



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Development Services

CM: Todd Hileman

DATE: November 7, 2017

SUBJECT

Consider adoption of an ordinance of the City of Denton, Texas authorizing the approval of a third amendment to a professional services agreement between the City of Denton and Clarion Associates, LLC, amending the contract approved by City Council on September 11, 2012, in the not-to-exceed amount of \$150,000, amended by Amendment 1 approved by City Council on December 13, 2016 in the net amount of \$140,107.35, and Amendment 2 approved by Purchasing staff in the amount of \$32,300, said third amendment to provide additional services related to updating the City of Denton Development Code in the amount of \$93,380; providing for the expenditure of funds therefor; and providing an effective date (File 5503-providing for an additional third amendment expenditure amount not-to-exceed \$93,380, with the total contract amount not-to-exceed \$415,787.35).

BACKGROUND INFORMATION

Clarion Associates, LLC, (Clarion) was hired in 2012 to prepare a limited assessment of the Denton Development Code (DDC) and make targeted updates. The project included reorganizing and reformatting the DDC to make it easier to read and use, plus substantive edits in specific areas-primarily the removal of barriers to infill and redevelopment, and streamlining the review procedures. Clarion produced several documents under the original scope of work:

- 2013 Assessment Report
- Draft reorganization/reformat of the DDC
- Draft update to Subchapter 2: Administration

The project was designed to focus on targeted code improvements that could be completed while the City also focused on a related project to develop a new citywide comprehensive plan. The goal was to provide an improved land development code that would be a foundation upon which to implement the new comprehensive plan (Denton Plan 2030). The code updates included a general reorganization and reformatting of the Denton Development Code (DDC), as well as an assessment and update of the code in targeted areas. The initial assessment report was completed in November 2013 and a draft version of the reorganized and reformatted DDC, as well as proposed text for development review procedures were completed in 2014.

After receiving the first round of deliverables, this project was placed on hold. However, in spring 2016, the project was reinitiated and Clarion was directed to conclude the previous task and to prepare a new/revised scope of work to complete three central tasks, comprised of:

1. Revising zoning districts and uses;

2. Drafting of new development and design standards, including those for infill and redevelopment projects;
3. Facilitating public involvement and adoption of the new development code.

The first amendment authorized city staff to take the lead on updates to the Administration and Procedures subchapters with minimal involvement from Clarion, while Clarion was responsible for taking the lead on Districts/Uses and Development Standards. The first amendment focused on the primary goals of addressing inefficiencies and disconnects that have resulted from the current land development code and to undertake a broad range of updates to address a variety of issues raised in the Denton Plan 2030 and the City's Strategic Plan. This amendment built on Clarion's earlier work by using the draft version of the reorganized and reformatted DDC as a foundation.

In April 2017, Purchasing staff approved a second amendment authorizing Clarion to take the lead on updates to the Administration and Procedures, as well. This action focus on targeted areas which will not garner the necessary results of streamlining. Streamlining the DDC requires a more comprehensive approach.

In September 2017, staff recognized the need and initiated discussions with Clarion regarding a more substantive rewrite of the DDC, with the primary focus being to prepare a streamlined DDC that meets minimum statutory requirements (with less deference paid to earlier drafts of the DDC). A secondary focus area is a streamlined review process and best practices for development standards.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 11, 2012, Council approved a professional services agreement with Clarion Associates, LLC (Clarion) in the amount of \$150,000 (Ordinance 2012-215).

On December 13, 2016, Council approved Amendment 1 in the net amount of \$140,107.35 (Ordinance 2016-408).

On April 28, 2017, Purchasing staff approved Amendment 2 in the amount of \$32,300.

RECOMMENDATION

Staff recommends awarding a third amendment to the professional services agreement in the not-to-exceed amount of \$93,380.00 for a total contract award not-to-exceed \$415,787.35.

PRINCIPAL PLACE OF BUSINESS

Clarion Associates, LLC
Denver, Colorado

ESTIMATED SCHEDULE OF PROJECT

This project is a priority and staff has accelerated this project for adoption prior to the next construction season (Spring 2018). The expected final draft and public hearings are to be presented March/April 2018.

FISCAL INFORMATION

This project will be funded from Planning Capital Project fund 300061444.1365.10100. A line item will be added to the existing Purchase Order #163436 upon Council approval.

STRATEGIC PLAN RELATIONSHIP

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

Related Key Focus Area: Organizational Excellence

Related Goal: 1.4 Achieve a high level of customer satisfaction

EXHIBITS

Exhibit 1: Agenda Information Sheet

Exhibit 2: Original Contract with Amendments

Exhibit 3: Ordinance

Exhibit 4: Third Amendment

Respectfully submitted:
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