



City of Denton

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

Meeting Agenda

City Council

Tuesday, March 17, 2020

1:00 PM

Work Session Room

WORK SESSION BEGINS AT 1:00 P.M. IN THE WORK SESSION ROOM

REGULAR MEETING BEGINS AT 6:30 P.M. IN THE WORK SESSION ROOM

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, March 17, 2020, 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:

WORK SESSION

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 this agenda.

3. Work Session Reports

- A. [ID 20-669](#) Receive a report, hold a discussion, and give staff direction regarding a presentation from the Denton County Public Health Department on the recent global outbreak of Coronavirus Disease 2019 (COVID-19), and information pertaining to the City of Denton's response efforts.

Attachments: [Exhibit 1 - COVID-19 - AIS](#)
[Exhibit 2 - COVID-19 County Presentaton 3.10.2020](#)
[Exhibit 3 - COVID-19 Staff Presentation 03 17 20](#)
[Exhibit 4 - Council Member COVID-19 Questions & Answers](#)

- B. [ID 20-645](#) Receive a report, hold a discussion, and give staff direction regarding DME's proposed Electric Vehicle Charging Infrastructure Strategy.

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

- C. [ID 20-541](#) Receive a report, hold a discussion, and give staff direction regarding the Board of Ethics recommended amendments to the Ethics Ordinance.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Letter of Recommendations](#)

- D. [ID 20-636](#) Receive a report, hold a discussion, and give staff direction regarding the Development Services Center building, with a focus on façade, public spaces, sustainability and budgetary considerations.

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

- E. [ID 20-009](#) Receive a report, hold a discussion, and give staff direction on pending City Council requests for:

1. Passing an “Engine Braking Prohibited” ordinance; and
2. Producing a City of Denton-specific public health study.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Ordinance 19-2026 - City Council Request Process](#)
[Exhibit 3 - Denton County Public Health 2017 Community Health Assessment -](#)
[Exhibit 4 - Presentation](#)

Following the completion of the Work Session, the City Council will convene in a Closed Meeting to consider specific items when these items are listed below under the Closed Meeting section of this agenda. The City Council reserves the right to adjourn into a Closed Meeting on any item on its Open Meeting agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

1. Closed Meeting:

- A. [ID 20-641](#) Consultation with Attorneys - Under Texas Government Code, Section 551.071; Deliberations regarding Economic Development Negotiations - Under Texas Government Code Section 551.087; Deliberations regarding Real Property - Under Texas Government Code Section 551.072.

Consultation with the City’s attorneys regarding legal issues associated with (i) the project agreements, master planned community ordinances, and other related agreements, documents, and ordinances for both Hunter Ranch and Cole Ranch projects, (ii) operating agreements, consent resolutions, and other agreements, documents, and ordinances related to the municipal management districts associated with both Hunter Ranch and Cole Ranch projects and the operation of the same, (iv) economic development incentives potentially offered related to both Hunter Ranch and Cole Ranch projects, and (v) the Pilot Knob conservation easement for Hunter Ranch project 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; consultation with staff regarding these matters and financial or other incentives for both Hunter Ranch and Cole Ranch projects, a business prospect which the City Council seeks to have locate, stay, or expand in or near the territory of the City, and with which the City Council is conducting economic development negotiations; consultation with staff regarding potential real property interests to be conveyed to the City which are located within both Hunter Ranch and Cole Ranch where the deliberations of same in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person.

- B. [ID 20-692](#) Deliberations regarding a Personnel Matter - Under Government Code, Section 551.074; and Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Deliberate and discuss the appointment, employment, evaluation, discipline, duties, dismissal, complaints against, and contract of the Presiding Municipal Judge; consult with the City's attorneys regarding legal issues associated with the above, where a public discussion of the same would conflict with the duty of the City's attorneys to the City of Denton and the 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 negotiations or potential litigation.

- C. [ID 20-720](#) Consultation with Attorneys - Under Texas Government Code Section 551.071

Consult with the City's attorneys and discuss legal status, legal analysis, and strategy regarding the Darius Tarver incident, including, but not limited to, requests for the release of criminal investigation documents during the pendency of an on-going criminal investigation and grand jury proceeding, 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 negotiations 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 decision, or vote is taken in the Closed Meeting in accordance with the provisions of Section 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 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.

REGULAR MEETING OF THE CITY OF DENTON CITY COUNCIL AT 6:30 P.M. IN THE WORK SESSION ROOM 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 20-666](#) Sexual Assault Awareness Month

3. PRESENTATION 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 20-635](#) David Zoltner regarding Conflicts of Interest and Ethics Codes.

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. Each speaker is allowed a maximum of four (4) minutes to present their report. Such person(s) must file a "Blue Card" requesting to speak during this period prior to the calling of this agenda item.

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 policy; 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.

4. CONSENT AGENDA

Each of these items is recommended by 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 – Y). 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 20-420](#) Consider adoption of an ordinance of the City Council of the City of Denton, Texas,

repealing Ordinance NO. 19-110; approving and adopting the 2020 Denton Municipal Electric - Energy Risk Management Policy; authorizing and approving the subsequent execution of such other ancillary and related documents, including, without limitation, contracts, nominations, certificates, assignments, licenses, directions, instruments, confirmations, orders and statements as are authorized by the 2020 ERMP, which are incident to or related thereto; confirming that the city of Denton, Texas, its Mayor, its City Council members, its City Manager, or his designees, its City Attorney, or his designees, and its City Secretary, or her designees, shall be authorized and empowered to perform such acts and obligations as are reasonably required to consummate those future transactions which are provided for and authorized by the 2020 ERMP; finding that the purchase of electricity, natural gas and related commodities and instruments are exempt from the requirements of competitive bidding; finding that the purchase of electric energy, natural gas and related commodities and instruments made by the city under the terms of the 2020 ERMP are in the public welfare of the citizens and electric ratepayers of the city; authorizing the expenditure of funds therefor; providing an effective date. Public Utilities Board recommends approval (7-0).

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

- B. [ID 20-485](#) Consider approval of a resolution revising Administrative Policy No. 403.07 “Debt Service Management”; and providing an effective date. The Audit/Finance Committee recommends approval (3-0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Red-lined Debt Policy](#)
 [Exhibit 3 - Resolution](#)

- C. [ID 20-557](#) Consider adoption of an ordinance of the City of Denton approving a Consent to Collateral Assignment of an Airport Lease covering property located at 4850 Spartan Drive, between Sykes-Vaughan Investments, LLC and BBVA USA; and providing an effective date. Council Airport Committee recommends approval (3-0).

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

- D. [ID 20-558](#) Consider adoption of an ordinance of the City of Denton approving a Consent to Collateral Assignment of an Airport Lease covering property located at 5007 Spartan Drive, between Sykes-Vaughan Investments, LLC and BBVA USA; and providing an effective date. Council Airport Committee recommends approval (3-0).

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

- E. [ID 20-559](#) Consider adoption of an ordinance of the City of Denton approving a Consent to Collateral Assignment of an Airport Lease covering property located at 4700 Spartan

Drive, between Sykes-Vaughan Investments, LLC and BBVA USA; and providing an effective date. Council Airport Committee recommends approval (3-0).

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

- F. [ID 20-560](#) Consider adoption of an ordinance of the City of Denton approving a Consent to Collateral Assignment of an Airport Lease covering property located at 4849 Spartan Drive, between Sykes-Vaughan Investments, LLC and BBVA USA; and providing an effective date. Council Airport Committee recommends approval (3-0).

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

- G. [ID 20-593](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute a contract with Romco Equipment Co., LLC, through the Buy Board Cooperative Purchasing Network Contract # 597-19, for the acquisition of one (1) Volvo Model ECR88D Compact Excavator for the Drainage Department and additional maintenance and repair services as required; providing for the expenditure of funds therefor; and providing an effective date (File 7293 - awarded to Romco Equipment Co., LLC, in the amount of \$206,062). The Public Utilities Board recommends approval (7 - 0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Quote](#)
 [Exhibit 3 - LLC Members](#)
 [Exhibit 4 - Ordinance](#)

- H. [ID 20-594](#) 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 Charter Communications Operating, LLC, for internet services; providing for the expenditure of funds therefor; and providing an effective date (RFP 7052 - awarded to Charter Communications Operating, 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 \$265,980).

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

- I. [ID 20-599](#) 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 Commercial Electronics Corporation, to provide Motorola API (Application Programming Interface) for the HigherGround and Motorola Project 25 Land Mobile Radio applications, 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; and providing an effective date (File 7180 - awarded to Commercial Electronics Corporation, in the five (5) year not-to-exceed amount of \$169,804.37).

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

- J.** [ID 20-600](#) 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 Jagoe-Public Company, for the construction of the Airport Landside Paving project for the City of Denton for street segments as follows: John Carrell, Spartan Drive, Lockheed Lane, and Skylane; providing for the expenditure of funds therefor; and providing an effective date (IFB 7239 - awarded to Jagoe-Public Company, in the not-to-exceed amount of \$855,163.75).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Bid Tabulation](#)
 [Exhibit 3 - Ordinance and Contract](#)
 [Exhibit 4 - Presentation](#)

- K.** [ID 20-602](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager or his designee, to execute a contract through the State of Texas Smart Buy Program for the purchase of library audiovisual materials as awarded by State of Texas Contract Number 715-M2 Publications, Audiovisual Materials, Books, and Cataloging Services (Prepared Materials Only); providing for the expenditure of funds therefore; and providing an effective date (File 7309 - awarded to Midwest Tape, LLC, in the not-to-exceed amount of \$200,000).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Pricing Sheet](#)
 [Exhibit 3 - LLC Members](#)
 [Exhibit 4 - Ordinance](#)

- L.** [ID 20-606](#) 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 Crown Correctional Telephone, Inc., for inmate telephone service, software, maintenance and support for the Denton Police Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7198 - awarded to Crown Correctional Telephone, Inc., for a three (3) year term, with the option for two (2) additional one (1) year extensions).

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

- M.** [ID 20-607](#) 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 Frank J. Conner, for graffiti abatement of public and private property, providing for the expenditure of funds

therefor; and providing an effective date (IFB 7173-2 - awarded to the lowest responsive bidder, Frank J. Conner, for a three (3) year not-to-exceed amount of \$75,000).

Attachments: [Exhibit 1 - Agenda Information Sheet-FJC](#)
[Exhibit 2 - Bid Tabulation](#)
[Exhibit 3 - Ordinance and Contract](#)

- N. [ID 20-608](#) 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 Huffmans Empire Construction, Inc., for graffiti abatement of Denton Municipal Electric and interior and exterior painting of City facilities, providing for the expenditure of funds therefor; and providing an effective date (IFB 7173-2 - awarded to the lowest responsive bidder, Huffmans Empire Construction Inc., for a three (3) year not-to-exceed amount of \$330,000).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Bid Tabulation](#)
[Exhibit 3 - Ordinance and Contract](#)

- O. [ID 20-609](#) 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 Intervet, Inc. dba Merck Animal Health, for the supply of veterinary and animal health supplies for the City of Denton's Animal Services Shelter; providing for the expenditure of funds therefor; and providing an effective date (IFB 7178 - awarded to the lowest responsive bidder for each line item: Intervet, Inc. dba Merck Animal Health, in a total five (5) year, not-to-exceed amount of \$275,000).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Bid Tabulation](#)
[Exhibit 3 - Ordinance and Contract](#)

- P. [ID 20-610](#) 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 Veterinary Supply Inc., for the supply of veterinary and animal health supplies for the City of Denton's Animal Services Shelter; providing for the expenditure of funds therefor; and providing an effective date (IFB 7178 - awarded to the lowest responsive bidder for each line item: Midwest Veterinary Supply Inc., in a total five (5) year not-to-exceed amount of \$1,300,000).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Bid Tabulation](#)
[Exhibit 3 - Ordinance and Contract](#)

- Q. [ID 20-611](#) 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 Core & Main LP, for the supply of water and sewer inventory parts to be stocked in the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 7187 - awarded to the lowest responsive bidder for each line item:

Core & Main LP, in a total four (4) year, not-to-exceed amount of \$5,800,000).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Bid Tabulation - Rev](#)
[Exhibit 3 - Ordinance and Contract](#)

- R. [ID 20-612](#) 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 Ferguson Enterprises, LLC, for the supply of water and sewer inventory parts to be stocked in the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 7187 - awarded to the lowest responsive bidder for each line item: Ferguson Enterprises, LLC, in a total four (4) year, not-to-exceed amount of \$3,630,000).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Bid Tabulation](#)
[Exhibit 3 - LLC Members](#)
[Exhibit 4 - Ordinance and Contract](#)

- S. [ID 20-613](#) 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 PowerSeal Pipeline Products, For the supply of water and sewer inventory parts to be stocked in the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 7187 - awarded to the lowest responsive bidder for Section I - Repair Clamps: PowerSeal Pipeline Products, Inc, in a total four (4) year, not-to-exceed amount of \$160,000).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Bid Tabulation](#)
[Exhibit 3 - Ordinance and Contract](#)

- T. [ID 20-618](#) Consider approval of the minutes of February 25, March 2, and March 3, 2020.

Attachments: [Exhibit 1 - February 25, 2020 Minutes Draft](#)
[Exhibit 2 - March 2, 2020 Minutes Draft](#)
[Exhibit 3 - March 3, 2020 Minutes Draft](#)

- U. [ID 20-604](#) Consider approval of a resolution of the City of Denton allowing The Bearded Monk to sell alcoholic beverages at the Denton Parks Foundation Adult Egg Hunt, on Friday, April 3, 2020, from 7:30 p.m. to 10:00 p.m., at the G. Roland Vela Athletic Complex, upon satisfying 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](#)
[Exhibit 2 Resolution](#)

- V. [ID 20-660](#) Consider approval of a resolution of the City of Denton allowing The Bearded Monk to sell alcoholic beverages at the Denton Parks Foundation Return to Recess, on Friday, April 17, 2020, from 6:00 p.m. to 9:00 p.m., at Industrial Park, upon satisfying 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](#)
[Exhibit 2 Resolution](#)

- W. [ID 20-661](#) Consider approval of a resolution of the City of Denton allowing The Bearded Monk to sell alcoholic beverages at the Denton Parks Foundation Return to Recess, on Friday, April 17, 2020, from 6:00 p.m. to 9:00 p.m., at William Trade Square parking lot, upon satisfying 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](#)
[Exhibit 2 Resolution and Agreement](#)

- X. [ID 20-670](#) Consider adoption of an ordinance authorizing expenditure of \$442,000 in previously budgeted funds for outside counsel and other previously discussed trial and appellate expenses in litigation styled “Michael Grim and Jim Maynard v. City of Denton, Texas,” tried in the 68th Judicial District Court, Dallas County, Texas; and declaring an effective date.

Attachments: [Exhibit 1 - Agenda Info. Sheet](#)
[Exhibit 2 - Ord.](#)

- Y. [PD19-0003c](#) Consider adoption of an ordinance of the City of Denton, Texas, Nunc Pro Tunc, correcting an inadvertent mistake in Ordinance No. PD19-0003a relating to the development plan map; providing for a savings clause and an effective date. (PD19-0003, Ryan Way, Hayley Zagurski)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Ordinance No. PD19-0003a](#)
[Exhibit 4 - Draft Nunc Pro Tunc Ordinance](#)
[Exhibit 5 - Draft Exhibit A to Nunc Pro Tunc Ordinance](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 20-721](#) Consider a local declaration of local disaster for public health emergency regarding the SARS-CoV2 which causes the disease COVID-19 pursuant to the Mayoral Proclamation of March 13, 2020 and the authority in Section 9-22 of the Denton Code of Ordinances and Section 416.108 of the Texas Government Code.

Attachments: [Exhibit 1 - AIS for Declaration of Emergency - COVID-19](#)
[Exhibit 2 - Mayoral Declaration of Local Disaster-Public Health 03-13-2020](#)
[Exhibit 3 - Order of the Mayor of the City of Denton 03-13-2020](#)
[Exhibit 4 - Ordinance - Order of Council - COVID-19](#)

- B. [ID 20-479](#) Consider adoption of an ordinance of the City of Denton, a Texas Home-Rule Municipal Corporation, authorizing the City Manager to execute an Interlocal Cooperation Agreement with Denton County, Texas, a duly organized political subdivision of the State

of Texas, for the construction of the South Bonnie Brae Street phase II/Vintage Blvd Project, wherein Denton County agrees to contribute an amount not to exceed Five Million Seven Hundred Fifty Thousand Dollars (\$5,750,000); authorizing the expenditure of funds thereof; and declaring an effective date.

Attachments: [Exhibit 1 - Agenda Informaiton Sheet BB ILA](#)
[Exhibit 2 ORD. & ICA BB Ph 2](#)
[Exhibit 3 - Presentation BB ILA](#)

- C. [ID 20-591](#) 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 Relient Emissions Testing, Inc., for the supply of Engine Emissions Performance testing services for the electric generating equipment at the Denton Energy Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 7245 - awarded to Relient Emissions Testing, Inc., for three (3) years, with the option of three (3) additional one (1) year extensions, in the total six (6) year not-to-exceed amount of \$72,000. The Public Utilities Board recommends approval (7 - 0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Bid Tabulation](#)
[Exhibit 3 - Ordinance and Contract](#)

- D. [ID 20-592](#) 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 ABB, Inc., for the supply of ABB Turbo Charger Cartridges for the electric generating equipment at the Denton Energy Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 7247 - awarded to ABB, Inc., in the not-to-exceed amount of \$418,061.60). The Public Utilities Board recommends approval (7 - 0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Bid Tabulation](#)
[Exhibit 3 - Presentation](#)
[Exhibit 4 - Ordinance and Contract](#)

- E. [ID 20-605](#) Consider adoption of an ordinance of the City Of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 4 to the contract between the City of Denton and Ragle, Inc. for the construction of the South Bonnie Brae Street Widening and Improvements Project Phase 1; providing for the expenditure of funds therefor; and providing an effective date (IFB 6390 - Change Order No. 4 in the not-to-exceed amount of \$246,971.93, for a total contract award aggregated to \$12,683,171.52).

- Attachments:** [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Original Ordinance and Contract](#)
[Exhibit 3 - Ordinance and Change Order 1](#)
[Exhibit 4 - Change Order 2](#)
[Exhibit 5 - Change Order 3](#)
[Exhibit 6 - Ordinance and Change Order 4](#)
[Exhibit 7 - Presentation](#)

- F. [ID 20-652](#) 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 DDM Construction Corporation, for the Bonnie Brae Roundabout; providing for the expenditure of funds therefor; and providing an effective date (IFB 7027 - Change Order No. 2 in the not-to-exceed amount of \$116,258.81 for a total contract award aggregated to \$3,607,105.86).

- Attachments:** [Exhibit 1 Agenda Information Sheet BB4A CO2](#)
[Exhibit 2 - Original Ordinance and Contract](#)
[Exhibit 3 - Ordinance and Change Order 1](#)
[Exhibit 4 - Ordinance and Change Order 2](#)
[Exhibit 5 - Presentation BB CO2](#)

6. PUBLIC HEARINGS

- A. [ID 20-504](#) Hold a public hearing and consider approval of a resolution adopting the City of Denton's Policy for Tax Abatements and Incentives.

- Attachments:** [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Resolution and Policy for Tax Abatements and Incentives](#)
[Exhibit 3 - Presentation](#)

- B. [MPC19-0001](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas approving a major amendment to the Cole Ranch Master Planned Community (MPC) district to supersede Ordinance No. 2008-030 on approximately 3,169.4 acres of land described on exhibit a, generally located west of Interstate 35 West, south of Tom Cole Road, bounded by Tom Cole Road to the north, bisected by FM 2449 near the center of the property, bounded on the eastern side by John Payne Road south of FM 2449 and Underwood Road north of FM 2449; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof, and providing for severability and an effective date. (MPC19-0001: Cole Ranch). The Planning and Zoning Commission Recommends Approval [6-0]. (MPC19-0001, Cole Ranch MPC, Richard Cannone)

- Attachments:
- [Exhibit 1 - Agenda Information Sheet](#)
 - [Exhibit 2 - Staff Analysis](#)
 - [Exhibit 3 - Ordinance 2008-030](#)
 - [Exhibit 4 - Draft Ordinance](#)
 - [Exhibit 5 - Ordinance Exhibit A](#)
 - [Exhibit 6 - Ordinance Exhibit B](#)
 - [Exhibit 7 - Ordinance Exhibit C](#)
 - [Exhibit 8 - Ordinance Exhibit D](#)
 - [Exhibit 9 - Ordinance Exhibit E](#)
 - [Exhibit 10 - Ordinance Exhibit F](#)
 - [Exhibit 11 - Clarification items approved by PZC](#)
 - [Exhibit 12 - Current Development Plan Map](#)
 - [Exhibit 13 - Transportation Study](#)
 - [Exhibit 14 - Water Wastewater Study](#)
 - [Exhibit 15 - Facilities Study](#)
 - [Exhibit 16 - Fiscal Impact Analysis Report \(1\)](#)
 - [Exhibit 17 - Notification Map](#)
 - [Exhibit 18 - Presentation](#)
 - [Exhibit 19 - Cole Ranch MPC Redline Updated](#)

- C. [MPC19-0002](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas approving a major amendment to the Hunter Ranch Master Planned Community (MPC) district to supersede Ordinance Nos. 2008-286 and 2010-160 on approximately 3,167 acres of land described in exhibit a, generally located on both sides of I-35w, between Robson Ranch Road and Vintage Boulevard in the City of Denton, Denton county, Texas; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof, and providing for severability and an effective date. (MPC19-0002 - Hunter Ranch)
- [a](#)

- Attachments:**
- [Exhibit 1 - Agenda Information Sheet CC Hunter](#)
 - [Exhibit 2 - Staff Analysis](#)
 - [Exhibit 3 - Ordinance 2008-286](#)
 - [Exhibit 4 - Ordinance 2010-159](#)
 - [Exhibit 5 - Ordinance 2010-160](#)
 - [Exhibit 6 - Draft Ordinance](#)
 - [Exhibit 7 - Ordinance Exhibit A](#)
 - [Exhibit 8 - Ordinance Exhibit B](#)
 - [Exhibit 9 - Ordinance Exhibit C](#)
 - [Exhibit 10 - Ordinance Exhibit D](#)
 - [Exhibit 11 - Ordinance Exhibit E](#)
 - [Exhibit 12 - Ordinance Exhibit F](#)
 - [Exhibit 13 - Ordinance Exhibit G](#)
 - [Exhibit 14 - Clarification items approved by PZC](#)
 - [Exhibit 15 - Current Development Plan](#)
 - [Exhibit 16 - Transportation Study](#)
 - [Exhibit 17 - Water Wastewater Study](#)
 - [Exhibit 18 - Facilities Study](#)
 - [Exhibit 19 - Fiscal Impact Analysis Report \(1\)](#)
 - [Exhibit 20 - Hunter Ranch MPC Redline Updated](#)

- D. [MPC19-0002](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a change in the zoning district from the Mixed-Use Neighborhood (MN) Zoning District and use classification on approximately 35.66 acres of land to Hunter Ranch Master Planned Community (MPC) Zoning District and use classification and from Planned Development (PD) Zoning District on approximately 2.24 acres of land to Hunter Ranch Master Planned Community (MPC) Zoning district and use classification, generally located west of I-35W, between Allred Road and Robson Ranch Road, 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. (MPC19-0002 - Hunter Ranch District Boundary)

- Attachments:**
- [Exhibit 1 - Agenda Information Sheet](#)
 - [Exhibit 2 - Draft Ordinance](#)
 - [Exhibit 3 - Ordinance Exhibit A](#)
 - [Exhibit 4 - Notification Map and Opposition Letters](#)

7. ITEMS FOR INDIVIDUAL CONSIDERATION (CONTINUED)

- A. [ID 20-654](#) Consider adoption of an ordinance of the City of Denton authorizing the execution of an operating agreement with "Cole Ranch Improvement District No. 1 of Denton County, Texas", relative to funding, ownership, maintenance, and repair of public improvements

servicing property located within the “Cole Ranch Improvement District No. 1 of Denton County, Texas” and other related matters; and providing an effective date

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Ordinance and Agreement](#)
[Exhibit 3 - Fiscal Impact Analysis Report](#)
[Exhibit 4 - FIA Stress Scenario Memorandum](#)
[Exhibit 5 - Water and Wastewater Hydraulic Analysis](#)
[Exhibit 6 - Travel Demand Model Report](#)
[Exhibit 7 - Facilities Study](#)

- B.** [ID 20-655](#) Consider adoption of an ordinance of the City of Denton authorizing the execution of a project agreement with SLF II Cole Property, L.P. relative to funding, ownership, maintenance, and repair of public improvements serving property located within the “Cole Ranch Improvement District No. 1 of Denton County, Texas” and other related matters; and providing an effective date (Contract #7331)

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

- C.** [ID 20-656](#) Consider approval of a resolution of the City of Denton, Texas, consenting to the creation of “Cole Ranch Improvement District No. 1 of Denton County, Texas” and the inclusion of land therein; and providing an effective date.

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

- D.** [ID 20-657](#) Consider adoption of an ordinance of the City of Denton authorizing the execution of an operating agreement with “Hunter Ranch Improvement District No. 1 of Denton County, Texas”, relative to funding, ownership, maintenance, and repair of public improvements serving property located within the “Hunter Ranch Improvement District No. 1 of Denton County, Texas” and other related matters; and providing an effective date

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Ordinance and Agreement](#)
[Exhibit 3 - Fiscal Impact Analysis Report](#)
[Exhibit 4 - FIA Stress Scenario Memorandum](#)
[Exhibit 5 - Water and Wastewater Hydraulic Analysis](#)
[Exhibit 6 - Travel Demand Model Report](#)
[Exhibit 7 - Facilities Study](#)

- E.** [ID 20-658](#) Consider adoption of an ordinance of the City of Denton authorizing the execution of a project agreement with Petrus Investment, L.P. relative to funding, ownership, maintenance, and repair of public improvements serving property located within the “Hunter Ranch Improvement District No. 1 of Denton County, Texas” and other related matters; and providing an effective date (Contract #7330).

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

- F. [ID 20-659](#) Consider approval of a resolution of the City of Denton, Texas, consenting to the creation of “Hunter Ranch Improvement District No. 1 of Denton County, Texas” and the inclusion of land therein; and providing an effective date.

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

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 13th day of March, 2020 at 8:16 p.m.

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.