
Exhibit 10 - Draft Ordinance (REV)
Exhibit 11 - Presentation

C. S21-0006b Hold a public hearing and consider approval of an ordinance of the City of Denton, Texas, approving a Specific Use Permit to allow for a Multi-family Dwelling Use on approximately 53.407 acres of land, generally located at the southeast corner of the intersection of Locust Street and Loop 288, 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 for severability; and establishing an effective date. The Planning and Zoning Commission voted [6-0] to recommend approval of the request. Motion for approval by Vice-Chair Smith and second by Commissioner Anderson. (S21-0006b, Landmark Multifamily, Sean Jacobson)

Attachments:
Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Staff Analysis
Exhibit 3 - Site Location Map
Exhibit 4 - Future Land Use Map
Exhibit 5 - Zoning Map
Exhibit 6 - Proposed Site Plan
Exhibit 7 - Proposed Landscape Plan
Exhibit 8 - Proposed Building Elevations
Exhibit 9 - Notification Map and Responses
Exhibit 10 - Ordinance
Exhibit 11 - Presentation

6. ITEMS FOR INDIVIDUAL CONSIDERATION - CONTINUED

A. A22-0001b Conduct the first of two readings of an ordinance of the City of Denton, Texas annexing

approximately 18.60 acres of land, generally located approximately 500 feet north of US 380 (University Drive) and east of Thomas J. Egan Road into the City of Denton, Denton County, Texas; providing for a correction to the city map to include the annexed land; and providing for a savings clause and an effective date. (A22-0001b, 380 and Thomas J Egan, Ron Menguita)

Attachments:
Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Site Location Map
Exhibit 3 - Future Land Use Map
Exhibit 4 - Current Zoning Map
Exhibit 5 - Draft Annexation Ordinance
Exhibit 6 - Presentation

B. ID 22-2208 Consider adoption of an ordinance of the City of Denton, Texas, amending the fiscal year 2021-2022 budget and annual program of services of the City of Denton to allow for adjustments to the Materials Management Fund of six hundred fifty thousand dollars ($650,000) for the purpose of funding inventory for Denton Municipal Electric and to accommodate supply chain and demand challenges; declaring a public purpose; directing the City Secretary attach a copy to the 2021-2022 budget; requiring approval by at least five votes; and providing a severability clause, an open meetings clause, and an effective date.

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

C. ID 22-2282 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Construction Manager at Risk contract with McCarthy Building Companies, Inc., for construction phase services for Southeast Denton Package B Improvements for the Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7714 - awarded to McCarthy Building Companies, Inc., in the not-to-exceed amount of $21,582,378).

Attachments:
Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Ordinance and Preconstruction Services Contract
Exhibit 3 - Presentation
Exhibit 4 - Ordinance and Contract

D. ID 22-2288 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with United Healthcare Services, Inc., to provide Administrative Services Only (ASO) for Medical and Prescription Services for the City of Denton's self-funded health plans; providing for the expenditure of funds therefor; and providing an effective date of January 1, 2023 (RFP 7978 -awarded to United Healthcare Services, Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of $4,300,000.00).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Pricing Evaluation
Exhibit 3 - Presentation
Exhibit 4 - Ordinance and Contract

E. ID 22-2313 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute two Guaranteed Maximum Price (GMP) Amendments to the Construction Manager at Risk Contract with CORE Construction Services of Texas, Inc., amending the contract approved by the City Council on June 28, 2022, in the not-to-exceed amount of $25,000.00; said GMP amendments for construction services for Fire Station No. 9 for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7967 - CMAR Guaranteed maximum price amendments awarded to CORE Construction Services of Texas, Inc, in the first GMP amendment amount of $4,550,786.00 and the second GMP amendment amount of $7,503,562 for a total not-to-exceed amount to $12,079,348.00).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Original Ordinance and Contract
Exhibit 3 - Presentation
Exhibit 4 - Ordinance and Amendments 1 & 2

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 official website (https://tx-denton.civicplus.com/242/Public-Meetings-Agendas) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on November 10, 2022, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

_____
CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS 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 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.