



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
[www.cityofdenton.com](http://www.cityofdenton.com)

## Meeting Agenda

### City Council

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Tuesday, November 18, 2014

1:00 PM

Work Session Room & Council Chambers

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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 18, 2014 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:

#### **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 18, 2014.**

#### **3. Work Session Reports**

- A. [CA11-0004b](#) Receive a report, hold a discussion, and give staff direction regarding the update to the City of Denton's Comprehensive Plan.

Attachments: [Exhibit 1-Final Draft Comprehensive Plan](#)  
[Exhibit 2-Draft Action Plan](#)  
[Exhibit 3-Staff and Planning and Zoning Commission Conditions](#)

- B. [ID 14-0718](#) Receive a report, hold a discussion and provide direction regarding a proposed ordinance defining compact cars and establishing back-in only parking along Hickory Street.

Attachments: [Exhibit 1 - Site Map](#)  
[Exhibit 2 - Aerial Site Map Back In & Parallel](#)  
[Exhibit 3 - Aerial Site Map - Compact Parking](#)  
[Exhibit 4 - Ordinance 93-109](#)  
[Exhibit 5 - Photo Violation](#)  
[Exhibit 6 - Aerial Site Map - 2 Hour Parking](#)

- C. [ID 14-0730](#) Receive a report, hold a discussion and give staff direction regarding the 2015 State Legislative Program of the City of Denton for the 84th Texas Legislature, including key legislative issues and strategies.

Attachments: [Exhibit1-Denton State Legislative Program 2015](#)  
[Exhibit 2-Legislative Program Resolution \(2015\)](#)

- D. [ID 14-0744](#) Receive a report, hold a discussion, and give staff direction regarding the City of Denton Solid Waste Department purchasing approximately 91.4 acres of land from the City of Denton Wastewater Department to be utilized for the expansion of the

Municipal Solid Waste Facility.

**Attachments:**      [Exhibit 1 SW Property Purchase from WW - 11 18 14](#)

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 14-0743](#) Consultation with Attorneys - Under Texas Government Code, Section 551.071; and Deliberations Regarding Real Property - Under Texas Government Code, Section 551.072.

Receive information from staff pertaining to the acquisition of real property interests related to the proposed expansion and reconstruction of Locust Substation generally located South East of Fort Worth Drive & West Collins Street, in the City of Denton, Denton County, Texas. Consultation with the City's attorneys regarding legal issues associated with the potential acquisition and/or condemnation of parcels of real property near the aforementioned location and more particularly described as: a 2.112 acre tract of land situated in the Alexander Hill Survey, Abstract No. 623, City of Denton, Denton County, Texas and Lot 1, Block A of Garcia Addition, an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in document No. 2009-168 of the plat records of Denton, County, Texas where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and 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. [14-0740; 14-0742]

- B. [ID 14-0568](#) Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Consult with and provide direction to City's attorneys regarding legal issues and strategies associated with Gas Well Ordinance regulation of gas well drilling and production within the City Limits and the extraterritorial jurisdiction, including: Constitutional limitations, statutory limitations upon municipal regulatory authority; statutory preemption and vested rights; impacts of federal and state law and regulations; impacts of gas well drilling upon protected uses and vice-versa; moratorium on drilling and production; other concerns about municipal regulatory authority or matters relating to enforcement of the Gas Well Ordinance; settlement matters concerning gas well drilling in the City; surface development issues involving surface and mineral estates; and legal matters associated with a citizen's initiative regarding hydraulic fracturing 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.

- C. [ID 14-0731](#) Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 51.086; and Consultation with Attorneys - Under Texas Government

Code Section 551.071.

Receive a further briefing and presentation from Denton Municipal Electric (“DME”) staff regarding certain public power competitive, financial and commercial information relating to issues regarding a proposed term sheet pertaining to a high voltage direct current (HVDC) interconnection that would allow renewable energy and other electric power products to be transferred between the ERCOT grid and other energy grids. Consultation with the City’s attorneys regarding legal issues associated with the proposed term sheet and the implementation of the HVDC interconnection 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. Discuss, deliberate, provide staff with direction and consider a final recommendation regarding the term sheet.

**D. [ID 14-0754](#) Consultation with Attorneys - Under Texas Government Code, Section 551.071**

Consult with and provide direction to City’s attorneys regarding potential litigation and legal issues associated with the City’s sign code and sign regulations, where a public discussion of such 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.

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

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

**1. PLEDGE OF ALLEGIANCE**

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

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

**2. PROCLAMATIONS/PRESENTATIONS**

- A. [ID 14-0576](#) Achievement of Excellence in Procurement Award for 2014

### **3. CITIZEN REPORTS**

- A. Review of procedures for addressing the City Council.
- B. Receive citizen reports from the following:

### **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 – W). 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 – W 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 14-0678](#) Consider adoption of an ordinance authorizing the City Manager, or his designee, to execute on behalf of the City of Denton an acceptance of an offer from the Texas Department of Transportation (TxDOT) relating to a grant for the Routine Airport Maintenance Program (RAMP); authorizing the City Manager to expend funds provided for in the grant program; and declaring an effective date. (CSJ No. M1518DNT0). The Airport Advisory Board recommends approval (7-0).

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

- B. [ID 14-0695](#) Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving a contract with Grant Thornton LLP to perform a JD Edwards (JDE) software application upgrade from version 9.0 to 9.1 and Tools Upgrade from 9.1.3 to 9.1.4, providing for the expenditure of funds therefor; and providing an effective date (RFP 5575-awarded to Grant Thornton LLP in the amount not to exceed \$437,500).

**Attachments:**      [Exhibit 1-Evaluation](#)

[Exhibit 2-Ordinance](#)

[Exhibit 3-Contract](#)

- C. [ID 14-0697](#) Consider approval of a resolution revising Administrative Policy No. 403.07 “Debt Service Management” and providing for an effective date. The Audit/Finance Committee recommends approval (3-0).

**Attachments:**      [Exhibit 1 - Debt Policy \(Red-Lined\)](#)

[Exhibit 2 - Debt Summary Report 15-44](#)

[Exhibit 3 - Debt Policy Resolution](#)

- D. [ID 14-0698](#) Consider approval of a resolution reviewing and adopting revisions to the Investment Policy regarding funds for the City of Denton; and providing an effective date. The Audit/Finance Committee recommends approval (3-0).

Attachments:      [Exhibit 1 - Redlined FY 2014-15 Investment Policy](#)  
[Exhibit 2 - GTOT Letter & Certificate of Distinction](#)  
[Exhibit 3 - Resolution](#)

- E. [ID 14-0723](#) Consider adoption of an ordinance authorizing the City Manager or his designee to execute a purchase order through the Buy Board Cooperative Purchasing Network for the acquisition of one (1) sewer truck, eight (8) refuse truck chassis, two (2) dump trucks, and one (1) rear load refuse body for various City departments; and providing an effective date (File 5680-awarded to Rush Truck Center in the amount of \$319,632.17, Rush Truck Center, Crane in the amount of \$1,672,248.00, and McNeilus Truck and Manufacturing Co. in the amount of \$78,411.00). The Public Utilities Board recommends approval (6-0).

Attachments:      [Exhibit 1-Vehicle List](#)  
[Exhibit 2-Comparison for Sewer Truck](#)  
[Exhibit 3-Peterbilt Quotes](#)  
[Exhibit 4-Peterbilt Standardization](#)  
[Exhibit 5-McNeilus Quote](#)  
[Exhibit 6-McNeilus Standardization Memo](#)  
[Exhibit 7-PUB Minutes](#)  
[Exhibit 8-5680 Ordinance](#)

- F. [ID 14-0724](#) 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 five (5) refuse bodies for the Solid Waste Department; and providing an effective date (File 5685- awarded to DaDee Manufacturing, LLC in the amount of \$687,181.10). The Public Utilities Board recommends approval (6-0).

Attachments:      [Exhibit 1-Dadee Quotes](#)  
[Exhibit 2-Memo](#)  
[Exhibit 3-PUB Minutes](#)  
[Exhibit 4-Ordinance](#)

- G. [ID 14-0725](#) Consider adoption of an ordinance accepting competitive proposals and awarding a public works contract for Electric Overhead Transmission Line Construction and Maintenance Services for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 5578C-awarded to Chapman Construction Co., L.P. in the five (5) year not-to-exceed amount of \$52,700,000). The Public Utilities Board recommends approval (6-0).

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

- H. [ID 14-0726](#) Consider adoption of an ordinance of the City of Denton, Texas providing for,

authorizing, and approving six (6) Altec bucket trucks for Denton Municipal Electric, 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 5679-awarded to Altec Industries, Inc. in the not-to-exceed amount of \$1,271,011). The Public Utilities Board recommends approval (6-0).

**Attachments:** [Exhibit 1-AT40M Quote](#)

[Exhibit 2-AH125 Quote](#)

[Exhibit 3-Memo](#)

[Exhibit 4-PUB Minutes](#)

[Exhibit 5-Ordinance](#)

- I. [ID 14-0728](#) Consider adoption of an ordinance accepting competitive proposals and awarding a contract for tree trimming services for the City of Denton Parks department and other City departments as needed; providing for the expenditure of funds therefore; and providing an effective date (RFP 5577-awarded to Elite Tree Commercial, LLC in the three (3) year not-to-exceed amount of \$300,000).

**Attachments:** [Exhibit 1-Evaluation and Ranking Sheet](#)

[Exhibit 2-Ordinance](#)

[Exhibit 3-Contract](#)

- J. [ID 14-0733](#) Consider adoption of an ordinance authorizing the City Manager, or his designee, to enter into an Interlocal Agreement with the North Central Texas Council of Governments for the cooperative purchasing of actuarial shared services associated with other post-employment benefits as defined by Governmental Accounting Standards Board (GASB) Statement Number 45; and providing an effective date.

**Attachments:** [Exhibit 1 - NCTCOG Interlocal Agreement](#)

[Exhibit 2 - GRS Master Agreement](#)

[Exhibit 3 - Ordinance](#)

- K. [ID 14-0737](#) Consider adoption of an ordinance of the City of Denton, Texas, amending the provisions of Chapter 18 relating to Motor Vehicles and Traffic by repealing Section II of ordinance No. 93-109 which provides for a different definition of “compact vehicle” than the definition adopted by this ordinance; by amending Section 18-1 “Definitions” to add a definition for “Compact Motor Vehicle”; by adding Section 18-91.52 establishing additional parking regulations regarding parking in spaces designated for compact vehicles only; by adding Section 18-91.53 requiring that all vehicles park within designated parking spaces; by adding Section 18-91.54 establishing Back-In Only parking spaces; providing a savings clause, providing for a penalty not to exceed \$500 for violations of this ordinance, and providing for an effective date. Traffic Safety Commission recommends approval (4-0).

**Attachments:**      [Exhibit 1 - Draft Ordinance - Hickory Back in](#)  
[Exhibit 2 - Rendering - Hickory Back in](#)  
[Exhibit 3 - Site Map - Hickory Back in](#)  
[Exhibit 4 - Aerial Site Map Back In & Parallel](#)  
[Exhibit 5 - Compact Parking](#)  
[Exhibit 6 - Photo Violation](#)  
[Exhibit 7 - Ordinance 93-109](#)  
[Exhibit 8 - Draft Traffic Safety Minutes](#)

- L.    [ID 14-0739](#)    Consider adoption of an ordinance of the City of Denton, Texas, authorizing the execution of a First Amendment to the Easement Purchase Agreement, between the City of Denton (“City”) and Mahogany Run Investments, L.P. (“Owner”), dated February 5, 2013, to provide for the reimbursement to Owner of \$27,051.58, as more particularly described therein; authorizing the expenditure of funds therefore; and providing an effective date. (State School Sanitary Sewer Interceptor Project - Phase II - Parcel 4)

**Attachments:**      [Exhibit 1-Location Map-State School Interceptor](#)  
[Exhibit 2-Site Map-State School Interceptor](#)  
[Exhibit 3-Exhibit-State School Interceptor - Funding Sheet](#)  
[Exhibit 4-Ordinance - Mahogany Run](#)

- M.    [ID 14-0750](#)    Consider adoption of an ordinance authorizing the City Manager to execute a contract through the Interlocal Purchasing System (TIPS) Program Contract #2042414 for the replacement of the Emily Fowler Library roof; and providing an effective date (File 5689-awarded to CBS Roofing Services in the amount of \$399,740).

**Attachments:**      [Exhibit 1-Proposal](#)  
[Exhibit 2-TIPS Contract](#)  
[Exhibit 3-Ordinance](#)

- N.    [ID 14-0751](#)    Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving the expenditure of funds for the purchase of one (1) dry-pit submersible pump from DXP Enterprises, Inc., which is available from only one source and in accordance with the pertinent provisions of 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 5296-Purchase of Submersible Pump for Pecan Creek Water Reclamation Plant in the amount of \$69,570). The Public Utilities Board recommends approval (6-0).

**Attachments:**      [Exhibit 1-Proposal](#)  
[Exhibit 2-Sole Source Letter](#)  
[Exhibit 3-PUB Minutes](#)  
[Exhibit 4-Ordinance](#)

- O.    [ID 14-0752](#)    Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the supply of materials to construct seven (7) aircraft hangars for the



Taxilane Quebec Hangar Project at Denton Enterprise Airport; providing for the expenditure of funds therefore; and providing an effective date (RFP 5574-awarded to Erect-A-Tube, Inc. in the not-to-exceed amount of \$614,838).

**Attachments:**     [Exhibit 1-Evaluation and BAFO Sheet](#)  
                              [Exhibit 2-Ordinance](#)

- P.    [ID 14-0753](#)    Consider adoption of an ordinance of the City of Denton, Texas authorizing the approval of an extension to a Professional Legal Services Agreement by and between Cole Schotz, P.A. and the City of Denton, Texas; providing for the expenditure of funds; and providing an effective date (File 5380-in the amount of \$125,000 for a total contract amount of \$200,000). The Public Utilities Board recommends approval (6-0).

**Attachments:**     [Exhibit 1-PUB Minutes](#)  
                              [Exhibit 2-Ordinance](#)  
                              [Exhibit 3-Amendment](#)

- Q.    [ID 14-0759](#)    Consider approval of the minutes of August 19, 2014; September 2, 2014; September 4, 2014; September 9, 2014; September 11, 2014; and September 16, 2014.

**Attachments:**     [Exhibit 1 August 19, 2014 Minutes](#)  
                              [Exhibit 2 September 2, 2014 Minutes](#)  
                              [Exhibit 3 September 4, 2014 Minutes](#)  
                              [Exhibit 4 September 9, 2014 Minutes](#)  
                              [Exhibit 5 September 11, 2014 Minutes](#)  
                              [Exhibit 6 September 16, 2014 Minutes](#)

- R.    [ID 14-0740](#)    Consider adoption of an ordinance that a public use and necessity exists to acquire fee title to a 2.484 acre tract situated in the Alexander Hill Survey, Abstract No. 623, located in the City of Denton, Denton County, Texas, and more particularly described on Exhibit "A" and located generally in the 200 block of Collins St. ("Property Interest"), for the public use of expansion, construction, maintenance, operation, and improvement of electric transmission and distribution lines, facilities, and structures, including substations and switch stations; authorizing the City Manager, or his designee, to make an initial offer to Tomasa L. Garcia ("Owner") to purchase fee title in and to the property interest for the price of Three Hundred Seventy Eight Thousand Seven Hundred and Eleven Dollars and no cents (\$378,711.00), and other consideration, as set forth in the contract of sale attached as Exhibit "B"; authorizing the expenditure of funds; and providing and effective date.

**Attachments:**     [Exhibit 1-Survey](#)  
                              [Exhibit 2-Contract of Sale](#)  
                              [Exhibit 3-Ordinance](#)  
                              [Exhibit 4-Map](#)  
                              [Exhibit 5-Letter](#)



- S. [ID 14-0742](#) Consider adoption of an ordinance finding that a public use and necessity exists to acquire fee title to a 2.112 acre tract situated in the Alexander Hill Survey, Abstract No. 623, located in the City of Denton, Denton County, Texas, and more particularly described on Exhibit "A" and located generally in the 1200 block of S. Locust St. ("Property Interest"), for the public use of expansion, construction, maintenance, operation, and improvement of electrical transmission and distribution lines, facilities, and structures, including substations and switch stations; authorizing the city manager, or his designee, to make and initial offer to Richard Woods ("Owner") to purchase fee title in and to the property interest for the price of Four Hundred Ninety Six Thousand Eight Hundred Eighty Eight Dollars and no cents (\$496,888.00), and other consideration, as set forth in the contract of sale attached as Exhibit "B"; authorizing the expenditure of funds; and providing an effective date.

**Attachments:**      [Exhibit 1-Survey](#)  
                                 [Exhibit 2-Contract of Sale](#)  
                                 [Exhibit 3-Ordinance](#)  
                                 [Exhibit 4-Aerial Map](#)  
                                 [Exhibit 5-Initial Offer Letter](#)

- T. [ID 14-0760](#) 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 commercial refuse and recycling compactors for the City of Denton Solid Waste Department; and providing an effective date (File 5640-awarded to Wastequip in the three (3) year not-to-exceed amount of \$300,000). The Public Utilities Board recommends approval (6-0).

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

- U. [ID 14-0761](#) Consider adoption of an ordinance of the City of Denton, Texas authorizing the approval of an Amended Professional Legal Services Agreement incident to power purchasing and related activities, by and between David A. Portz, P.C. and the City of Denton, Texas; providing for retroactive approval thereof; providing for the expenditure of funds; and providing an effective date (File 5554 in the amount of \$50,000 for a total contract amount not-to-exceed \$125,000). The Public Utilities Board recommends approval (6-0).

**Attachments:**      [Exhibit 1-PUB Minutes](#)  
                                 [Exhibit 2-Ordinance](#)  
                                 [Exhibit 3-Amendment](#)

- V. [ID 14-0766](#) Consider adoption of an ordinance of the City of Denton, Texas, providing for two hour time limited parking on Mondays through Fridays from 8:00 A.M. until 5:00 P.M. on both sides of Hickory Street from its intersection with Locust Street to its intersection with Railroad Avenue; providing a savings clause; providing for a

penalty not to exceed \$500 for violations of this ordinance; and providing for an effective date. Traffic Safety Commission recommends approval (4-0).

**Attachments:**      [Exhibit 1 - Site Map - 2 hr Hickory](#)  
[Exhibit 2 - Traffic Safety Minutes - 2hr Parking](#)  
[Exhibit 3 - Ordinance - hr Hickory](#)

- W. [SI14-0011](#) Consider adoption of an ordinance of the City of Denton, Texas, authorizing a special called joint public hearing with the City Council and the Planning and Zoning Commission to be held on Tuesday, December 16, 2014, pursuant to Texas Local Government Code §211.007(b) at the City Council Chambers at 6:30 p.m., to consider recommendation and possible action upon an ordinance amending Subchapter 22, and various other subchapters, of the Denton Development Code as they relate to gas well drilling and production activities; prescribing notice of the joint meeting pursuant to Texas Local Government Code §211.007(d); providing for a recommendation by the Planning and Zoning Commission; superseding the provisions of all ordinances on the same subject matter to the extent of a conflict; and providing for an effective date.

**Attachments:**      [Exhibit 1 - Ordinance](#)

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

### **6. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. [ID 14-0755](#) Consider adoption of an ordinance canvassing election returns of the bond election held on November 4, 2014; and providing for an effective date.

**Attachments:**      [Exhibit 1 Canvassing Ordinance](#)

- B. [ID 14-0756](#) Consider adoption of an ordinance canvassing the returns and declaring the results of an election held in the city of Denton, Texas, on November 4, 2014, prohibiting, within the corporate limits of the city of Denton, Texas, hydraulic fracturing, a well stimulation process involving the use of water, sand and/or chemical additives pumped under high pressure to fracture subsurface non-porous rock formations such as shale to improve the flow of natural gas, oil, or other hydrocarbons into the well, with subsequent high rate, extended flowback to expel fracture fluids and solids; and providing an effective date.

**Attachments:**      [Exhibit 1 Canvassing Ordinance](#)

- C. [ID 14-0757](#) Consider adoption of an ordinance canvassing the returns and declaring the results of an election held in the city of Denton, Texas, on November 4, 2014 to legalize the sale of all alcoholic beverages including mixed beverages; and providing an effective date.

**Attachments:**      [Exhibit 1 Canvassing Ordinance](#)

- D. [ID 14-0758](#) Consider adoption of an ordinance canvassing the returns and declaring the results of an election held in the city of Denton, Texas, on November 4, 2014, for the purpose of determining whether to enact an ordinance authorizing the sale of real property consisting of 1.6598± acres and being a portion of North Lakes Park

owned, held, or claimed as a park and being a tract of land in the Robert Beaumont Survey, Abstract No. 31, and being a portion of that certain tract conveyed to said city of Denton by deed recorded in Volume 647, Page 245, of the Denton County Deed Records; and providing an effective date.

**Attachments:**      [Exhibit 1 Canvassing Ordinance](#)

## **7. PUBLIC HEARINGS**

- A.    [Z14-0016](#)    Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, providing for a rezoning from Regional Center Residential 1 (RCR-1) to Regional Center Commercial Neighborhood (RCC-N) on approximately 2.755 acres. The subject property is generally located along the service road of I-35E, approximately 200 feet southeast of Lillian B. Miller Parkway, in the City of Denton, Denton County, Texas; and providing for a penalty in the maximum amount of \$2,000.00 for violations thereof, severability, and an effective date (Z14-0016). The Planning and Zoning Commission recommends approval of this request (7-0).

**Attachments:**

- [Exhibit 1 - Staff Analysis](#)
- [Exhibit 2 - Site Location map](#)
- [Exhibit 3 - Existing Zoning Map](#)
- [Exhibit 4 - Proposed Zoning Map](#)
- [Exhibit 5 - Future Land Use Map](#)
- [Exhibit 6 - Applicant Narrative](#)
- [Exhibit 7 - Notification Information Map](#)
- [Exhibit 8 - Site Photos](#)
- [Exhibit 9 - Sept 10, 2014 P & Z Minutes](#)
- [Exhibit 10 - Draft Ordinance](#)

- B.    [S14-0005](#)    Hold a public hearing and consider adoption of an ordinance providing a Specific Use Permit (SUP) to allow a “Basic Utility;” a Denton Municipal Electric (DME) electrical substation, on approximately 10.07 acres of land within a Regional Center Commercial Downtown (RCC-D) zoning district. The subject property is generally located on the northeast corner of Bonnie Brae Street and Riney Road, in the City of Denton, Denton County, Texas; and providing for a penalty in the maximum amount of \$2,000.00 for violations thereof, severability, and an effective date (S14-0005). The Planning and Zoning Commission recommends approval of this request (7-0).

- Attachments:**
- [Exhibit 1 - Staff Analysis](#)
  - [Exhibit 2 - Site Location Aerial Map](#)
  - [Exhibit 3 - Zoning Map](#)
  - [Exhibit 4 - Site Plan](#)
  - [Exhibit 5 - Landscape Plan](#)
  - [Exhibit 6 - Applicant Narrative](#)
  - [Exhibit 7 - DME CIP Plan](#)
  - [Exhibit 8 - Masonry Wall Examples](#)
  - [Exhibit 9 - Notification Information Map](#)
  - [Exhibit 10 - October 22,2014 P & Z Meeting Minutes](#)
  - [Exhibit 11 - Draft Ordinance](#)

- C. [Z14-0017](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, providing for a rezoning from a Neighborhood Residential 4 (NR-4) to a Community Mixed Use General (CM-G) zoning district on approximately 7.02 acres of land. The subject property is generally located on the northwest corner of the intersection of Teasley Lane (FM 2181) and Hickory Creek Road, in the City of Denton, Denton County, Texas; and providing for a penalty in the maximum amount of \$2,000.00 for violations thereof, severability, and an effective date (Z14-0017). The Planning and Zoning Commission recommends approval of this request (7-0).

- Attachments:**
- [Exhibit 1 - Staff Analysis](#)
  - [Exhibit 2 - Site Location Aerial Map](#)
  - [Exhibit 3 - Zoning Map Existing](#)
  - [Exhibit 4 - Zoning Map Proposed](#)
  - [Exhibit 5 - FEMA-ESA Map](#)
  - [Exhibit 6 - Project Narrative](#)
  - [Exhibit 7 - Notice Map and Responses](#)
  - [Exhibit 8 - Site Photos](#)
  - [Exhibit 9 - October 22, 2014 P & Z Meeting Minutes](#)
  - [Exhibit 10 - Draft Ordinance](#)

- D. [HL14-0007](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, designating the property located at 1108 West Congress Street, legally known as Lot 7 (E 65'), Block 13, High School Addition, as a historic landmark under section 35.7.6 of the Denton Development Code; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof, severability and an effective date. The Planning and Zoning Commission recommends approval of this request (7-0). The Historic Landmark Commission recommends approval of this request (7-0).

- Attachments:**
- [Exhibit 1 Staff Analysis](#)
  - [Exhibit 2 Location Map](#)
  - [Exhibit 3 Zoning Map](#)
  - [Exhibit 4 Application](#)
  - [Exhibit 5 Notification Map and Property Owner Responses](#)
  - [Exhibit 6 Site Photos](#)
  - [Exhibit 7 September 8, 2014 HLC Draft Meeting Minutes](#)
  - [Exhibit 8 October 8, 2014 P & Z Minutes](#)
  - [Exhibit 9 Ordinance](#)

- E. [Z14-0018](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, providing for a rezoning from Neighborhood Residential Mixed Use (NRMU) and Neighborhood Residential Mixed Use 12 (NRMU-12) zoning districts to a Neighborhood Residential 6 (NR-6) zoning district on approximately 15.777 acres of land. The subject property is generally located on the north side of Pockrus Page Road, approximately 760 feet east of Camino Real Trail and 625 feet west of Post Oak Boulevard, in the City of Denton, Denton County, Texas; and providing for a penalty in the maximum amount of \$2,000.00 for violations thereof, severability, and an effective date (Z14-0018). The Planning and Zoning Commission recommended approval of this request (7-0).

- Attachments:**
- [Exhibit 1 - Staff Analysis](#)
  - [Exhibit 2 - Site Location Map](#)
  - [Exhibit 3 - Zoning Map Existing](#)
  - [Exhibit 4 - Zoning Map Proposed](#)
  - [Exhibit 5 - Surrounding Subdivisions Map](#)
  - [Exhibit 6 - General Development Plan](#)
  - [Exhibit 7 - Applicant Narrative](#)
  - [Exhibit 8 - Notification Information Map](#)
  - [Exhibit 9 - Site Photos](#)
  - [Exhibit 10 - October 22, 2014 P & Z Meeting Minutes](#)
  - [Exhibit 11 - Draft Ordinance](#)

- F. [SI14-0010](#) Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding amending Chapter 5 of the Code of Ordinances to regulate distances between businesses that sell alcohol and churches, public or private schools, and public hospitals, and providing for a penalty in the maximum amount of \$2,000 for violations thereof, severability and an effective date.

- Attachments:**
- [Exhibit 1 Ordinance 2014-238](#)
  - [Exhibit 2 Draft Ordinance](#)

## **8. CITIZEN REPORTS**

- A. Review of procedures for addressing the City Council.
- B. Receive citizen reports from the following:

**9. 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 under Sections 551.071-551.086 of the Texas Open Meetings Act.

## C E R T I F I C A T E

I certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Denton, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_ o'clock (a.m.) (p.m.)

\_\_\_\_\_  
CITY SECRETARY

NOTE: THE CITY OF DENTON CITY 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.