



City of Denton

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

Meeting Agenda

City Council

Tuesday, November 17, 2015

2:00 PM

Work Session Room & Council Chambers

A quorum of the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, November 17, 2015 at 2:00 p.m. at City Hall, 215 E. McKinney Street, Denton, Texas. Council Member Kevin Roden, District 1, will participate by videoconference during the Open Meeting to be held in the City Council Chambers beginning at 6:30 p.m.

The City Council Work Session will be held at 2:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas, at which the following items will be considered:

1. Citizen Comments on Consent Agenda Items

This section of the agenda allows citizens to speak on Consent Agenda Items only. Each speaker will be given a total of three (3) minutes to address any items he/she wishes that are listed on the Consent Agenda. A Request to Speak Card should be completed and returned to the City Secretary before Council considers this item.

2. Requests for clarification of agenda items listed on the agenda for November 17, 2015.

3. Work Session Reports

- A. [ID 15-989](#) Receive a report, hold a discussion, and provide staff direction regarding the City of Denton Solid Waste & Recycling Department proceeding with a proposed multi-year landfill mining capital project.

Attachments: [Exhibit 1- Landfill Mining Presentation](#)

- B. [ID 15-1037](#) Receive a report from DME staff, hold a discussion, and offer staff guidance regarding potential utilization of Gas Insulated technology within DME electric utility substations.

- C. [ID 15-1220](#) Receive a report, hold a discussion, and give staff direction regarding a proposed commercial development on the west side I-35 E, north of Wind River Lane, in south Denton that includes a Buc-ee's Travel center as an anchor and a potential incentive for the project.

Attachments: [Exhibit 1 - Preliminary Staff Report](#)
[Exhibit 2 - Aerial Map](#)
[Exhibit 3 - Zoning Map](#)
[Exhibit 4 - Future Land Use Map](#)
[Exhibit 5 - Preliminary Concept Site Plan](#)
[Exhibit 6 -Preliminary Elevations](#)
[Exhibit 7 - Public Infrastructure Costs](#)

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 15-1035](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff and discuss, deliberate, and provide staff with direction regarding the potential acquisition of real property interests located along both the east and west sides of South Mayhill Road between Spencer Road to the north and Quailcreek and Old Edwards Road to the south in the City of Denton, Denton County, Texas; where discussions had, deliberation, and direction given, by the Denton City Council in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. Consultation with the City's attorneys regarding legal issues associated with the acquisition of the real property interests described above; discussion of these legal matters in an open meeting would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation. [Pockrus to Mayhill Transmission Route]

- B. [ID 15-1178](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff, discuss, deliberate, and provide staff with direction regarding the potential acquisition of real property interests located along the east side of Bernard St. between Eagle Drive to the north and Collins Street to the south, in the City of Denton, Texas; where discussions had, deliberation, and direction given in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. Consultation with the City's attorneys regarding legal issues associated with the acquisition of the real property interests described above; where discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation. [Eagle Substation]

- C. [ID 15-1198](#) Consultation with Attorney's - Under Texas Government Code, Section 551.071.

Consult with the City's attorneys regarding legal issues associated with the revocation of an SUP for Akers Towing where a public discussion of these legal matters would conflict with the duty of the City's attorneys under the Texas

Disciplinary Rules of Professional Conduct of the State Bar of Texas.

- D. [ID 15-1218](#) Deliberations regarding real property under Texas Gov't Code Section 551.072; Consultation with Attorneys under Texas Gov't Code Section 551.071.

Receive information from staff, discuss, deliberate, and provide staff with direction regarding the potential acquisition of real property located at 301 E. McKinney, Denton, Texas where deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. Consultation with the City's attorneys regarding legal issues associated with the acquisition of the real property interests described above where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation.

- E. [ID 15-1219](#) Deliberations regarding Economic Development Negotiations - Under Texas Government Code Section 551.087.

Receive a report and hold a discussion regarding economic development issues regarding a proposed amendment to the economic development program grant agreement between the City of Denton and WGBP Investments, LTD. This discussion shall include commercial and financial information the City Council has received from WGBP Investments, LTD, 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; deliberate the amendment of the economic development program grant agreement between the City of Denton and WGBP Investments, LTD.

- F. [ID 15-1221](#) Deliberations regarding Economic Development Negotiations - Under Texas Government Code Section 551.087.

Receive a report and hold a discussion regarding a proposed economic development program grant agreement between the City of Denton and BUC-EE's, LTD. This discussion shall include commercial and financial information the City Council has received from BUC-EE's, LTD, 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; deliberate the economic development program grant agreement between the City of Denton and BUC-EE's, LTD.

ANY FINAL ACTION, DECISION, OR VOTE ON A MATTER DELIBERATED IN A CLOSED MEETING WILL ONLY BE TAKEN IN AN OPEN MEETING THAT IS HELD IN COMPLIANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551, EXCEPT TO THE EXTENT SUCH FINAL ACTION, DECISION, OR VOTE IS TAKEN IN THE CLOSED MEETING IN ACCORDANCE WITH THE PROVISIONS OF §551.086 OF THE TEXAS GOVERNMENT CODE (THE ‘PUBLIC POWER EXCEPTION’). THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO A CLOSED MEETING OR EXECUTIVE SESSION AS AUTHORIZED BY TEX. GOV’T. CODE, §551.001, ET SEQ. (THE TEXAS OPEN MEETINGS ACT) ON ANY ITEM ON ITS OPEN MEETING AGENDA OR TO RECONVENE IN A CONTINUATION OF THE CLOSED MEETING ON THE CLOSED MEETING ITEMS NOTED ABOVE, IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT, INCLUDING, WITHOUT LIMITATION §551.071-551.086 OF THE TEXAS OPEN MEETINGS ACT.

Following the completion of the Closed Meeting, a quorum of the City Council of the City of Denton, Texas will convene in an Open Meeting in the City Council Chambers. Council Member Kevin Roden, District 1, will participate by videoconference during this Open Meeting.

Regular Meeting of the City of Denton City Council at 6:30 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

1. PLEDGE OF ALLEGIANCE

- A. U.S. Flag
- B. Texas Flag

“Honor the Texas Flag – I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

2. PROCLAMATIONS/PRESENTATIONS

- A. [ID 15-1085](#) Presentation of the National Procurement Institute 2015 Achievement of Excellence in Procurement Award to the City of Denton Materials Management staff.

3. PRESENTATION FROM MEMBERS OF THE PUBLIC

- A. Review of procedures for addressing the City Council.
- B. Receive Scheduled Citizen Reports from Members of the Public.
 - 1. [ID 15-1112](#) Monica Jones regarding Animal Services, Code Enforcement, forged names and grand larceny.
 - 2. [ID 15-1118](#) Christopher Klabunde regarding Johnson’s Backyard Garden Workshare Program and farm update.
 - 3. [ID 15-1119](#) Ryan Crocker regarding farming the City parks - urban farming in Denton.

C. Additional Citizen Reports - This section of the agenda permits any person not registered for a citizen report to make comments regarding public business on items not listed on the agenda. This is limited to four speakers per meeting with each speaker allowed a maximum of four (4) minutes.

4. CONSENT AGENDA

Each of these items is recommended by the Staff and approval thereof will be strictly on the basis of the Staff recommendations. Approval of the Consent Agenda authorizes the City Manager or his designee to implement each item in accordance with the Staff recommendations. The City Council has received background information and has had an opportunity to raise questions regarding these

items prior to consideration.

Listed below are bids, purchase orders, contracts, and other items to be approved under the Consent Agenda (Agenda Items A – JJ). This listing is provided on the Consent Agenda to allow Council Members to discuss or withdraw an item prior to approval of the Consent Agenda. If no items are pulled, Consent Agenda Items A – JJ below will be approved with one motion. If items are pulled for separate discussion, they may be considered as the first items following approval of the Consent Agenda.

- A. [ID 15-848](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a purchase order through The Interlocal Purchasing System (TIPS) Cooperative Purchasing Program Contract#02042315 for the partial replacement of the roof at the City of Denton Civic Center by way of an Interlocal Agreement with the City of Denton; and providing an effective date (File 5923-awarded to CBS Mechanical, Inc. in the amount of \$153,308).

Attachments: [Exhibit 1-Comparison](#)
 [Exhibit 2-Quote from CBS Mechanical](#)
 [Exhibit 3-Ordinance](#)
 [Exhibit 4-Contract](#)

- B. [ID 15-974](#) Consider approval of a resolution supporting the tax credit application to the Texas Department of Housing and Community Affairs (TDHCA) for the McKinney Denton Apartments Project; and providing for an effective date.

Attachments: [Exhibit 1 - Resolution](#)

- C. [ID 15-1022](#) Consider adoption of an ordinance amending Chapter 23 of the City of Denton Code of Ordinances by adding Article V “Non-Consent Towing;” providing a severability clause; providing a savings clause; providing for a penalty not to exceed \$500 for violations of this ordinance; and providing an effective date.

Attachments: [Exhibit 1 Ordinance](#)

- D. [ID 15-1023](#) Consider adoption of an ordinance of the City of Denton, Texas, establishing fees for non-consent towing within the City of Denton pursuant to Chapter 23, Article V of the Code of Ordinances of the City of Denton, Texas, titled Non-Consent Towing; providing that a schedule of fees shall be maintained on file in the Office of the City Secretary; providing a savings clause; providing a severability clause; and providing an effective date.

Attachments: [Exhibit 1 Ordinance](#)

- E. [ID 15-1044](#) Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton, Texas and the Children’s Advocacy Center for Denton County, incorporated for providing aid to the City of Denton Police Department in the investigation of child abuse cases; providing client and clinical services to victims of child abuse and non-offending family members; providing for the expenditure of funds in the amount of \$105,891.00 therefor; and providing for an effective date.

Attachments: [Exhibit 1 Ordinance and Contract](#)

- F. [ID 15-1081](#) Consider adoption of an ordinance authorizing the City Manager to execute an

agreement between the City of Denton and the Denton Air Fair, Inc. (PY2016) providing for the payment and use of hotel tax revenue; and providing an effective date. (\$11,290 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 - Ordinance](#)

- G. [ID 15-1082](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Black Chamber of Commerce (PY2016) providing for the payment and use of hotel tax revenue; and providing an effective date. (\$16,572 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 - Ordinance](#)

- H. [ID 15-1083](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Community Market, Inc. (PY2016) providing for the payment and use of hotel tax revenue; and providing an effective date. (\$10,500 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 - Ordinance](#)

- I. [ID 15-1084](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Community Theatre, Inc. (PY2016) providing for the payment and use of hotel tax revenue; and providing an effective date. (\$25,000 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 - Ordinance](#)

- J. [ID 15-1089](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Chamber of Commerce (Convention and Visitors Bureau) (PY2016) providing for the payment and use of hotel tax revenue; and providing an effective date. (\$1,117,395 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 - Ordinance](#)

- K. [ID 15-1090](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Denton County, Texas (Denton County Office of History and Culture) (PY2016) providing for the payment and use of hotel tax revenue; and providing an effective date. (\$150,000 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 - Ordinance](#)

- L. [ID 15-1091](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Denton Dog Days, Inc. (PY2016) providing for the payment and use of hotel tax revenue; and providing an effective date. (\$16,086 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 - Ordinance](#)

- M. [ID 15-1092](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Festival Foundation

(PY2016) providing for the payment and use of hotel tax revenue; and providing an effective date. (\$91,309 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 - Ordinance](#)

- N. [ID 15-1093](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Greater Denton Arts Council (PY2016) providing for the payment and use of hotel tax revenue; and providing an effective date. (\$129,852 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 - Ordinance](#)

- O. [ID 15-1094](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Holiday Festival Association, Inc. (PY2016) providing for the payment and use of hotel tax revenue; and providing an effective date. (\$7,700 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 - Ordinance](#)

- P. [ID 15-1096](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Central Business District Association, Inc., d/b/a Denton Main Street Association (PY2016) providing for the payment and use of hotel tax revenue; and providing an effective date. (\$25,369 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 - Ordinance](#)

- Q. [ID 15-1097](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the North Texas State Fair Association (PY2016) providing for the payment and use of hotel tax revenue; and providing an effective date. (\$125,000 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 - Ordinance](#)

- R. [ID 15-1098](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Tejas Storytelling Association, Inc. (PY2016) for the payment and use of hotel tax revenue; and providing an effective date. (\$52,747 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 - Ordinance](#)

- S. [ID 15-1099](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Texas Filmmakers' Corporation (PY2016) providing for the payment and use of hotel tax revenue; and providing an effective date. (\$8,269 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 - Ordinance](#)

- T. [ID 15-1100](#) Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Kiwanis Club of Denton, Breakfast

(Turkey Roll Bicycle Rally) (PY2016) providing for the payment and use of hotel tax revenue; and providing an effective date. (\$4,850 - Hotel Occupancy Tax Committee recommends approval 3-0)

Attachments: [Exhibit 1 - Ordinance](#)

- U. [ID 15-1130](#) Consider approval of a resolution to the City Council of the City of Denton, Texas authorizing the filing and acceptance of a contract with the Solid Waste & Recycling Department (SW&R) and Mill Branch, LLC, for the SW&R to purchase mitigation credits to offset impacts to the Waters of the United States in accordance with the U.S. Army Corps of Engineers Section 404 permit and the Texas Commission on Environmental Section 401 certification requirements, in the preparation, development and submittal of a permit application for lateral expansion and associated services pertaining to the City of Denton Landfill (MSW Permit #1590a); authorizing the expenditure of funds in the stated amount of \$249,690, and providing an effective date.

Attachments: [Exhibit-1 US Army Corp of Engineers Public Notice](#)
[Exhibit-2 Mill Branch LLC Sales Agreement](#)
[Exhibit-3 Resolution](#)

- V. [ID 15-1136](#) Consider adoption of an ordinance of the City Council of Denton, Texas, authorizing the City Manager to execute the “Utility Adjustment Agreement Amendment (UAAA) No. 002 to Agreement No. 35E-U-0503” to the original “Project Utility Adjustment Agreement” in the amount of \$1,627,185.71; facilitating and authorizing water and wastewater line relocations for the Interstate Highway 35E project, in substantial conformity with the previously executed Texas Department of Transportation agreements with the Developer, AGL Constructors, which is a consortium composed of Archer Western Contractors, LLC, Granite Construction Co. and Lane Construction company; and the Texas Department of Transportation; authorizing the expenditure of funds therefor; and providing an effective date. The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1 - Ordinance](#)
[Exhibit 2 - Utility Adjustment Agreement Amendment](#)

- W. [ID 15-1149](#) Consider approval of the minutes of September 1, September 15, October 5, October 6, October 13, and October 20, 2015.

Attachments: [Exhibit 1 - September 1, 2015 AM Minutes](#)
[Exhibit 2 - September 1, 2015 PM Minutes](#)
[Exhibit 3 - September 15, 2015 Minutes](#)
[Exhibit 4 - October 5, 2015 Minutes](#)
[Exhibit 5 - October 6, 2015 Minutes](#)
[Exhibit 6 - October 13, 2015 Minutes](#)
[Exhibit 7 - October 20, 2015 Minutes](#)

- X. [ID 15-1152](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract through the Buy Board Cooperative Purchasing Network for the acquisition of a motor grader, roller, and backhoe for

the City of Denton Street Department; and providing an effective date (File 5981-awarded to Holt CAT in the amount of \$435,717.29).

Attachments: [Exhibit 1-Comparison and Quotes](#)
 [Exhibit 2-Standardization Memo](#)
 [Exhibit 3-Ordinance](#)

- Y. [ID 15-1153](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program for the acquisition of two (2) Pierce Velocity Pumper Fire Engines for the City of Denton Fire Department; and providing an effective date (File 5987-awarded to Siddons-Martin Emergency Group, LLC in the amount of \$1,180,082).

Attachments: [Exhibit 1-Authorized Dealer Letter](#)
 [Exhibit 2- Comparison and Quotes](#)
 [Exhibit 3-Ordinance](#)

- Z. [ID 15-1154](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract through the Buy Board Cooperative Purchasing Network for the acquisition of two (2) flushing trucks for the City of Denton Wastewater Collections Department; and providing an effective date (File 5988-awarded to Rush Truck Center in the amount of \$486,061.25). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1-Flushing Truck Comparison and Quotes](#)
 [Exhibit 2-Hotshot Truck Comparison and Quotes](#)
 [Exhibit 3-Peterbilt Standardization](#)
 [Exhibit 4-Public Utilities Board Minutes](#)
 [Exhibit 5-Ordinance](#)

- AA. [ID 15-1155](#) Consider adoption of an ordinance ratifying the expenditure of funds by the City Manager for the emergency purchase and installation of a twenty (20) ton heating, ventilation and air conditioning (HVAC) unit to provide cooling for critical Denton Municipal Electric and Technology Services operations and in accordance with provisions of Section 252.022 of the Local Government Code exempting such purchases from requirements of competitive bidding; and providing an effective date (File 5984-awarded to Tech Plan, Inc. in the amount of \$62,690).

Attachments: [Exhibit 1-Quote](#)
 [Exhibit 2- Declaration of Emergency Form](#)
 [Exhibit 3-Ordinance](#)

- BB. [ID 15-1156](#) Consider adoption of an ordinance of the City Council of the City of Denton, Texas, authorizing the City Manager to execute a professional services agreement for engineering and right-of-way acquisition services associated with the City of Denton FM 2181 Utility Relocations Project; providing for the expenditure of funds therefor; and providing an effective date (File 5973-awarded to Freese and Nichols, Inc. in an amount not-to-exceed \$1,072,977). The Public Utilities Board

recommends approval (6-0).

Attachments: [Exhibit 1-PUB Draft Minutes](#)
 [Exhibit 2-Ordinance](#)
 [Exhibit 3-Contract](#)

- CC. [ID 15-1157](#) Consider adoption of an ordinance accepting competitive proposals and awarding a public works contract for the construction of the Mayhill Road Utility Improvements for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 5911-awarded to Canary Construction, Inc. in the amount of \$114,442). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1-Pricing and Evaluation Sheet](#)
 [Exhibit 2-Public Utilities Board Minutes](#)
 [Exhibit 3-Ordinance](#)

- DD. [ID 15-1158](#) Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving the purchase of four (4) side load and two (2) front load refuse truck bodies for the City of Solid Waste Department, which are available from only one source and in accordance with Chapter 252.022 of the Texas Local Government Code such purchases are exempt from the requirements of competitive bidding; and providing an effective date (File 5978-awarded to DaDee Manufacturing, LLC in the amount of \$794,156.92). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1-Comparison and Quotes](#)
 [Exhibit 2-Standardization Memo](#)
 [Exhibit 3-Sole Source Letter](#)
 [Exhibit 4-Public Utilities Board Minutes](#)
 [Exhibit 5-Ordinance](#)

- EE. [ID 15-1160](#) Consider approval of a resolution of the City of Denton, Texas affirming its support of the Texas Department of Transportation's planned widening of FM-426, (McKinney Street) at the earliest opportunity; and providing an effective date. The Mobility Committee recommends approval (3-0).

Attachments: [Exhibit 1 RTC Letter](#)
 [Exhibit 2 Resolution](#)

- FF. [ID 15-1161](#) Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving the purchase of one (1) rear load refuse truck body for the City of Solid Waste Department, which is available from only one source and in accordance with Chapter 252.022 of the Texas Local Government Code such purchases are exempt from the requirements of competitive bidding; and providing an effective date (File 5979-awarded to McNeilus Truck and Manufacturing Co. in the amount of \$78,148). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1-Comparison and Quotes](#)
[Exhibit 2-Standardization Memo](#)
[Exhibit 3--Sole Distributor Letter](#)
[Exhibit 4- Public Utilities Board Minutes](#)
[Exhibit 5-Ordinance](#)

- GG. [ID 15-1163](#)** Consider adoption of an ordinance accepting competitive proposals and awarding a contract for purchase and installation of trees for the City of Denton parks, medians, right-of-ways, public buildings, and other City departments, as needed; providing for the expenditure of funds therefore; and providing an effective date (RFP 5933-awarded to Fannin Tree Farm Sales, LLC in the (3) year not-to-exceed amount of \$450,000).

Attachments: [Exhibit 1-Evaluation and Ranking Sheet Redacted](#)
[Exhibit 2-Ordinance](#)
[Exhibit 3-Contract](#)

- HH. [ID 15-1169](#)** Consider adoption of an ordinance of the City of Denton, Texas authorizing the approval of a 2nd Amendment to a contract with Ultimate CNG, LLC. for the purchase of temporary mobile compressed natural gas (CNG); providing for the expenditure of funds therefor; and providing an effective date (File 5464-providing for an additional expenditure amount of \$1,300,000 with the total contract amount not-to-exceed 1,895,000). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1-Staff Memo](#)
[Exhibit 2-Public Utilities Board Minutes](#)
[Exhibit 3-Ordinance](#)
[Exhibit 4-Second Amendment Contract](#)

- II. [ID 15-1170](#)** Consider adoption of an ordinance accepting competitive proposals and awarding a contract for Concrete Crushing Services for the City of Denton Solid Waste Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 5910-awarded to Big City Crushed Concrete in the three (3) year not-to-exceed amount of \$300,000). The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1-Pricing and Evaluation Sheet](#)
[Exhibit 2-PUB Draft Minutes](#)
[Exhibit 3-Ordinance](#)
[Exhibit 4-Contract](#)

- JJ. [ID 15-1215](#)** Consider adoption of an ordinance of the City of Denton, Texas approving and authorizing the city manager, or his designee, to execute an agreement between the City of Denton, Denton Independent School District (“DISD”) and Zayo Group, LLC (“Zayo”) to allow Zayo access to the City’s Right-of-Way where DISD fiber conduit is located for the limited purpose of inspecting and proofing DISD conduit and indemnifying and holding the City harmless; and declaring an effective date.

Attachments: [Exhibit 1 Ordinance and Agreement](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 15-1159](#) Consider approval of a resolution creating an ad hoc City Council Committee to consider and review operations, procedures, policies, regulations and naming of the City of Denton Community Event Center to be located at 121 Exposition Street, Denton, Texas and to advise the City Council with regard to these matters; and providing an effective date.

Attachments: [Exhibit 1 Resolution Community Event Center](#)

- B. [ID 15-1135](#) Consider nominations/appointments to the City's Boards, Commissions, and Council Committees: Parks, Recreation, and Beautification Board; Traffic Safety Commission; and City of Denton Community Event Center Committee.

6. PUBLIC HEARINGS

- A. [Z15-0015a](#) Hold a public hearing and consider a rezoning of approximately 15.02 acres from Planned Development District 12 (PD-12) to a Regional Center Commercial Downtown (RCC-D) District. The subject property is generally located on the south side of South Interstate 35 East, approximately 2,100 feet northwest of Post Oak Drive. The Planning and Zoning Commission recommends approval of this request (7-0).

Attachments: [Exhibit 1-Staff Analysis](#)
[Exhibit 2-Aerial Map](#)
[Exhibit 3-Zoning Map](#)
[Exhibit 4-Future Land Use Map](#)
[Exhibit 5-RCC-D Permitted Uses](#)
[Exhibit 6-PD-12 Commercial Permitted Uses](#)
[Exhibit 7-PD-12 Commercial General Regulations](#)
[Exhibit 8-Applicant Narrative](#)
[Exhibit 9-Public Notification Map](#)
[Exhibit 10-October 7, 2015 Planning & Zoning Commission Meeting Minutes](#)
[Exhibit 11-Draft Ordinance](#)

- B. [Z15-0024a](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a change in the zoning classification from a Neighborhood Residential Mixed Use (NRMU) District and use classification to a Neighborhood Residential 4 (NR-4) District and use classification on approximately 20.0 acres. The subject property is generally located on the south side of East McKinney Street (FM426), approximately 2,330 feet east of Orr Road, in the City of Denton, Denton County, Texas. The Planning and Zoning Commission recommended approval of this request (7-0).

Attachments: [Exhibit 1-Staff Analysis](#)
[Exhibit 2-Site Location-Aerial Map](#)
[Exhibit 3-Zoning Map](#)
[Exhibit 4-Future Land Use Map](#)
[Exhibit 5-Permitted Uses NRMU](#)
[Exhibit 6-Permitted Uses NR-4](#)
[Exhibit 7-Public Notification Map and Responses](#)
[Exhibit 8-October 7, 2015, Planning and Zoning Commission Meeting Minutes](#)
[Exhibit 9-Draft Ordinance](#)

- C. [ID 15-1115](#) Hold a public hearing and consider adoption of an ordinance granting approval, in accordance with Chapter 26 of the Texas Parks and Wildlife Code, of the non-park use of a part of Bowling Green Park for the purpose of installing and maintaining a detention pond outfall for the Fireside Development Project; providing for a notice by the City of Denton, Texas, of non-park use for installation and maintenance of a detention pond outfall and reservation of drainage easement in the event of sale of park; and providing an effective date. The Parks, Recreation and Beautification Board recommends approval (5-0).

Attachments: [Exhibit 1 - Excerpt of Park and Recreation Board Minutes 9-14-15](#)
[Exhibit 2 - Legal Description and Survey](#)
[Exhibit 3 - Chapter 26 Legal Ad Notification Fireside](#)
[Exhibit 4 - Ordinance Bowling Green Park - Fireside Development Project - Ch](#)

- D. [Z15-0025a](#) Hold a public hearing and consider adoption of an ordinance regarding a rezoning of approximately 15.811 acres from of a Regional Center Commercial Neighborhood (RCC-N) District to an Employment Center Commercial (EC-C) District. The subject property is generally located on the southwest corner of N I-35 and Barthold Road. The Planning and Zoning Commission recommends approval of the request (7-0).

Attachments: [Exhibit 1-Staff Analysis](#)
[Exhibit 2-Aerial Map](#)
[Exhibit 3-Zoning Map](#)
[Exhibit 4-Future Land Use Map](#)
[Exhibit 5-RCC-N Permitted Uses](#)
[Exhibit 6-EC-C Permitted Uses](#)
[Exhibit 7-Applicant Narrative](#)
[Exhibit 8-Public Notification Map and Responses](#)
[Exhibit 9-October 7, 2015 Planning & Zoning Commission Meeting Minutes](#)
[Exhibit 10-Draft Ordinance](#)

- E. [ID 15-1073](#) Hold a public hearing and consider an ordinance revoking a Specific Use Permit dated August 5, 2014, allowing a wrecker service and impound lot on property located in an Employment Center Industrial (EC-I) zoning and land use district on

approximately 1.3 acres, generally located south of Smith Street, east of Dallas Drive, and north of Teasley Lane; and providing an effective date.

- Attachments:**
- [Exhibit 1-Ordinance 2014-240](#)
 - [Exhibit 2-Akers Towing Timeline](#)
 - [Exhibit 3-Akers Towing Letter dated August 24, 2015](#)
 - [Exhibit 4-Informal Staff Report No. 2014-087](#)
 - [Exhibit 5-Draft Ordinance](#)

7. PRESENTATION FROM MEMBERS OF THE PUBLIC

- A. Review of procedures for addressing the City Council.
 - B. Receive Scheduled Citizen Reports from Members of the Public.
1. [ID 15-1107](#) Willie Hudspeth regarding City Hall.

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.

CERTIFICATE

I certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Denton, Texas, on the _____ day of _____, 2015 at _____ o'clock (a.m.) (p.m.)

CITY SECRETARY

NOTE: THE CITY OF DENTON CITY COUNCIL WORK SESSION ROOM / COUNCIL CHAMBERS IS ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT A SIGN LANGUAGE INTERPRETER CAN BE SCHEDULED THROUGH THE CITY SECRETARY'S OFFICE.