



MEMORANDUM

DATE: October 12, 2018
TO: The Honorable Mayor Watts and Council Members
FROM: Todd Hileman, City Manager
SUBJECT: Friday Staff Report

I. Council Schedule

A. Meetings

1. Work Session of the City Council on **Tuesday, October 16, 2018 at 2:00 p.m.** in the City Council Work Session Room followed by a Regular Meeting in the Council Chambers at **6:30 p.m.**
2. **No** Agenda Committee Meeting on Wednesday, October 17, 2018.
3. Health and Building Standards Commission Meeting on **Thursday, October 18, 2018 at 4:00 p.m.** in the City Council Chambers.
4. Development Code Review Committee Meeting on **Friday, October 19, 2018 at 11:00 a.m.** in the City Council Work Session Room.

B. Upcoming Events

1. NLC City Summit, November 7-10, 2018 in Los Angeles, CA.

II. General Information & Status Update

- A. Jennifer Walters' Retirement – City Secretary Jennifer Walters announced she will be retiring from her role effective January 31, 2019. Jennifer began her career with the City of Denton in 1984 as a Senior Secretary in the City Manager's Office and has served as the City Secretary for the past 32 years. The City Secretary vacancy will be posted later this month. We hope to hire a new City Secretary by early December so the successful candidate can cross-train with Jennifer prior to her retirement. Please join all of us in thanking Jennifer for her dedicated service and celebrating a job well done! Details regarding a retirement reception will be shared in a future Friday Report. Staff contact: Bryan Langley, CMO

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- B. Comm. Dev. 2017/18 Consolidated Annual Performance and Evaluation Report – The Consolidated Annual Performance and Evaluation Report (CAPER) is a year-end performance report required by U.S. Department of Housing and Urban Development (HUD). The purpose of the CAPER is to provide an overall evaluation of federally-funded activities and accomplishments to HUD and the community. The 2017/18 CAPER providing information from August 1, 2017 through July 31, 2018 will be submitted electronically to HUD via the Integrated Disbursement and Information System (IDIS) on October 30, 2018 and covers the following formula grant programs:
- Community Development Block Grant (CDBG)
 - HOME Investment Partnerships (HOME)

While the CAPER focuses on federally funded activities, the City of Denton recognizes the importance that local funding plays in the provision of community development activities especially in social services and homelessness. Accomplishment information that is supported by both local and federal funds are provided in the following sections: resources leveraged, homeless and homeless prevention narratives, and summary of households/persons assisted.

To invite citizen participation in the 2017/18 performance report process, the city will follow the 2015-19 Citizen Participation Plan. A public notice was placed in the Denton Record Chronicle on Oct. 9 requesting public comments on the 2017/18 CAPER. Comments will be accepted on the draft report from Oct. 10 through Oct. 24. Copies of the report are available at City Hall East at 601 E. Hickory, Suite B or on the City's website at <http://bit.ly/CAPER2017-18>. Staff contact: Barbara Ross, Community Development

- C. Chief Dixon's Swearing-In Ceremony – On Thursday, Oct. 11 Denton's new Chief of Police, Frank Dixon was sworn-in by Judge Robin Ramsay at the Public Safety Training Center. There were approximately 200 elected officials and community members in attendance. Chief Dixon most recently served as an Assistant Chief with the Austin Police Department and officially begins his Chief of Police duties in Denton on Monday, Oct. 15. **Below** are a few photos from the Oct. 11 ceremony. Staff contact: Jessica Rogers, Public Affairs



- D. Stream Clean – On Saturday, Oct. 6, close to 600 volunteers gathered to clean-up waterways in and around Denton at the City’s annual event, Stream Clean. As a result, 2,976 pounds of trash and 944 pounds of recyclable materials were picked up, as well as dozens of large items, such as tires, furniture, and building materials. Stream Clean is sponsored by the City of Denton Water Utilities Department, Sustainability, Watershed Protection, and the Solid Waste and Recycling Department. Volunteers included families and individuals, local scout troops, and groups from Denton ISD, the University of North Texas, and Texas Woman’s University.

Next year’s Stream Clean is tentatively planned for a Saturday in October. Information about volunteering will be available at www.cityofdenton.com/streamclean. Staff contact: Katherine Barnett, Sustainability

- E. Buc-ee’s Travel Center Incentive – Staff prepared the **attached** memo in response to a Council request regarding estimates made for the incentive payments associated with the Buc-ee’s Travel Center project. Staff contact: Caroline Booth, Economic Development
- F. DME Hurricane Michael Mutual Aid Assistance – On Monday, Oct. 8, DME received a request from the Florida Municipal Electric Association to provide mutual aid assistance to the Florida Panhandle as a part of the emergency response plan for Hurricane Michael. On Wednesday, Oct. 4, DME sent 19 field personnel and Fleet Services sent one employee to Tallahassee to provide emergency power restoration services. Hurricane Michael’s storm center made landfall at 1:00 p.m. near Mexico Beach, FL on Wednesday, Oct. 4 as a Category 4 hurricane. As of Thursday, Oct. 11, 90% of Tallahassee’s residents were without power. Staff will provide updates on the DME/Fleet Services crew and their work in Florida. Staff contact: George Morrow, DME
- G. Fire Department Mutual Aid Assistance - On Monday, Oct. 8, The State of Texas activated Texas Task Force 1 (TX-TF1) in response to heavy rainfall and flooding along the Llano River near Junction, Texas. They contacted the Denton Fire Department and requested assistance from the swift-water boat team as part of this response. The team was activated at 11:30 a.m. on Oct. 8, and reported to Junction that afternoon.

After being tasked to Junction, the Denton Water Rescue Squad then traveled to Midland, Texas on the evening of Oct. 8 in response to severe flooding. The same crew was then ordered on Tuesday, Oct. 9 to the DFW area to stand-by for assistance.

Along with the Texas severe weather event, the State of Texas received a mutual aid request to assist the State of Florida with Hurricane Michael response efforts. The TX-TF1 task force is sending a 70 member urban search and rescue team. The Denton Fire Department has one member assigned to this team, Captain Mike Tucker. This team has been transported to Florida, and is currently stationed at Elgin Air Force Base in Valparaiso, Florida.

Updates on the Denton Fire Department's multiple mutual aid deployments will be provided as additional information is made available. Staff contact: Kenneth Hedges, Fire

- H. November 5 Council Luncheon – Staff is finalizing plans for the Nov. 5 City Council Luncheon, which will take place at the Denton Enterprise Airport (5000 Airport Road). Activities will begin at 10:30 a.m. with a groundbreaking ceremony for the Parallel Runway Project. The luncheon will begin at 11:30 a.m. and will include an overview of the Airport Strategic Plan, a discussion on the future process for conducting Council Appointee reviews, and the State Legislative Update. Due to the off-site location, this luncheon will not be recorded. Staff contact: Sarah Kuechler, Public Affairs
- I. US 377 Public Meeting – Approximately 80 people attended the US 377 Informational Meeting on Monday, Oct. 8 at McMath Middle School. Staff from the City of Denton, TxDOT, and SEMA Construction, Inc. were on-hand to discuss the project and answer questions. Construction on US 377, from I-35E to 0.2 miles south of 1830/Country Club Rd. is expected to begin in November 2018 and is targeted for completion in late 2020. This construction project will widen the road from a two-lane rural roadway to a six-lane divided road. The project will also improve the FM 1830/Country Club/US 377 intersection. The presentation and other meeting materials are posted to the project's website: www.US377Denton.com. Staff contact: Stuart Birdseye, Public Affairs
- J. Draft 2019 City Council Meeting Schedule – A draft of the 2019 City Council Meeting Schedule (**attached**) was distributed to City Council in the September 28 Friday Report. Staff attempted to account for major holidays observed by the current City Council while developing the draft. The City Secretary's Office plans on finalizing the calendar by Friday, October 19. If you have not already done so, please remember to provide your revisions to Jennifer Walters on or before Oct. 19. Staff contact: Jennifer Walters, City Secretary
- K. Park 7 Project Update – The Park 7 Project is planned for an approximately three acre tract located on the south side of Scripture Street between Normal Street and Bryan Street. As proposed, the mixed-use development will include approximately 1,300 square feet of commercial space and 183 residential units with 546 bedrooms. The associated 546 parking spaces will be provided in a parking structure. This exceeds the 537 spaces required for the proposed development. The proposed development also includes resident amenities including a rooftop pool, sports courts, and a gym. The development will be required to have an 8-foot sidewalk with street trees.

Since the last citywide rezoning in 2002, this property has had a split zoning designation of Downtown Commercial General (DC-G) and Downtown Residential (DR-2).

Below is a timeline of the proposed development:

- 2016 – Applicant requested a rezoning to extend the DC-G designation across the entire site.

- April 2017 – Rezoning request was denied by City Council.
- August 2017 – Planning and Zoning approved a replatting to consolidate the property into a single lot.
- July 30, 2018 – Site plan for the proposed project was submitted.
- August 13, 2018 – Comments were provided back to the applicant.

The Development Review Committee has conducted its initial review based on Denton Development Code (DDC) requirements and has provided comments back to the applicant using a comment release letter project deficiencies (**attached**). The applicant is currently working to address the issues identified by staff. As of Oct. 11, the applicant has not resubmitted the site plan. Once the applicant resubmits plans, staff will conduct a full review of the project to ensure corrections have been made and to determine if modifications are compliant with the DDC and other regulations. If the applicant fails to meet the City’s regulatory requirements, the project will not be approved and a building permit will not be issued.

The proposed development falls within the parameters of the property’s current zoning designation, meaning City Council approval of a Specific Use Permit or rezoning is not required. Preliminary review of the Traffic Impact Analysis indicates that the proposed project will not necessitate public improvements that would require City Council approval for a Development Agreement.

Using feedback from the Park 7 development and other recent collegiate housing projects, staff is considering the development of a new “Collegiate Housing” zoning designation which will be incorporated into the update of the Denton Development Code. Staff prepared the **attached** informal staff report (ISR number 2018-153) to provide an overview of options that are being considered to address collegiate housing issues. Staff contact: Richard Cannone and Julie Wyatt, Development Services

- L. Developer Commitment History – During the Sept. 25 City Council Meeting, Council Member Hudspeth requested a three year history of all instances where developer commitments made to the City have been broken. Development Services reviewed all Conditional Approvals and Overlays from the past three years and did not find an instance where a formal developer commitment was broken. The **attached** table outlines the research that staff compiled. Staff contact: Richard Cannone, Development Services
- M. Human Rights Campaign MEI 2018 Score – The Human Rights Campaign released the 2018 scores for their Municipal Equality Index (MEI) scorecard this week. Please see the following link to review the scores: <https://www.hrc.org/resources/mei-2018-see-your-citys-score>. The City of Denton received a score of 52 out of 100 points. The score of 52 is the same estimated by City staff and presented to City Council during a work session on August 14, 2018. This is an increase to the City’s 2017 score of 44 and the 2016 score of 35. Staff contact: Sarah Kuechler, Public Affairs

III. Community Events

- A. Neighborhood Empowerment Summit – On **Saturday, Oct. 13** the City of Denton will host its annual Neighborhood Empowerment Summit. The summit is a free event and will be held at the MLK Jr. Recreation Center, located at 1300 Wilson Street, from 9:00 a.m. to 1:00 p.m., with sign-in starting at 8:30 a.m. Additional summit details are provided in the **attached** flyer. This year’s theme is “Building Resilient Neighborhoods Together.” Staff encourages individuals that are interested in enhancing community pride and build more resilient neighborhoods to attend. Staff Contact: Ron Menguita, Development Services

IV. Attachments

- A. Stream Clean Press Release
- B. Buc-ee’s Travel Center Incentive Memo
- C. Draft 2019 City Council Meeting Schedule
- D. Park 7 Development Comment Release Letter
- E. Conditional Approval and Overlay Approval Three Year History
- F. Neighborhood Empowerment Summit Flyer

V. Informal Staff Reports

- A. 2018-147 Update on FeLV and FIV Testing at the Animal Shelter
- B. 2018-148 Aquatics Committee Appointment
- C. 2018-149 Update on Tree Preservation and Landscape Standards
- D. 2018-150 CIS Division Overview
- E. 2018-151 Board of Ethics Rules of Procedure Update
- F. 2018-152 Qualified Voter Requirement
- G. 2018-153 Single Room Occupancy Developments and Collegiate Housing Designation
- H. 2018-154 Economic Development Project Names and Non-Disclosure Agreements

VI. Council Information

- A. Council Requests for Information
- B. Draft Agenda October 23
- C. Council Calendar
- D. Future Work Session Items
- E. Street Construction Report



FOR IMMEDIATE RELEASE

Jessica Rogers • (940) 349-7531 • Jessica.Rogers@cityofdenton.com

Results from Stream Clean 2018

Volunteers Picked Up Nearly Two Tons of Debris

DENTON, TX, Oct. 8, 2018 – On Saturday, Oct. 6, close to 600 volunteers gathered to clean up waterways in and around Denton at the City’s annual event, Stream Clean. As a result, 2,976 pounds of trash and 944 pounds of recyclable materials were picked up, as well as dozens of large items, such as tires, furniture, and building materials.

“Cleaning our waterways keeps trash and illegally-dumped items from ending up in Lake Lewisville and contaminating our water supply,” said Katherine Barnett, City of Denton Sustainability and Customer Initiatives Manager. “Stream Clean is an opportunity for residents to work together for the better of our community.”

Though volunteers primarily picked up small items, such as bottles and cans, they were surprised by the number and variety of large items.

“We found a burned couch, a large inflatable pool, two boxes of ceramic tile, shingles, a car bumper, and a very large skateboard ramp, just to name a few,” said Barnett. “But overall, we found less trash than last year at several of our repeat sites, and the number of tires continues to decrease.”

Stream Clean is sponsored by the City of Denton Water Utilities Department, Sustainability, Watershed Protection, and the Solid Waste and Recycling Department. Volunteers included families and individuals, local scout troops, and groups from Denton ISD, the University of North Texas, and Texas Woman’s University.

Next year’s Stream Clean is tentatively planned for a Saturday in October. Information about volunteering will be available at www.cityofdenton.com/streamclean.

Contact: Katherine Barnett, (940) 349-8202, Katherine.Barnett@cityofdenton.com

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Visit www.cityofdenton.com for more news and to stay updated.



The mission of the Denton Watershed Protection program is to maintain the quality of our watersheds, ultimately protecting our water sources and the ecosystems within our watersheds. To learn more, visit www.dentonwatersheds.com.

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MEMORANDUM

DATE: October 8, 2018

TO: Mayor and City Council Members

FROM: Caroline Booth, Director of Economic Development

SUBJECT: Buc-ee's Travel Center Incentive

Staff prepared this memo in response to a question from Councilmember Armintor about estimating and budgeting for the incentive payments for the Buc-ee's Travel Center project.

Background

The Buc-ee's Travel Center project is a commercial development that will include an approximately 55,000-square-foot Buc-ee's retail store, fuel sales, car wash, and 6-8 pad sites along I-35E for future development. In December 2015 on a 5-2 vote, the City Council granted a two-phase incentive to the project. The Agenda Information Sheet and Presentation from that meeting are attached as Exhibits 1 and 2.

Phase 1, which reimburses the developer for payment of the Texas Department of Transportation (TxDOT) local match required for the Brinker Road bridge, is a 50% sales tax rebate for 5 years on the Buc-ee's parcel and the pad sites (Exhibit 3). Phase 2 of the incentive, which lasts for 20 years, reimburses public infrastructure and neighborhood consideration costs with a 50% rebate of the sales taxes generated by the Buc-ee's travel center and retail and sit-down restaurants developed on the pad sites. Fast food and service businesses developed on the pad sites generate a 25% rebate.

The proposed development has resulted in TxDOT advancing several mobility improvements to the intersections of Loop 288/Lillian Miller and I-35E, Mayhill Road and I-35E, and Brinker Road and I-35E. These improvements will enhance mobility and address traffic congestion and should be complete in the summer of 2019. In order to facilitate these improvements, TxDOT required a local funding match that was estimated at \$2 million. The developer funded the local match, to be reimbursed under Phase 1 of the incentive agreement. Phase 1 will be initiated once Buc-ee's begins operations. The travel center is estimated to be complete in fall 2018. The underpass may be open by the end of 2018.

The City received the cost for the 20% local government participation portion of the underpass bridge from TxDOT in September 2016. The cost for the project is \$2,100,000 and the drainage betterment is \$48,894 for a total of \$2,148,894. Federal and state participation amounts from the North Central Texas Council of Governments and Property One Funding; amounted to approximately \$16,722,878. County Regional Toll Revenue (RTR) accounted for another

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\$9,177,120, for a total project cost of \$28,048,892 for the Brinker Road Bridge, Loop 288/I-35 E, and turn lane at Mayhill. Additional details on this construction project are included in the On-system Project Status Report and Budget from the Advance Funding Agreement between the City and TxDOT in Exhibits 4 and 5.

Additionally, the developer will incur approximately \$5 million in public infrastructure costs, including water, wastewater, storm sewer, right-of-way dedication, and constructing a new City street. The Engineering Opinion of Probable Construction Costs (OPCCs) is included in Exhibit 6.

The Agreement required the developer to take the following measures to protect the adjacent neighborhood and minimize the impact of the development: maintain an average setback from all residential properties of at least 400 feet and a minimum setback from all residential properties of at least 200 feet; have a Photometric Engineer design a lighting system that minimizes light impact to the neighborhood (maximum of 0.2 foot candles of light at all residential property lines); retain and amenitize the pond area with access, walking trails, and seating; and provide an opportunity for the homeowners whose property lines directly border the development to give input regarding the landscape buffer, masonry, and wrought iron walls to be constructed. These considerations were estimated to cost approximately \$1.9 million.

The intent of the Chapter 380 Agreement was to incentivize Buc-ee's to locate in Denton and to reimburse the following costs incurred by Buc-ee's:

Local Match (actual)	\$2,148,894
Public Infrastructure	\$5,023,353
Neighborhood Considerations	\$1,900,000
Total Costs	\$9,072,247

Analysis

This section addresses the metrics used to budget for a “cap free” incentive. All of the City’s Chapter 380 sales tax incentive agreements are performance-based and involve a cost share of the sales taxes that the development generates. Unlike the City’s other sales tax incentives, this Agreement does not have a total cap for the grant. The first phase of the Buc-ee’s incentive reimburses the company for infrastructure costs for the 20% local government contribution for the Brinker Road bridge, undertaken by TxDOT, and consists of a 50% cost share of the sales taxes generated for 5 years (60 months). At the conclusion of the 5-year term for the Reimbursement Grant and in the event that the Grantee has not received the entire \$2 million for the costs incurred by the Grantee for the local match for the improvements, the City will pay a one-time cash grant for the difference.

The second phase of the incentive reimburses the approximately \$5 million in infrastructure and \$1.9 million in neighborhood costs with a 50% cost share of the sales taxes generated by the Buc-ee’s travel center, retail and sit down restaurants; and 25% on remaining fast food and service

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tenants, for a 20-year (240 month) payment term. The second phase commences upon the conclusion of the infrastructure reimbursement Phase I grant.

Staff prepared a current analysis for the Buc-ee’s Travel Center project over the 25 years of the agreement; a summary table is included below. The full table is shown in Exhibit 7. Assumptions are:

- Buc-ee’s Travel Center sales: \$25 million in Year 1 with a 3% annual growth rate
- Pad site sales: \$4.3 million in Year 1 with a 3% annual growth rate (based on comparable pad site sales in Denton; two pad sites are added per year for the first four years)
- 1.5% local sales tax rate
- 50% rebate used for both Buc-ee’s and pad site sales
- Property tax revenue is estimated for both Buc-ee’s and pad sites (no rebate given on property tax; since the City is focusing on budgeting to the effective tax rate, an annual growth rate was not applied to property tax)
- The agreement requires a one-time payment to reimburse the TxDOT local match if total rebated sales tax is less than \$2 million through the first 5 years. The payment will equal the difference between the total rebate over 5 years and \$2 million.

Summary Table

	Total - 25 Years
Travel Center	
Buc-ee's Annual Sales	\$ 911,481,616
Local Sales Tax Generated	\$ 13,672,227
Local Sales Tax Rebate	\$ (6,836,118)
City Property Tax Generated	\$ 3,604,000
Pad Sites	
Pad Site Annual Sales	\$ 581,127,405
Local Sales Tax Generated	\$ 8,716,913
Sites Local Sales Tax Rebate	\$ (4,358,461)
City Property Tax Revenue	\$ 1,931,694
Additional Contract Payment	\$ (528,771)
Total Tax Generated	\$ 27,924,834
Total Tax Rebated	\$ (11,723,350)
Net City Tax Received	\$ 16,201,484

Conclusion

Since October 2016, staff has made improvements in the way incentive requests are reviewed and approved and incentive agreements are drafted:

- Updated incentive application requiring more complete project data
- Financial analysis presented to both the Economic Development Partnership Board and City Council in public meetings
- Council work session a minimum of two weeks before a vote on an incentive application, allowing time for Council to receive feedback from citizens prior to a vote

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- All agreements will have caps on both the dollar amount and the term length of the incentive

Going forward, incentive request analyses will be presented on a 10-year time frame, even if the incentive term is shorter than 10 years. This is a best practice that allows for “apples to apples” comparison of the costs/benefits of different types of economic development projects over a consistent time frame.

Exhibits

Exhibit 1 – Agenda Information Sheet from Dec. 1, 2015

Exhibit 2 – Presentation from Dec. 1, 2015

Exhibit 3 – Conceptual Site Plan

Exhibit 4 – TxDOT Project Status Report

Exhibit 5 – Funding Agreement Budget

Exhibit 6 – OPCC

Exhibit 7 – Buc-ee’s Projection

CC: Todd Hileman, City Manager
Bryan Langley, Deputy City Manager

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Agenda Information Sheet

DEPARTMENT: **Development Services/Economic Development**

CM/ ACM: **Jon Fortune**

Date: **December 1, 2015**

SUBJECT

Title

Consider adoption of an ordinance approving an Economic Development Agreement under Chapter 380 of the Local Government Code to promote economic development and to stimulate business activity in the city of Denton between the City of Denton and BUC-EE's LTD, regarding the development of an approximate 38-acre parcel of land generally located on the west side I-35 E, north of Wind River Lane, in south Denton; authorizing the expenditure of funds therefor; and providing an effective date.

Body

BACKGROUND

A commercial development anchored by a Buc-ee's Travel Center is proposed for a site in south Denton. The proposal would include an approximately 53,000 square foot retail store, fuel sales, a car wash, and peripheral development along I-35E for future development. The main retail store and the associated fuel sales would be open 24 hours a day, 7 days a week, but the facility would not cater to semi-trucks.

The subject property was rezoned in 2008 from Regional Center Residential 1 (RCR-1) District to Regional Center Commercial Downtown (RCC-D) District with overlay conditions to provide additional buffering between the commercially zoned property and the adjacent residential neighborhoods. The current zoning designation permits all of the proposed uses.

The purpose of Regional Center Commercial Downtown (RCC-D) District is to "create high density centers of activity including shopping, services, recreation, employment and institutional facilities supported by and serving an entire region." The RCC-D district is one of the most intense zoning districts in the Regional Mixed Use future land category and the City of Denton as a whole. It is intended to promote mixed use development with an urban character and businesses with a highly regional customer base to attract visitors to the city. Moderate to high density residential uses with a maximum density of 100 units per acre are permitted including townhomes and apartments associated with a mixed-use development. All commercial and institutional uses are permitted with the exception of the sale of products grown on site, motels, equestrian facilities, outdoor recreation, sexually oriented businesses, elementary schools, and cemeteries. Most industrial uses are either limited or not permitted.

The proposed Buc-ee's Travel Center meets the intent of the RCC-D District, and its associated uses of Retail Sales and Service, Quick Vehicle Servicing, and Drive-through Facility are permitted in RCC-D.

The City Council is contemplating an incentive for the project in order to reimburse the developer for public infrastructure improvements and other neighborhood/public amenities. A Neighborhood Meeting was held on November 11, 2015 where approximately 100 citizens attended to learn about the project, ask questions, and express their concerns.

The City Council will discuss incentive options for the proposed commercial development. All options are performance-based incentives that rebate a portion of local sales tax produced by the development.

The proposed development has resulted in TxDOT advancing several mobility improvements to the intersections of Loop 288/Lillian Miller and I35E, Mayhill Road and I35E, and Brinker Road and I35K. These improvements will enhance mobility and address traffic congestion, and will be complete in the spring of 2018 (see Exhibits 1 and 8 for more details). In order to facilitate these improvements, TxDOT requires a local funding match of \$2 million. The developer is willing to fund all or a part of the \$2 million, to be reimbursed as a part of an incentive agreement.

Additionally, the developer will incur approximately \$5.2 million in public infrastructure costs, including water, wastewater, storm sewer, right-of-way dedication, and constructing a new city street. See Exhibit 7 for an Opinion of Probable Costs. The exhibit includes the cost of retaining the existing pond; however, that cost is not included in the \$5.2 million total (it has been intentionally subtracted).

About the potential incentive, the following details should be noted:

- The incentive is a rebate of a portion of local sales tax generated by the proposed development only (i.e. new tax revenue that the City would otherwise not receive)
- The City would collect 100% of the property tax revenue on the development
- The incentive is intended to reimburse the developer for public infrastructure, and
- The incentive is the City's only opportunity to require the developer to take measures to protect the adjacent neighborhood and minimize the impact of the development on the neighborhood

The Grant Agreement will require the developer to take the following measures to protect the neighborhood and minimize impact:

- Maintain an average setback from all residential properties of at least 400 feet
- Maintain a minimum setback from all residential properties of at least 200 feet
- Have a Photometric Engineer design a lighting system that minimizes light impact to the neighborhood (maximum of 0.2 foot candles of light at all residential property lines)
- Retain and amenitize the pond area with access, walking trails, and seating
- Provide an opportunity for the homeowners whose property lines directly border the development to give input regarding the landscape buffer and the masonry & wrought iron walls to be constructed

The Economic Development Partnership Board has recommended an incentive of 50% sales tax rebate for 25 years, on the Buc-ee's parcel as well as the outparcels.

At the time of this writing, the incentive options were still being finalized. Current discussions include the following proposed terms:

- The developer and the City would split the cost of the TxDOT local match of \$2 million
- The developer would receive a 50% sales tax rebate on all parcels for three years to be repaid for the \$1 million contribution
- The City would provide a one-time payment to the developer at the end of Year 3 if developer was not fully compensated for the \$1 million contribution at that time
- An incentive term of 20 years would then commence, with the developer receiving a 50% sales tax rebate on the Buc-ee's tract, and a 25-50% rebate on the outparcels (depending on the type of development)
- The 20 year term would partially, but not fully, compensate the developer for the infrastructure cost of \$5.2 million (including interest costs for financing the infrastructure)
- The 20 year term would obligate the developer take measures (defined above) to protect the neighborhood and minimize impact of the development

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

- November 17, 2015 - City Council Work Session on Buc-ee's Project
- November 17, 2015 - City Council Closed Session discussion on incentives
- November 10, 2015 - City Council Closed Session discussion on incentives
- October 30, 2015 - City Council Closed Session discussion on incentives
- October 20, 2015 - City Council Closed Session discussion on incentives
- October 13, 2015 - City Council Closed Session discussion on incentives
- September 22, 2015 - Economic Development Partnership Board recommended approval of an incentive for the project

EXHIBITS

- 1 - Preliminary Staff Report
- 2 - Aerial Map
- 3 - Zoning Map
- 4 - Future Land Use Map
- 5 - Preliminary Concept Site Plan
- 6 - Preliminary Elevations
- 7 - Public Infrastructure Costs
- 8 - Buc-ee's Presentation
- 9 - Draft Grant Agreement (under separate cover)
- 10 - Draft Ordinance (under separate cover)

Respectfully submitted:
Aimee Bissett
Director of Development Services

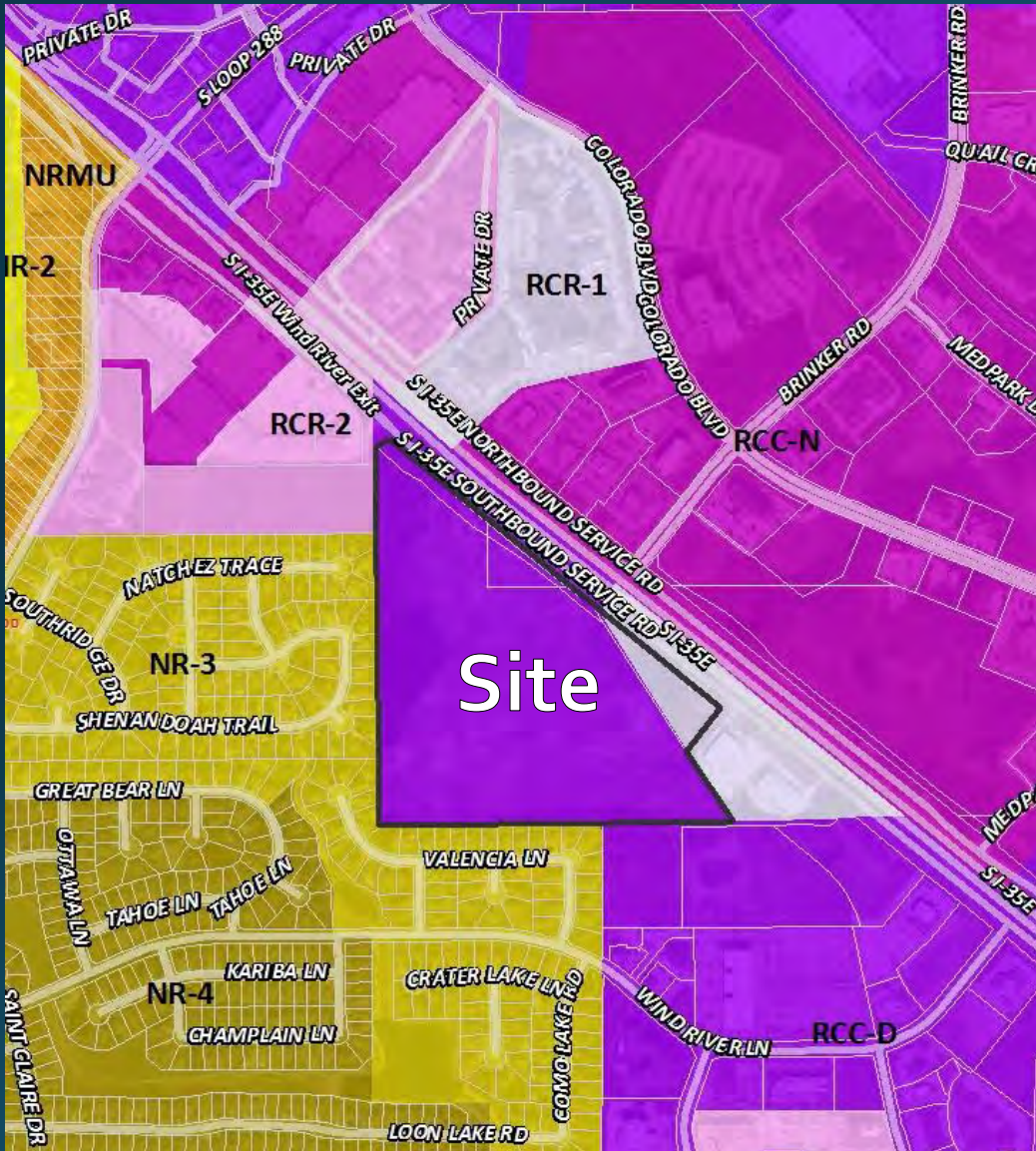
Buc-ee's Travel Center Proposed Development



Proposed Location

Commercial development anchored by Buc-ee's Travel Center

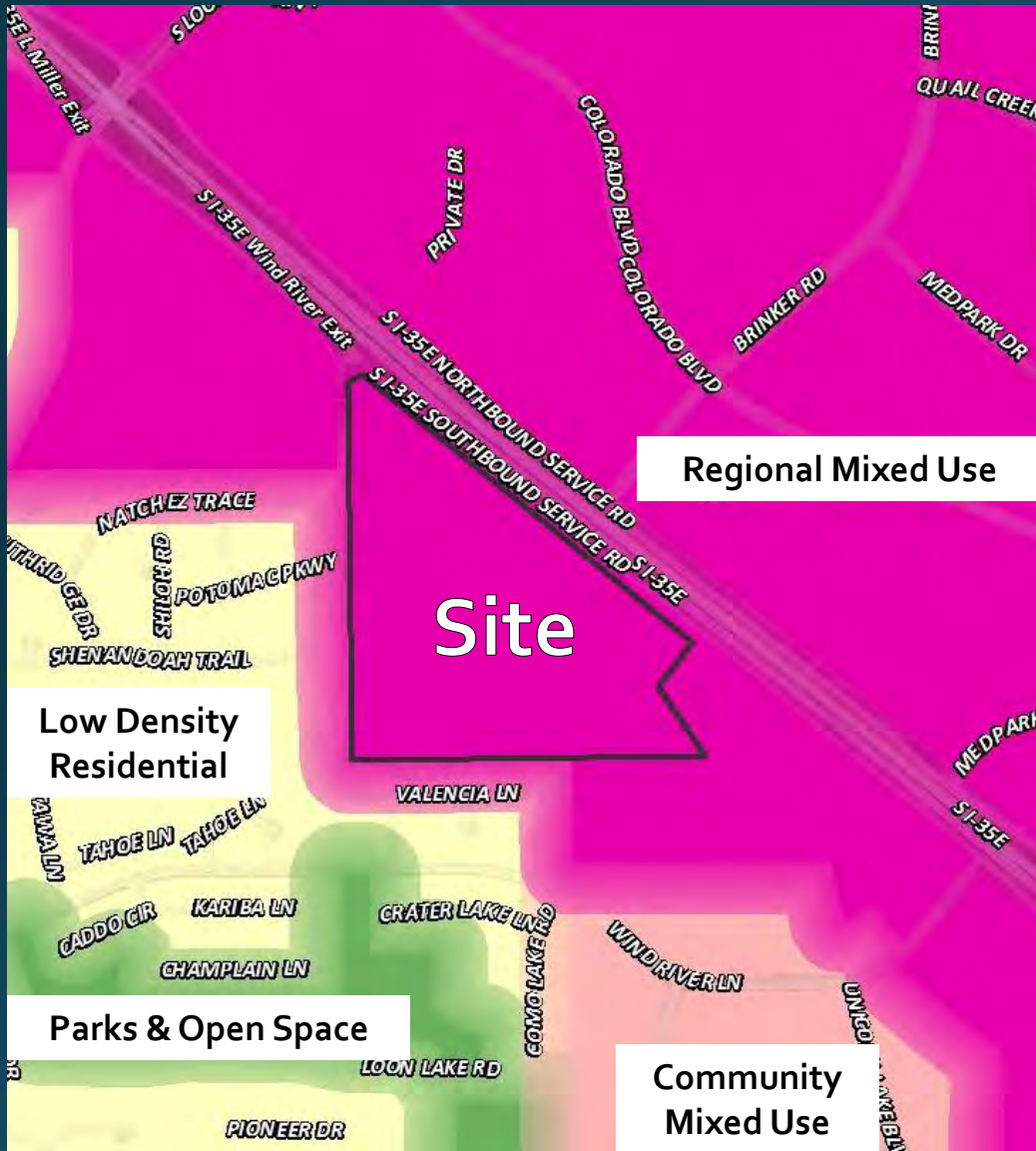
- Includes 53,000 square-foot retail store, fuel sales, car wash
- Additional development on pad sites along I-35E
- The proposed development is not a truck stop



Current Zoning

Regional Center Commercial Downtown (RCC-D) with overlay conditions

- Rezoned from RCR-1 in 2008
- Conditions provide additional buffering to the adjacent neighborhoods
- Proposed uses are permitted, including Retail Sales and Service, Quick Vehicle Servicing, and Drive-through Facility

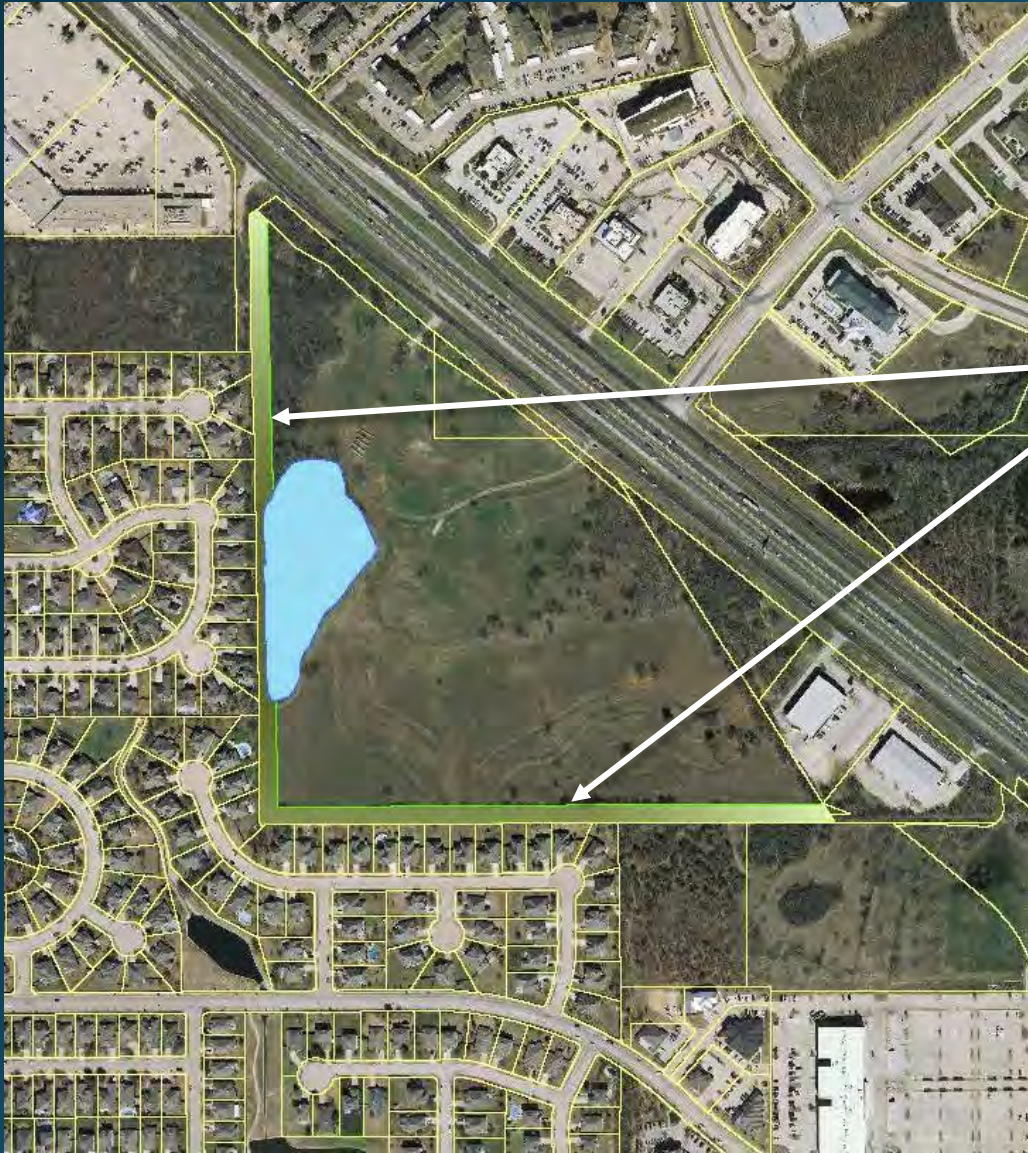


Future Land Use

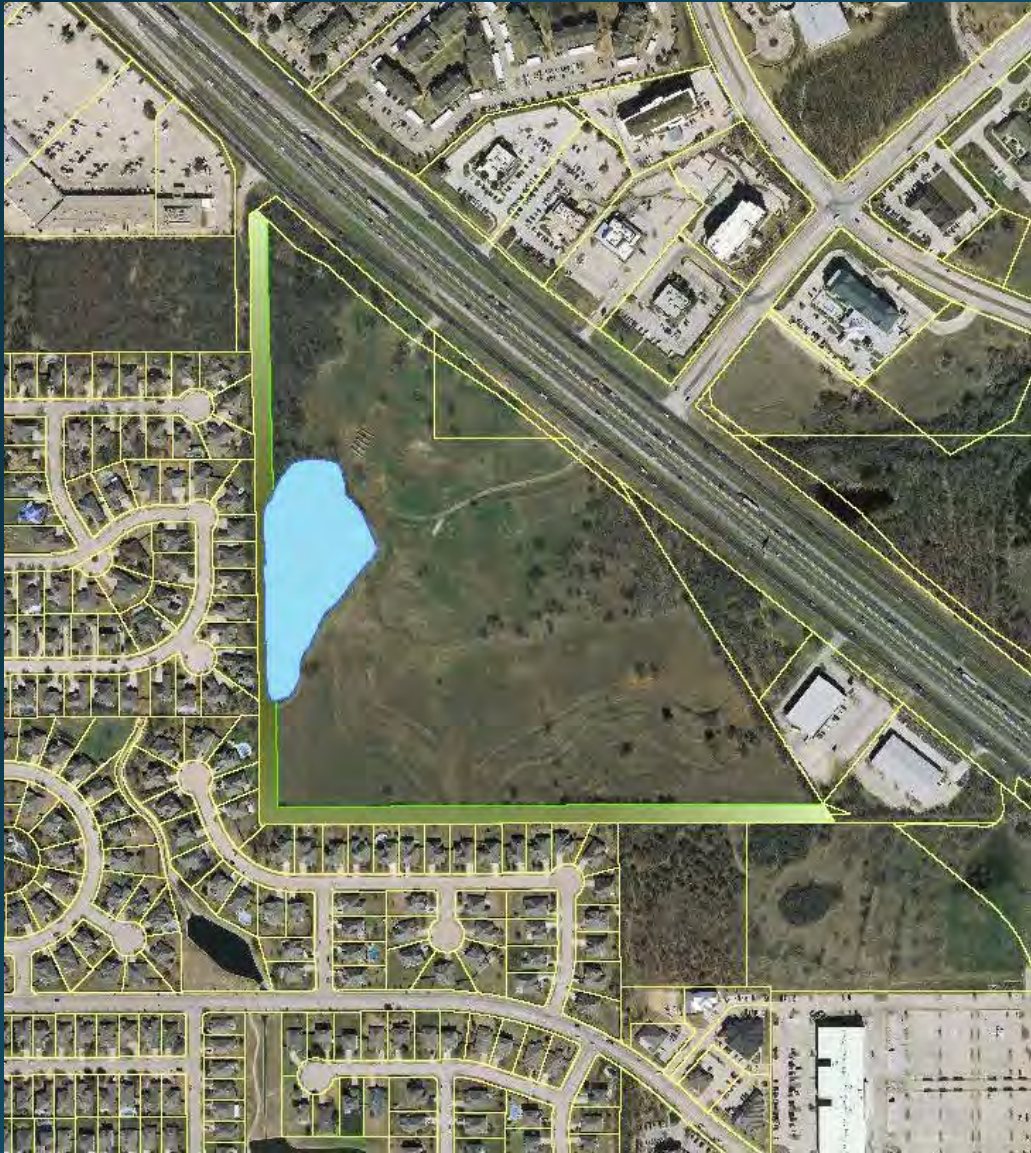
Per Denton Plan 2030, the Future Land Use Designation is Regional Mixed Use

- Moderate and high density residential, commercial, office, entertainment and other uses except industrial,
- Highest levels of scale and density within the city
- Located along I-35 interchanges and primary arterials

Overlay Conditions



50-foot landscaping buffer



Overlay Conditions

50-foot landscaping buffer

No building within 100-feet of residential developments may exceed 40 feet in height

Overlay Conditions

50-foot landscaping buffer

No building within 100-feet of residential developments may exceed 40 feet in height

Existing pond to remain



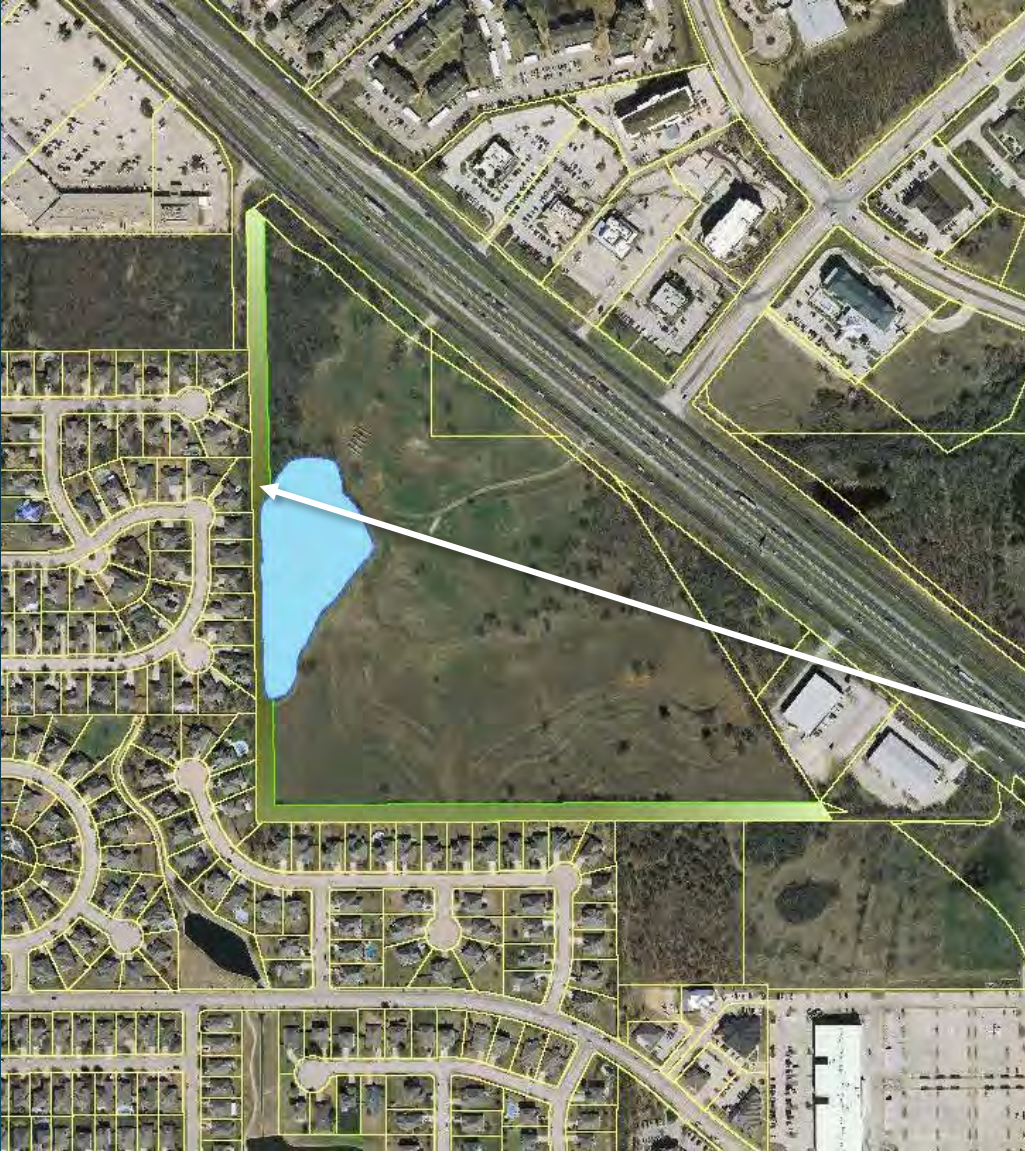
Overlay Conditions

50-foot landscaping buffer

No building within 100-feet of residential developments may exceed 40 feet in height

Existing pond to remain

8-foot wrought iron fence with finials



Proposed Site Plan



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NO.	REVISIONS	DATE

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RATCLIFF ENGINEERING SERVICES, L.L.C.
P.O. BOX 6070
DENTON, TEXAS 76202
PHONE: (214) 260-2007
FAX: (214) 260-2008
WWW.RATCLIFFENGINEERING.COM



SHEET INFORMATION	
DATE: 11-03-2015	ISSUED IN: 1503030
DESIGNED BY: DSR	ISSUED BY: DSR
CHECKED BY: DSR	APPROVED BY: DSR
FILE NAME: BUC-EE'S - PRELIMINARY CONCEPT PLAN	PROJECT NO: 1503030
PROJECT LOCATION: INTERSTATE HIGHWAY 35E, DENTON CO., TEXAS	SCALE: AS SHOWN
PROJECT OWNER: BUC-EE'S, LTD.	DATE: 11-03-2015
PROJECT NO: 1503030	TIME: 10:30 AM

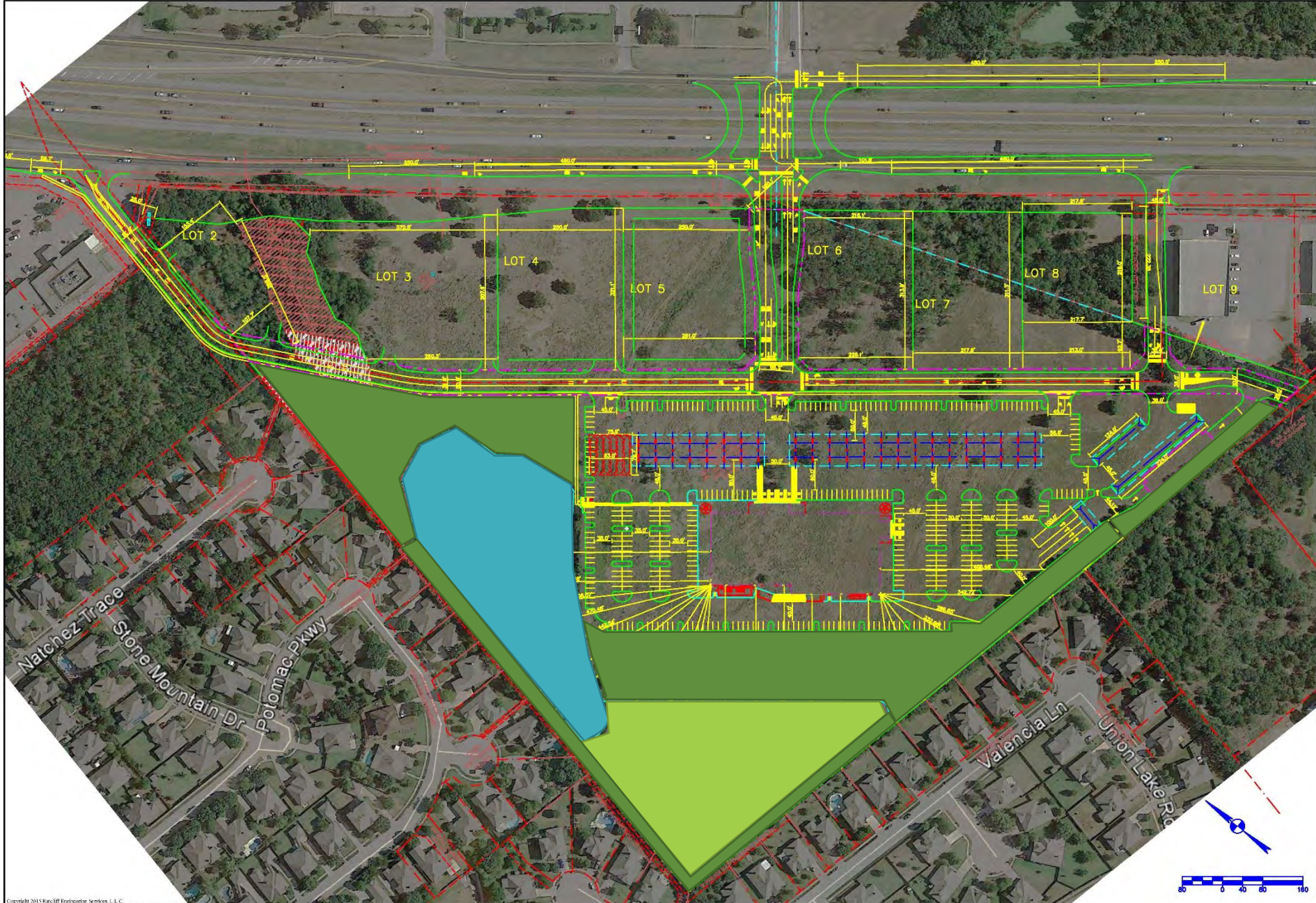
PRELIMINARY CONCEPT PLAN
BUC-EE'S # _____ - DENTON
INTERSTATE HIGHWAY 35E, DENTON CO., DENTON, TEXAS
BUC-EE'S, LTD.

DRAWING
SHEET: EXH
OF:



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Proposed Site Plan



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RATCLIFF ENGINEERING SERVICES, L.L.C.
 P.O. BOX 6070
 DENTON, TEXAS 76202
 PHONE: (214) 250-2007
 FAX: (214) 250-2008
 TYPED: PFM/PJH/24



SHEET INFORMATION	
DATE: 11-03-2015	ISSUED IN: 2015
DESIGNED BY: DSR	DESIGNED BY: DSR
CHECKED BY: DSR	CHECKED BY: DSR
DATE: 11-03-2015	DATE: 11-03-2015
PROJECT NO: 15-00000000000000000000	PROJECT NO: 15-00000000000000000000
PROJECT NAME: BUC-EE'S # 355 - DENTON	PROJECT NAME: BUC-EE'S # 355 - DENTON
PROJECT ADDRESS: INTERSTATE HIGHWAY 35E, DENTON CO., DENTON, TEXAS	PROJECT ADDRESS: INTERSTATE HIGHWAY 35E, DENTON CO., DENTON, TEXAS
PROJECT TYPE: PRELIMINARY CONCEPT PLAN	PROJECT TYPE: PRELIMINARY CONCEPT PLAN
PROJECT STATUS: FOR PERMIT REVIEW & SIGNATURE ONLY	PROJECT STATUS: FOR PERMIT REVIEW & SIGNATURE ONLY
PROJECT PHASE: PRELIMINARY CONCEPT PLAN	PROJECT PHASE: PRELIMINARY CONCEPT PLAN
PROJECT DATE: 11-03-2015	PROJECT DATE: 11-03-2015

PRELIMINARY CONCEPT PLAN
 BUC-EE'S # 355 - DENTON
 INTERSTATE HIGHWAY 35E, DENTON CO., DENTON, TEXAS
 BUC-EE'S, L.T.D.

DRAWING
 SHEET: EXH
 OF:

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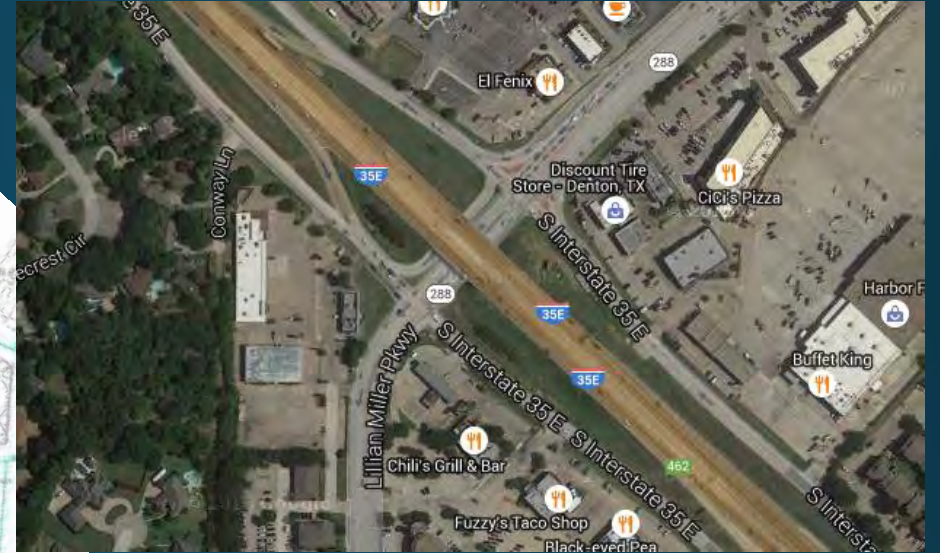




Access Improvements

- The developer is willing to contribute \$2 million in matching funds up front to expedite access improvements along I-35E
- As a result, TxDOT has approved an additional \$28 million, AND,
- The improvements are scheduled to be completed by Spring of 2018

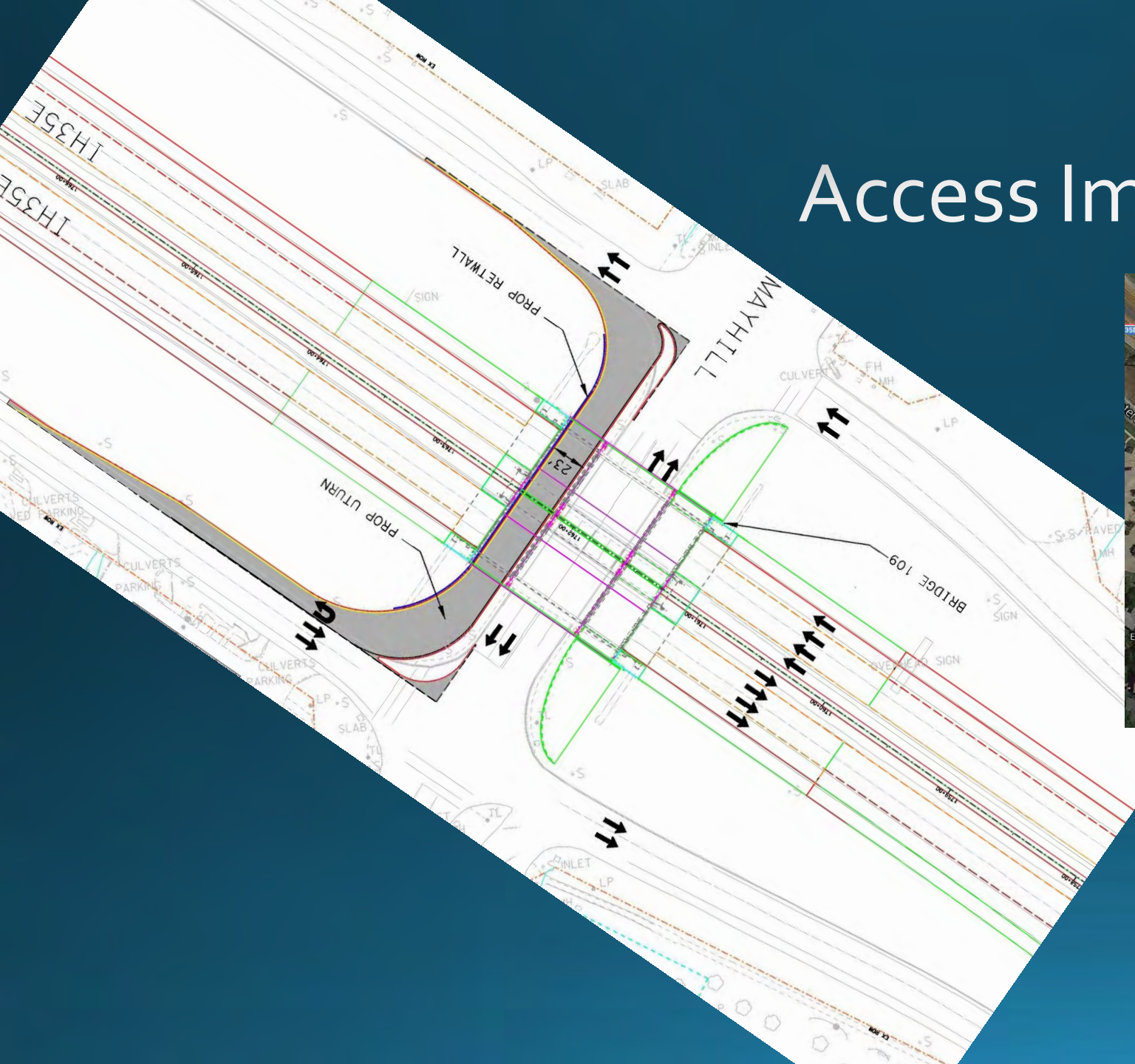
Access Improvements



Access Improvements



Access Improvements



Public Infrastructure Costs

- Wastewater Improvements \$292,500
- Water Improvements \$250,775
- Storm Sewer \$898,595
- Paving \$911,731
- City Street ROW Dedication \$868,112
- Misc – street lights,
landscaping, etc \$406,864

\$5,286,293

Neighborhood Meeting

- Two were held on the evening of November 11, 2015
- Notification was sent out to property owners within 500 feet of the subject property (122 notifications)
- 79 properties represented
- 40% - within 500 feet, 30% - in neighborhoods, 30% - community
- Topics of discussion included the hours of operation, buffer requirements, traffic, visual impacts, lighting, tax incentives, and crime

Neighborhood Considerations

- Photometric Design – used to mitigate light impact
- 2.28 acre Lot – used to mitigate distance concerns
- Pond amenity – stocked, walking trails, available to public
- Adjacent neighbors – provide input regarding landscaping buffer and masonry wall

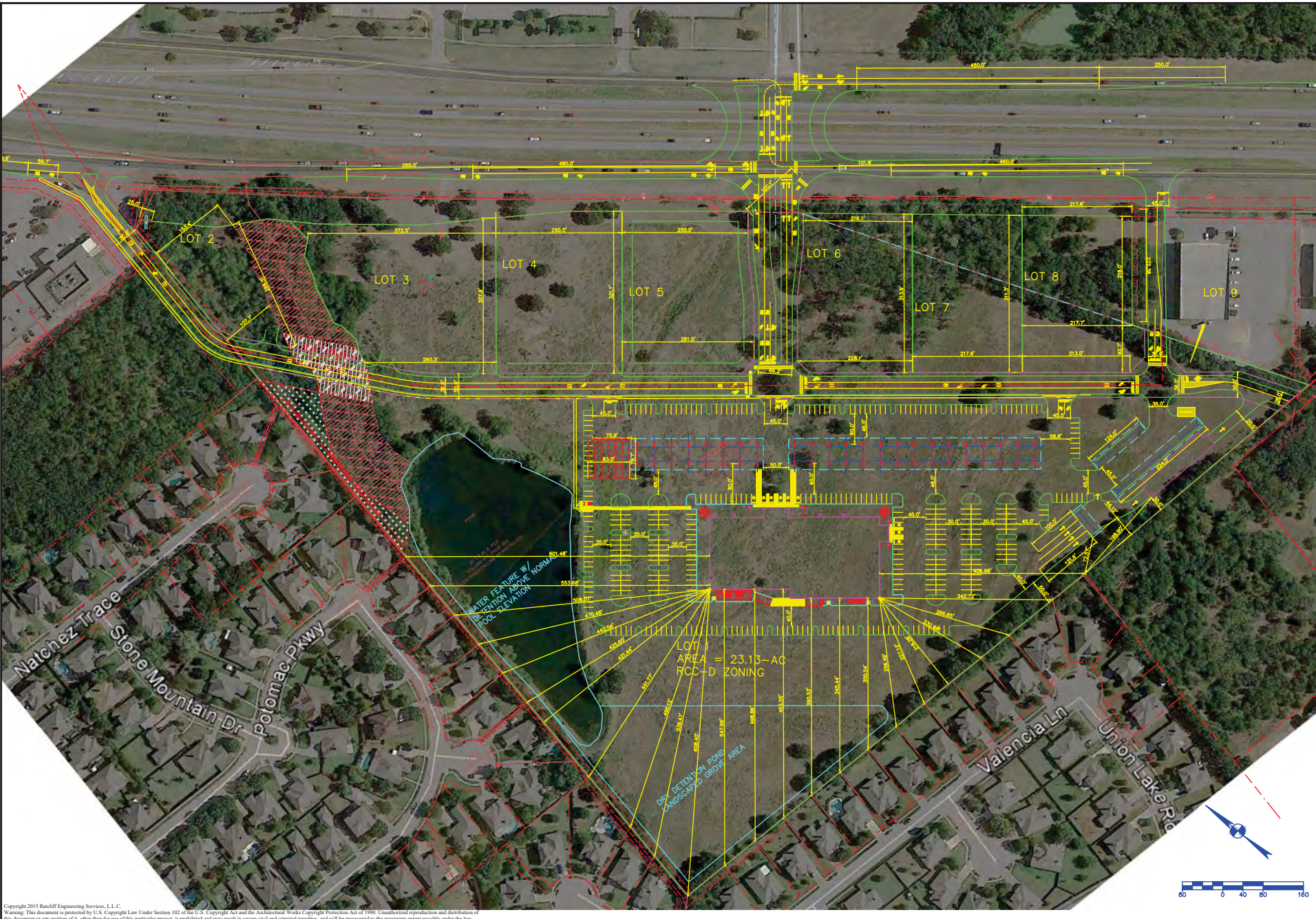
Incentive

- Rebate a percentage of local sales tax revenue
- Performance-based and new revenue only (mostly visitors)
- City would retain at least half of the sales tax revenue (net new revenue of approximately \$400,000 per year to the City)
- City would retain all of the property tax revenue (appx \$350,000 per year including all developed parcels)
- Net benefit to the City – equivalent to 1 cent property tax increase without raising taxes
- Impetus for \$50 million of TxDOT improvements by 2018

Incentive Total

- Reimbursement of actual infrastructure costs – \$5.2 million
- Reimbursement of all/part TxDOT Match - \$2 million
- Incentive Buc-ee's to take certain measures to protect the neighborhood, including:
 - Maintain setbacks
 - Minimize light impact – photometric engineer
 - Retain and amenitize the pond area with access, walking trails, and seating
 - Provide an opportunity for the homeowners whose property lines directly border the development to give input regarding the landscape buffer and the masonry & wrought iron walls to be constructed

Exhibit 5



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NO.	REVISION	DATE

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RATCLIFF ENGINEERING SERVICES, LLC
 P.O. BOX 4687 75262
 GAITHERSBURG, MD 20878
 OFFICE (301) 805-7907
 TOLL FREE (800) 414-2624



SHEET INFORMATION	
DATE: 11-03-2015	PROJECT NO: 10030009
DESIGNED BY: DSR	DRAWN BY: DSR
CHECKED BY: DSR	APPROVED BY: LIC
ISSUED FOR: CONSTRUCTION	DATE: 11-03-2015
ISSUED FOR: PERMIT REVIEW & RECORD ONLY	
ISSUED FOR: CONSTRUCTION	

PRELIMINARY CONCEPT PLAN
 BUC-EE'S #_____ - DENTON
 INTERSTATE HIGHWAY 35E, DENTON CO., DENTON, TEXAS
 BUC-EE'S, LTD.

DRAWING
 SHEET: EXH
 OF

cs:\10030\10030 - Denton\10030-10-10-16_PrelimConcept\100300909\04.dwg modified by ratcliffjsw on Oct 31, 15 1:25 PM

I-35E/Loop 288/Brinker/Mayhill

CSJ:	0196-01-106	Schematic Approval:	February 2011
Limits:	IH-35E intersections with Brinker, Mayhill, and South Loop 288	Environmental Clearance:	May 13, 2016
Description:	Construct grade separation along IH 35E at Brinker and intersection improvements at Mayhill and South Loop 288	ROW Acquisition Completed:	July 2016
		Utility Relocations Complete:	December 2017
Construction Cost:	\$27,503,078	100% Plans:	August 5, 2016
Contractor:	OHL	Let Date:	September 22, 2016
TxDOT Contacts:	Branden Barnett	Construction Complete:	July 2019



Current Activity:

- Construction:** This project was awarded to OHL on September 22, 2016, for a total construction cost of \$27,503,078. The contract allows for 442 working days and 17 months of barricades. See attached TxDOT construction report. Project is currently in Phase 1, Step 2 configuration. It is estimated that this configuration will remain in effect until December 26-27, 2018, when the traffic switch is expected to occur. TxDOT is working with OHL to expedite the Brinker portion of the project.
- City participation:** Funding \$2.1 million for local match on Brinker underpass.

TxDOT Monthly Project Report

Date of report: September 12, 2018
Report prepared by: Branden Barnett

Project: **STP 2017(083)MM**
Control: **0196-01-106**
Highway: **IH 35E**
Limits: From: State School Rd/Mayhill Rd (FM 2499)
To: SL 288
Contractor: **OHL**

TxDOT Project manager: Branden Barnett
Contractor's Project Manager: Kalin Johnson
Contractor's Superintendent: Rick Clifton

Phone: (214) 392-1791

Date Work Began: March 6, 2107
Anticipated Completion Date: July 2019

Current Activities:

Current activities include: Brinker Road wall construction, SL 288 bridge cap construction, drainage along the northbound frontage road at Brinker Road.

Narrative description of last month's activities: SL 288 bridge construction (i.e., columns, abutments and retaining walls). Drainage along northbound frontage road at Brinker Road. Temporary special shoring at Loop 288 and Brinker Road.

Narrative description of activities planned for next month: Brinker Road bridge construction and SL 288 bridge construction.

Traffic issues: High volumes of traffic.

Plans for changes in traffic patterns: Northbound frontage road various daily lane closures for construction activities. Loop 288/IH-35E intersection closed 9/28/18 – 10/1/18 for beam placement.

Item(s) of work currently controlling project completion: IH-35E northbound main lanes, Brinker Road bridge, and LP 288 bridge construction.

Other items of significance: None

CSJ #: 0196-01-106
 Code Chart 64#: 11400
 Project: IH 35E
 Limits: From State School Road/Mayhill Road (FM 2499) to SL 288/Brinker Road
 County: Denton

District #: 18-Dallas

ATTACHMENT C PROJECT BUDGET

The Local Government will contribute to the State a fixed amount of \$2,148,894, towards the State's estimated total Project cost for the State to construct grade separation along IH 35E at Brinker Road and intersection improvements at Mayhill Road and SL 288/Brinker in Denton County. The Local Government's fixed contribution includes construction items costs. The Local Government fixed amount of \$2,148,894 will not increase or decrease based on the total Project's construction low bid amount. The State will be responsible for the Project cost overruns.

The Project cost is to be as follows:

DESCRIPTION	TOTAL ESTIMATED COST	FEDERAL PARTICIPATION		STATE PARTICIPATION		REGIONAL TOLL REVENUE (RTR) PARTICIPATION		LOCAL PARTICIPATION	
		%	COST	%	COST	%	COST	%	COST
Construction (by State)									
STP-MM	\$16,722,878	80%	\$13,378,302	20%	\$3,344,576	0%	\$0	0%	\$0
RTR	\$9,177,120	0%	\$0	0%	\$0	100%	\$9,177,120	0%	\$0
Local	\$2,148,894	0%	\$0	0%	\$0	0%	\$0	Fixed	\$2,148,894
Subtotal	\$28,048,892		\$13,378,302		\$3,344,576		\$9,177,120	(Fixed)	\$2,148,894
Construction Direct State Costs (12.17%)	\$3,413,550	0%	\$0	100%	\$3,413,550	0%	\$0	0%	\$0
Indirect State Costs (6.38%)	\$1,789,519	0%	\$0	100%	\$1,789,519	0%	\$0	0%	\$0
TOTAL	\$33,251,961		\$13,378,302		\$8,547,645		\$9,177,120	(Fixed)	\$2,148,894

Total Local Government participation = \$2,148,894 (Fixed)

Total payment by the Local Government to the State upon full execution of this agreement = \$2,148,894 (Fixed)

The total amount of Local Government participation shall not exceed the fixed amount appearing above.

Project: **Buc-ee's - Denton**
Denton County - Denton, Texas

Project No.: **100530-09**

Developer: **Buc-ee's, Ltd.**

Date: **November 12, 2015**

Description: Rough Cost - No Design

Item Description	Quantity/Unit	Unit Price	Total
Wastewater			
8" Gravity Line	235 LF	\$80.00	\$18,800.00
10" Gravity Line	1,980 LF	\$90.00	\$178,200.00
4'-Dia. Wastewater Manhole	7 EA	\$12,000.00	\$84,000.00
Wet Connection (Existing Line)	1 EA	\$4,000.00	\$4,000.00
Testing and Trench Safety	1 LS	\$7,500.00	\$7,500.00
SUBTOTAL Opinion of Probable Costs Wastewater			\$292,500.00
Water			
12" C-900 Waterline w/ appurtenances	2,535 LF	\$65.00	\$164,775.00
Fire Hydrant	11 EA	\$4,000.00	\$44,000.00
Service Connections	10 EA	\$2,500.00	\$25,000.00
Wet Connection	3 EA	\$4,000.00	\$12,000.00
Testing and Trench Safety	1 LS	\$5,000.00	\$5,000.00
SUBTOTAL Opinion of Probable Costs Water			\$250,775.00
Storm Sewer			
8'x6' RCB (Includes TxDOT Joint Use Section)	1,365 LF	\$450.00	\$614,250.00
18" RCP	324 LF	\$70.00	\$22,680.00
24" RCP	575 LF	\$75.00	\$43,125.00
36" RCP	640 LF	\$125.00	\$80,000.00
48" RCP	138 LF	\$180.00	\$24,840.00
10' Curb Inlet	16 EA	\$3,000.00	\$48,000.00
4-Sided Area Inlet	2 EA	\$4,500.00	\$9,000.00
Junction Box	1 EA	\$6,200.00	\$6,200.00

ESA Double 48" Headwall	2 EA	\$14,000.00	\$28,000.00
Remove Existing Headwall	1 EA	\$7,500.00	\$7,500.00
Storm Sewer Riser	2 EA	\$2,500.00	\$5,000.00
Testing and Trench Safety	1 LS	\$10,000.00	\$10,000.00

SUBTOTAL Opinion of Probable Costs Storm Sewer **\$898,595.00**

Paving

Reinforced Concrete Pavement	14,926 SY	\$50.00	\$746,311.11
Pavement Headers	1,130 LF	\$30.00	\$33,900.00
5' Sidewalk	3,034 LF	\$25.00	\$75,850.00
ADA Ramps	24 EA	\$1,100.00	\$26,400.00
4" Striping & Crosswalks	7,485 LF	\$2.00	\$14,970.00
12" Stop Bars and & STOP	8 EA	\$1,000.00	\$8,000.00
Traffic Control	3 MO	\$2,100.00	\$6,300.00

SUBTOTAL Opinion of Probable Costs Storm Sewer **\$911,731.11**

Miscellaneous Items

Street Lights	18 EA	\$11,000.00	\$198,000.00
Street Signs	30 EA	\$500.00	\$15,000.00
Median Landscaping	647 SY	\$25.00	\$16,175.00
City Street ROW Dedication	1 LS	\$868,112.00	\$868,112.00
Park/Pond Plaza Amenity	1 LS	\$1,394,766.00	\$1,394,766.00
Erosion & Sedimentation Controls (SWPPP)	1 LS	\$50,000.00	\$50,000.00
Bonding, Insurance and Mobilization (5%)	1 LS	\$127,699.00	\$127,699.00

SUBTOTAL Opinion of Probable Costs Miscellaneous Items **\$2,669,752.00**

SUBTOTAL Public Improvements **\$5,023,353.11**

20% CONTINGENCY:	\$	1,004,670.62
10% ENGINEERING AND PERMITTING:	\$	502,335.00
3% CONSTRUCTION MANAGEMENT & INSPECTIONS:	\$	150,701.00
TOTAL	\$	6,681,059.73

Note: The above Engineer's Opinion of Probable Construction Cost is based on conceptual layout utilizing reasonable professional judgment and experience and does not constitute a warranty, expressed or implied, that the actual cost will not vary.

*In Thousands	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Travel Center															
Buc-ee's Annual Sales	\$ 25,000	\$ 25,750	\$ 26,523	\$ 27,318	\$ 28,138	\$ 28,982	\$ 29,851	\$ 30,747	\$ 31,669	\$ 32,619	\$ 33,598	\$ 34,606	\$ 35,644	\$ 36,713	\$ 37,815
Local Sales Tax Generated	\$ 375	\$ 386	\$ 398	\$ 410	\$ 422	\$ 435	\$ 448	\$ 461	\$ 475	\$ 489	\$ 504	\$ 519	\$ 535	\$ 551	\$ 567
Local Sales Tax Rebate	\$ (188)	\$ (193)	\$ (199)	\$ (205)	\$ (211)	\$ (217)	\$ (224)	\$ (231)	\$ (238)	\$ (245)	\$ (252)	\$ (260)	\$ (267)	\$ (275)	\$ (284)
City Property Tax Generated	\$ 144	\$ 144	\$ 144	\$ 144	\$ 144	\$ 144	\$ 144	\$ 144	\$ 144	\$ 144	\$ 144	\$ 144	\$ 144	\$ 144	\$ 144
Pad Sites															
Pad Site Annual Sales	\$ 4,341	\$ 8,812	\$ 13,417	\$ 18,160	\$ 18,705	\$ 19,266	\$ 19,844	\$ 20,440	\$ 21,053	\$ 21,684	\$ 22,335	\$ 23,005	\$ 23,695	\$ 24,406	\$ 25,138
Local Sales Tax Generated	\$ 65	\$ 132	\$ 201	\$ 272	\$ 281	\$ 289	\$ 298	\$ 307	\$ 316	\$ 325	\$ 335	\$ 345	\$ 355	\$ 366	\$ 377
Sites Local Sales Tax Rebate	\$ (33)	\$ (66)	\$ (101)	\$ (136)	\$ (140)	\$ (144)	\$ (149)	\$ (153)	\$ (158)	\$ (163)	\$ (168)	\$ (173)	\$ (178)	\$ (183)	\$ (189)
City Property Tax Generated	\$ 21	\$ 41	\$ 62	\$ 82	\$ 82	\$ 82	\$ 82	\$ 82	\$ 82	\$ 82	\$ 82	\$ 82	\$ 82	\$ 82	\$ 82
Additional Contract Payment	\$ -	\$ -	\$ -	\$ -	\$ (529)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Tax Generated	\$ 605	\$ 704	\$ 805	\$ 909	\$ 929	\$ 950	\$ 972	\$ 994	\$ 1,017	\$ 1,041	\$ 1,065	\$ 1,091	\$ 1,116	\$ 1,143	\$ 1,171
Total Tax Rebated	\$ (220)	\$ (259)	\$ (300)	\$ (341)	\$ (880)	\$ (362)	\$ (373)	\$ (384)	\$ (395)	\$ (407)	\$ (419)	\$ (432)	\$ (445)	\$ (458)	\$ (472)
Net City Tax Received	\$ 385	\$ 444	\$ 505	\$ 567	\$ 49	\$ 588	\$ 599	\$ 610	\$ 622	\$ 634	\$ 646	\$ 658	\$ 671	\$ 685	\$ 699

Assumptions

- 1) Buc-ee's Travel Center sales: \$25 million in Year 1 with a 3% annual growth rate
- 2) Pad site sales: \$4.3 million in Year 1 with a 3% annual growth rate (based on comparable pad site sales in Denton; 2 pad sites added per year for the first 4 years)
- 3) 1.5% local sales tax rate
- 4) 50% rebate used for both Buc-ee's and pad site sales
- 5) Property tax revenue is estimated for Buc-ee's and pad sites (no rebate on property tax; since the City is focused on budgeting to the effective tax rate, no annual growth rate was applied to property tax revenue)
- 6) Contract requires a one-time payment to reimburse the TxDOT local match if total rebated sales tax is < \$2 million in the first 5 years; payment will be the difference between the 5-year total rebate and \$2 million

*In Thousands	Year 16	Year 17	Year 18	Year 19	Year 20	Year 21	Year 22	Year 23	Year 24	Year 25	Total
Travel Center											
Buc-ee's Annual Sales	\$ 38,949	\$ 40,118	\$ 41,321	\$ 42,561	\$ 43,838	\$ 45,153	\$ 46,507	\$ 47,903	\$ 49,340	\$ 50,820	\$ 911,482
Local Sales Tax Generated	\$ 584	\$ 602	\$ 620	\$ 638	\$ 658	\$ 677	\$ 698	\$ 719	\$ 740	\$ 762	\$ 13,672
Local Sales Tax Rebate	\$ (292)	\$ (301)	\$ (310)	\$ (319)	\$ (329)	\$ (339)	\$ (349)	\$ (359)	\$ (370)	\$ (381)	\$ (6,836)
City Property Tax Generated	\$ 144	\$ 144	\$ 144	\$ 144	\$ 144	\$ 144	\$ 144	\$ 144	\$ 144	\$ 144	\$ 3,604
Pad Sites											
Pad Site Annual Sales	\$ 25,892	\$ 26,669	\$ 27,469	\$ 28,293	\$ 29,142	\$ 30,016	\$ 30,917	\$ 31,844	\$ 32,800	\$ 33,784	\$ 581,127
Local Sales Tax Generated	\$ 388	\$ 400	\$ 412	\$ 424	\$ 437	\$ 450	\$ 464	\$ 478	\$ 492	\$ 507	\$ 8,717
Sites Local Sales Tax Rebate	\$ (194)	\$ (200)	\$ (206)	\$ (212)	\$ (219)	\$ (225)	\$ (232)	\$ (239)	\$ (246)	\$ (253)	\$ (4,358)
City Property Tax Generated	\$ 82	\$ 82	\$ 82	\$ 82	\$ 82	\$ 82	\$ 82	\$ 82	\$ 82	\$ 82	\$ 1,932
Additional Contract Payment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Tax Generated	\$ 1,199	\$ 1,228	\$ 1,258	\$ 1,289	\$ 1,321	\$ 1,354	\$ 1,388	\$ 1,423	\$ 1,458	\$ 1,495	\$ 27,925
Total Tax Rebated	\$ (486)	\$ (501)	\$ (516)	\$ (531)	\$ (547)	\$ (564)	\$ (581)	\$ (598)	\$ (616)	\$ (635)	\$ (11,723)
Net City Tax Received	\$ 713	\$ 727	\$ 742	\$ 758	\$ 774	\$ 790	\$ 807	\$ 824	\$ 842	\$ 861	\$ 16,201

2019 CITY COUNCIL MEETING SCHEDULE

Tuesday	January 1	No Meeting	City offices closed New Year's Day observed
Monday	January 7	Luncheon	
Tuesday	January 8	Work/Regular Session	
Tuesday	January 15	Work/Regular Session	
Tuesday	January 22	No Meeting	MLK Day Holiday USCM, Washington, DC, 1/23-25
Tuesday	January 29	No Meeting	5 th Tuesday
Monday	February 4	Luncheon	
Tuesday	February 5	Work/Regular Session	
Tuesday	February 12	2nd Tuesday Session	
Tuesday	February 19	Work/Regular Session	
Tuesday	February 26	4 th Tuesday Session	
Monday	March 4	Luncheon	
Tuesday	March 5	Work/Regular Session	
Tuesday	March 12	No Meeting	NLC, Washington, DC, 3/10-13 Spring Break, 3/12-16
Tuesday	March 19	Work/Regular Session	
Tuesday	March 26	4 th Tuesday Session	
Monday	April 1	Luncheon	
Tuesday	April 2	Work/Regular Session	
Tuesday	April 9	2nd Tuesday Session	
Tuesday	April 16	Work/Regular Session	
Tuesday	April 23	4 th Tuesday Session	
Tuesday	April 30	No Meeting	5 th Tuesday
Monday	May 6	Luncheon	
Tuesday	May 7	Work/Regular Session	
Tuesday	May 14	Election Meeting	Installation of CC Members Only
Tuesday	May 21	Work/Regular Session	
Tuesday	May 28	No Meeting	Memorial Day, 5/27
Monday	June 3	Luncheon	
Tuesday	June 4	Work/Regular Session	
Tuesday	June 11	2nd Tuesday Session	
Tuesday	June 18	Work/Regular Session	
Tuesday	June 25	4 th Tuesday Session	TCMA, Fort Worth, 6/27-30
Monday	July 1	No Luncheon	USCM, Boston, MA, 6/28-7/1
Tuesday	July 2	No Meeting	
Tuesday	July 9	No Meeting	
Tuesday	July 16	Work/Regular Session	
Tuesday	July 23	4 th Tuesday Session	
Tuesday	July 30	No Meeting	5 th Tuesday
Thursday	August 1	Budget Workshop	
Monday	August 5	Luncheon	
Tuesday	August 6	Work/Regular Session	
Tuesday	August 13	2nd Tuesday Session	
Tuesday	August 20	Work/Regular Session	
Tuesday	August 27	4 th Tuesday Session	

2019 CITY COUNCIL MEETING SCHEDULE

Monday	September 2	No Luncheon	Labor Day Holiday
Tuesday	September 3	No Meeting	
Tuesday	September 10	Work/Regular Session	
Tuesday	September 17	Work/Regular Session	
Tuesday	September 24	4th Tuesday Session	
Tuesday	October 1	No Meeting	Rosh Hashanah National Night Out
Monday	October 7	Luncheon	
Tuesday	October 8	2nd Tuesday Session**	Erev Yom Kippur TML, San Antonio, 10/9-11
Tuesday	October 15	Work/Regular Session	
Tuesday	October 22	4th Tuesday Session	
Tuesday	October 29	No Meeting	5th Tuesday
Monday	November 4	Luncheon	
Tuesday	November 5	Work/Regular Session	
Tuesday	November 12	2nd Tuesday Session	
Tuesday	November 19	Work/Regular Session	NLC, San Antonio, TX, 11/20-23
Tuesday	November 26	No Meeting	Thanksgiving, 11/28-29
Monday	December 2	Luncheon	
Tuesday	December 3	Work/Regular Session	
Tuesday	December 10	2nd Tuesday Session	
Tuesday	December 17	Work/Regular Session	
Tuesday	December 24	No Meeting	Hanukkah, 12/23-30 Christmas, 12/24-25
Tuesday	December 31	No Meeting	5th Tuesday

** Meeting to end by 6 p.m.

A Monday luncheon has been scheduled for the first Monday of each month.

The months in purple have only one action meeting.



CITY OF DENTON
Development Review Comments

DATE August 13, 2018

Project Number: SP18-0031
Project Name: Park 7
Project Manager: Julie Wyatt at 940-349-8585 or julie.wyatt@cityofdenton.com

Status: RETURN FOR REVIEW

The following comments are provided based upon your recent submittal to the City of Denton.

If a resubmittal is required, a cover letter addressing each staff review comment individually must be provided. If a cover letter is not provided, or does not include the required information, the re-submittal will not be accepted. The cover letter must include the following information:

- A) Restate each comment posted by staff
- B) Respond to each comment with a description of the revision(s) made to satisfy the comment and the page where the revision(s) may be located;
- C) Identify any additional changes/revisions made to the document other than those required by staff, or a statement should be provided that "no additional changes have been made."

The re-submittal checklist can be found here: <https://www.cityofdenton.com/CoD/media/City-of-Denton/Business/Development%20Review/Apply%20for%20a%20project/Resubmittal-Checklist.pdf>

Please allow a maximum of 10 business days for staff to complete the resubmittal review.

Commenting Department: PLANNING

Reviewed By: Julie Wyatt

Contact: julie.wyatt@cityofdenton.com (940) 349-8585

Status: RETURN FOR REVIEW

Comments requiring action:

- PLN 1. A replat for the subject property was approved on August 9, 2017. It must be filed with Denton County prior to approval of a building permit.
- PLN 2. Ensure that all lot and building square footage is consistent on every exhibit. Currently, there are discrepancies between the site plan and landscape plan
- PLN 3. Revise the Cover Sheet to reflect the zoning of DC-G and DR-2.
- PLN 4. Exhibits G1 and G 2
 - a. Add the fence material and height
 - b. Add the square footage of lot coverage.
 - c. Revise the DC-G zoning summary table to reflect a maximum building height of 100 feet and no required setbacks
 - d. Revise the DR-2 zoning summary table to reflect a maximum building height of 45 feet.
 - e. The City of Denton has recently adopted new parking requirements; however, due to the project's timing, the previous parking requirements can be used. Provide a parking analysis based upon the number of units, the bedrooms associated with the units, the parking required for the unit type, the parking required, and the parking provided.

- f. COMMENT REVISED DUE TO STAFF CALCULATION ERROR. 537 SPACES REQUIRED. It does not appear that adequate parking has been provided. Staff calculates that 554 spaces are required. Revise the proposal to meet the requirements. If the applicant requests a mixed-use parking reduction in accordance with Section 35.14.7.C, provide data demonstrating that the peak demands of the uses are offset. Staff will review and approve or deny the request. Any approved reductions must be reflected in the Parking Analysis shown on the site plan.
- g. Add the number of Bicycle parking spaces to the parking analysis.
- h. Add the minimum unit size to the Project Data.
- i. It does not appear that adequate pedestrian access into the building is provided. Buildings shall be directly accessed from the street and the sidewalk. A minimum of 1 ground floor pedestrian entrance must be oriented toward the street and include a porch. (Section 35.13.13.2.A.1.g). Clearly label all pedestrian entrances into the residential portion of the building and provide appropriate pathways.
- j. An area equal to at least 8 percent of the lot area, excepting required setbacks, shall be dedicated to open space for recreation for use. Designate open space area on the site plan and provide the proposed ground cover and percentage of lot area. If balconies and patios are used toward the open space requirement, provide the percentage of lot area.
- k. All mechanical equipment, including those on roof tops, must be screened from rights-of-way and residential uses and districts (Section 35.13.9.B.2). Provide the location of all mechanical equipment and screening mechanism.
- l. Show the solid waste containers on the site plan and dimension the approach. They should be screened from public view.
- m. If the parking garage includes controlled access, the “call box” should be placed in a location to allow for sufficient queuing. Indicate the location of any access gates and call boxes.

PLN 5. Exhibit M1-M3

- a. Provide the dimension of the parkway and evidence that the proposed street trees can be supported in the available soil volume.
- b. List the ground cover materials in the courtyard and location and square footage of each.
- c. Label the ground cover materials in the landscape area.
- d. Provide the proposed tree species and label each-the proposed street trees must be either medium or large trees on the approved tree list from DME (where there are overhead power lines) and in the Site Design Criteria Manual.
- e. Trees used to meet the minimum preservation or mitigation may not be counted toward the minimum canopy. Label each preserved and mitigated tree on the landscape plan and provide a separate line item in the tree canopy calculation.
- f. Label the planting material or provide a legend
- g. Provide a landscape data table that includes:
 - i. The square footage of the lot.
 - ii. The approximate square footage of the lot covered by existing tree canopy.
 - iii. The square footage of lot covered by new tree canopy. Calculate percentage of approximate mature canopy. The square footage and percentage of the lot in pervious landscaped areas.
 - iv. The number of required and provided street trees with species.
 - v. All proposed planting material, numbers or square footage.

PLN 6. Elevations

- a. Revise the elevation to ensure entrances are clearly visible from the street and sidewalk and pedestrian-scaled. Distinctive architectural elements and materials, such as ornamental glazing or paving, over doors, porches, trellises or planter boxes, and lighting are acceptable. (Section 35.13.13.2.A.1.g).
- b. The wall area of the front façade must comprise of at least 25 percent windows and doors. Shutters, trim, or false windows will not be counted toward the requirement. Provide the percentages on elevation (Section 35.13.13.2.A.1.b).

- c. The wall area of all façades (other than front façade) that face a public or private right-of-way, excluding alleys, must comprise of at least 10 percent windows and doors, or one window or door per sleeping area, whichever provides for greater coverage of windows and doors. Shutters, trim, or false windows will not be counted toward the requirement. Provide the percentage on elevations (Section 35.13.13.2.A.1.b).
- d. COMMENT REMOVED. SINCE THE PROPOSED BUILDING IS MIXED USE, COMMENT DOES NOT APPLY. Forty percent of the total net exterior wall area of each building elevation, excluding gables, windows, doors and related trim, shall be brick, stone, or masonry. The balance of the net exterior wall may be wood clapboard siding, wood beaded siding, stucco, masonry, HDO board or other high quality material customarily used for the building and neighborhood style (Section 35.13.13.2.B.2). Revise the proposal to meet the requirement and provide the percentage on the elevations.
- e. COMMENT REMOVED. SINCE THE PROPOSED BUILDING IS MIXED USE, COMMENT DOES NOT APPLY. Multi Family Developments greater than 30 units and/or more than 3 buildings may not use the same exterior design for more than 30 units in a project. A variety of compatible exterior materials' use and type, building styles, massing, composition, and prominent architectural features, such as door and window openings, porches, rooflines, shall be used (Section 35.13.13.2.A.3). Revise the elevations to meet this requirement.
- f. It appears that the structure in the DR-2 District exceeds the maximum building height. Provide an accurate building height and indicate the zoning line on the elevations. Building height is determined by: The vertical distance to the highest point of the roof for flat roofs, measured from the curb level if the building is not more than 10 feet from the front property line or from the grade in all other cases. (Subchapter 23).
- g. COMMENT REMOVED. SINCE THE PROPOSED BUILDING IS MIXED USE, COMMENT DOES NOT APPLY. Residential Proximity Slope. Provide an exhibit demonstrating that the proposal meets the Residential Proximity Slope requirements in DDC Section 35.13.13.2.A.1.e or provide evidence that no single family homes are located within the vicinity of the project.

PLN 7. A photometric plan is required, but can be provided at building permit.

Informational Comments

PLN 1. The request is for site plan approval for a multi-family development. The subject property is governed by DC-G and DR-2 Districts. All development within each district must conform to the use and dimensional requirements associated with that district.

PLN 2. PLEASE NOTE, IN ACCORDANCE WITH SECTION 245.002(E) OF THE TEXAS LOCAL GOVERNMENT CODE, AND SECTION 35.16.8.(F) OF THE DENTON DEVELOPMENT CODE THE CITY REQUIRES THAT IF AN APPLICATION IS NOT COMPLETED ON OR BEFORE THE FORTY-FIFTH (45) DAY AFTER THE DATE THE APPLICATION IS FILED THE APPLICATION WILL BE DEEMED TO HAVE EXPIRED AND IT WILL BE RETURNED TO THE APPLICANT TOGETHER WITH ANY ACCOMPANYING DOCUMENTS. THEREAFTER A NEW APPLICATION MUST BE SUBMITTED AND THE CITY MAY RETAIN ANY FEE PAID FOR REVIEWING THE APPLICATION FOR COMPLETENESS.

Commenting Department: DRC ENGINEERING

Reviewed By: Tracy Beck

Contact: tracy.beck@cityofdenton.com (940) 349-8925

Status: RETURN FOR REVIEW

GENERAL/RESOURCES/INFORMATION:

G1. Address engineering comments below and redlines uploaded to Project Dox under Supporting Docs titled RedlinesEngRevSP#1.pdf. Respond to redlines by marking up redlines (electronically or by hand) and uploading to Supporting Docs with formal resubmittal.

G2. Additional comments will be forthcoming upon the Traffic Impact Analysis and Pedestrian Analysis and additional information requested in the redlines.

- G3. INFORMATION: Cart Service will be allowed for the three proposed duplex units
- G4. INFORMATION: Trees, fences, encroachments, and/or structures will not be allowed in drainage, detention, and/or public utility easements.
- G5. INFORMATION: Any off-site easements required for construction of any aspect of the subject site must be received and filed prior to approval of the Final Plat.
- G6. RESOURCE/INFORMATION: Refer to Frequently-UsedResourceEngineeringResources.pdf uploaded to Project Dox under Supporting Docs to find Asbuilt/Record Drawings, Criteria Manuals, Standard Details, Development Agreements/3-way Contract forms and instructions. DRC Engineering is available to meet with the engineer and owner to discuss comments. Please email Tracy.Beck@CityofDenton.com to schedule a follow up meeting.
- G7. INFORMATION: Possible Engineering-Related Development Fees:
- a) Road Impact Fees - City Ordinance No. 2016-189
 - b) Water & Sewer - Meter/Tap/Impacts/Hydrant (See on-line City Fee Schedule)
 - o Fees to include: Water and Sewer Impact Fees (credit would be issued for any existing or recently removed meter to be abandoned), Water and Sewer Tap Fees, Water Meter Set Fee, and cost of multi-meter header.
 - o Anticipated fee plan will include providing credit (likely 1 SFE) for existing water meter if meter is to be removed and not re-used for irrigation. New fees will be based upon 6 new meters likely assessed 1 SFE each.
 - c) Public Works Inspection Fee(3.5% of applicable construction costs)
 - d) Public Works (CEP) Plan Review Fee (1.0% of applicable construction costs)
- G8. INFORMATION: Development Agreements (aka 3-WAY CONTRACTS). Please be advised this project includes the construction of public improvements such as, but not limited to: Public sidewalks and ramps, pavement, sanitary sewer, and storm sewer.
- a) When Public Improvements are required for a project, prior to filing of Final Plat, scheduling a pre-construction meeting or prior to beginning construction, completion of a Developers Agreement (3-Way Contract) must be executed with bond payment for cost of all public improvements, along with submittal of 3.5% Inspection Fee payment check.
 - b) For commercial developments only, Applicant may construct private improvements simultaneously with the public improvements.

Commenting Department: ELECTRIC

Reviewed By: Daniel Howington

Contact: Daniel.howington@cityofdenton.com (940) 349-7168

Status: RETURN FOR REVIEW

Action Items

- Please show electric lines & equipment on all applicable sheets as marked on Exhibit J – utility Plan.

Action Items Upon Issuance of Permit

- Provide Customer Requirements Document to Denton Municipal Electric (DME) Engineering staff for record keeping purposes
- Provide drawing of civil plans in an AutoCAD format to Daniel Howington at daniel.howington@cityofdenton.com for DME Electric Engineering staff to use in preparing a construction drawing for electric utilities to the development
- Provide Contact information for General Contractor
- Provide Contact information for Electrical Contractor
- Provide DME engineering with documentation of requested easements upon dedication.

DME Electric Service Standards

Electric utility installation for Park Place Denton shall be per the DME Electric Service Standards. The Electric Service Standards are available on-line at the URL <https://www.cityofdenton.com/government/departments/denton-municipal-electric/about-dme> or go to cityofdenton.com click on Departments in top ribbon, scroll to Denton Municipal Electric and click on the Go To Denton Municipal Electric Page, click the About DME icon, and click on Electric Service Standards. Per these standards, the developer is responsible for installation of any and all civil work required by DME to provide electric service to the development, including, but not limited to; furnishing equipment and labor to lay out and dig trenches, placing conduit in trenches, installing transformer and switchgear foundations, and placing electrical connection boxes.

Transformer Location

The DME transformer location marked in the site plan submitted on 07/25/18 is acceptable to DME. The transformer location as marked meets DME building clearance requirements and DME accessibility requirements. Please show transformer location marked on Exhibit J – Utility Plan on all applicable plan sheets. The transformer doors shall open to the north toward the driveway.

Guidelines for Transformer Placement

- Clearance requirements near transformers shall be per Appendix C drawings from the DME Electric Service Standards
- Roofs, canopies, overhangs, or other obstructions directly above a transformer clearance area must be at least 25' above the transformer pad top elevation
- DME must be able to access the transformer location with a heavy-duty construction truck with outriggers for installation, maintenance, and future replacement. Access shall be paved and able to accommodate the heavy-duty construction trucks
- Developer shall install poured concrete pads for all transformers unless otherwise agreed to in writing by DME. Pad detail requirements will be provided by DME upon building plan approval
- All transformers within 5' of vehicular traffic will require installation of safety bollards by the developer. Bollard details will be provided by DME upon building plan approval

The City of Denton requires the following plan stamp on all new final plats:

IMPORTANT NOTICE:

THE CITY OF DENTON HAS ADOPTED THE NATIONAL ELECTRICAL SAFETY CODE (THE "CODE"). THE CODE GENERALLY PROHIBITS STRUCTURES WITHIN 17.5 FEET ON EITHER SIDE OF THE CENTER LINE OF OVERHEAD DISTRIBUTION LINES AND WITHIN 37.5 FEET ON EITHER SIDE OF THE CENTERLINE OF OVERHEAD TRANSMISSION LINES. IN SOME INSTANCES THE CODE REQUIRES GREATER CLEARANCES. BUILDING PERMITS WILL NOT BE ISSUED FOR STRUCTURES WITHIN THESE CLEARANCE AREAS. CONTACT THE BUILDING OFFICIAL WITH SPECIFIC QUESTIONS.

Easements

No obstructions shall be constructed within any easement area that accommodates any city utilities unless agreed to in writing by all pertinent city utility departments.

Primary Conduit System

Routing of the primary conduit system shall be determined by DME and shall not be changed without written approval of DME Electric Engineering. The developer must allow DME to inspect and supervise installation of the primary conduit system and shall provide DME a minimum of 24 hours' notice prior to when inspection and supervision is required. DME will provide the materials for the primary conduit system, but the developer is responsible for the backfill, including any required concrete. The developer is responsible for picking up materials for the primary conduit system at the City of Denton warehouse at 901 Texas Street.

National Electrical Safety Code

The developer is responsible for maintaining the level of care set forth by the latest State of Texas and City of Denton adopted National Electrical Safety Code for existing and planned electric utilities in all developments.

Landscaping

Developer is not to plant canopy trees that will grow into overhead electric lines. Developer is not to plant landscaping that will block access to DME Facilities (see Electric Service Standards Appendix C). Developer is not to place plants with thorns near DME facilities.

Customer Requirement Documents

Separate DME Customer Requirement Documents are required to be submitted to DME for each building within the proposed development. The DME Customer Requirements Documents are available on line at the URL <https://www.cityofdenton.com/government/departments/denton-municipal-electric/about-dme> or go to cityofdenton.com click on Departments in top ribbon, scroll to Denton Municipal Electric click on Go To Denton

Municipal Electric Page, click the About DME icon, and then click on the appropriate document. For Park Place Denton the DME Customer Requirement Document – Commercial and Industrial short form would be filled out. Please fill out the Customer Requirements Document and e-mail to daniel.howington@cityofdenton.com. Receipt of the Customer Requirements Document is required to start the DME design process for electric facilities to serve the development.

Development Plans

The developer shall provide an AutoCAD file of the development for DME to use in the preparation of Construction drawings for installation of DME electric facilities. At a minimum, the file shall include all wet utilities, a paving plan, and a grading plan in a single bound file. Receipt of the AutoCAD file is required to start the DME design process for electric facilities to serve the development. DME staff will treat the AutoCAD file as confidential and not share with other entities without approval from the developer.

Future Building Plan Comments

Future DME comments will provide details on the transformer foundation, transformer size and impedance, allowable customer service cable in the transformer, metering details, and other information as deemed necessary by DME.

Commenting Department: WATER ADMINISTRATION

Reviewed By: Deborah Viera

Contact: Deborah.viera@cityofdenton.com

Status: APPROVED

Commenting Department: TREE CODE

Reviewed By: Haywood Morgan

Contact: Haywood.morgan@cityofdenton.com (940) 349-8337

Status: RETURN FOR REVIEW

Comments that are required to be addressed:

TC 0101 Clearly state how you intend to mitigate the 109 diameter inches of trees. Mitigation may be in the form of replanting additional trees on site (beyond required landscape trees) or payment in the City's tree fund at a rate of \$125 per diameter inch. If you chose to plant, additional trees clearly mark the mitigation trees on the landscape plan with a bold capital "M".

Informational Comments:

TC 0101 The Tree Preservation Plan submitted satisfies the Tree Code requirement.

Commenting Department: GAS WELL INSPECTIONS

Reviewed By: Hayley Zagurski

Contact: Hayley.zagurski@cityofdenton.com (940) 349-7785

Status:

Informational Comment:

There are no gas well drilling and production sites within 1000 feet of the subject property.

Commenting Department: FIRE PREVENTION

Reviewed By: Megan Schuth

Contact: megan.schuth@cityofdenton.com (940) 349-8355

Status: RETURN FOR REVIEW

F101. This submittal has been reviewed for compliance with the 2012 International Fire Code and City Ordinance 2015-197, Section 29-2 Amendments to the Fire Code. The applicant is responsible for compliance with all applicable portions of the Fire Code and City Ordinances even in the absence of review comments.

OMMISSION OF PLAN REVIEW COMMENTS DOES NOT CONSTITUTE APPROVAL TO VIOLATE ANY PORTION OF THE FIRE CODE.

F102. Action Required. Fire access is inadequate. Bryan Street and Normal street allow parking on one side of the street, which leaves the clear access under 26' in width. All streets (Scripture, Bryan, and Normal) have overhead power lines. None of the streets are able to provide the required aerial fire access for the proposed 4-5 story building.

Revise to show adequate fire access in accordance with 2012 International Fire Code Appendix D, Section D105 Aerial Fire Apparatus Access Roads

D105.1 Where required. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department apparatus access shall be provided with approved fire apparatus roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

D105.2 Width. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of any building or portion of building more than 30 feet in height.

D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.

Commenting Department: REAL ESTATE

Reviewed By: Mark Laird

Contact: mark.laird@cityofdenton.com (940) 349-8924

Status: General Information

GENERAL COMMENTS AND INFORMATION:

REGC1. If offsite easements are required as a condition of this development, three sets of legal descriptions and illustrations defining the area(s), signed and sealed by a licensed surveyor as well as a copy of the latest deed(s) showing the current ownership of the tract will need to be submitted to the Real Estate Group. The easement documents will be drawn up, and it will be the developer's responsibility to have the documents executed by the respective parties. The plat will not be filed of record until the offsite easements have been acquired and accepted. Contact the Real Estate Group with any questions. Please note that all dedications will need to have clear title and be clear of any land restrictions before acceptance can be granted by the City of Denton.

REGC2. Should you desire to abandon any public easements located within this parcel, it will be necessary to file a separate "Request for Abandonment" and enter into an "Easement Abandonment Agreement" with the City of Denton. Abandonment of public easements must be executed before plat will be filed for record. Plan accordingly, as the abandonment process must go through PUB (Public Utilities Board) as well as the Denton City Council for approval. Please contact Mark Laird with the Real Estate Group with any questions or comment, mark.laird@cityofdenton.com or by phone at (940) 349-8924.

Commenting Department: PARKS

Reviewed By: Jason Donnell

Contact:

Status: RETURN FOR REVIEW

Park Dedication Ordinance 98-039 applies to developments of 5 or more dwelling units. Please provide number and type of dwelling units. For questions please contact Jason Donnell Jason.Donnell@cityofdenton.com 940-349-8275

Conditional Approvals and Overlays Approved since 2015

Project Name	Project Type	Approval Date	Conditions Met
Rayzor Ranch	Zoning Overlay Conditions		Currently meeting all requirements
Elk Springs (Epic Apartments)	Specific Use Permit Conditions	5/12/2015	Met all requirements
Fireside Park	Zoning Overlay Conditions	7/21/2015	<p>Have not submitted a site plan or building permit. The conditions have been placed on property.</p> <ol style="list-style-type: none"> 1. A perimeter fence with a “wrought” iron appearance, with taller posts topped by a cast stone column cap every 24 feet will be installed along the perimeter of the site. The setback of the proposed homes will be 50 feet minimum from the existing curb. The developer, and later a homeowner’s association, will take responsibility for maintenance and irrigation of all open spaces and site amenities. 2. Except for glazing, doors, and trim, the exterior of the homes shall be of vitrified clay brick or stone for all vertical surfaces with a direct load path to the foundation. 3. Three-car Garages shall not face the public or private right-of-way where the entrance/address is located. 4. Any ingress or egress to the subject property shall not remove the on-street bike lane on Hinkle Drive.
Majestic on McKinney Apartments	Specific Use Permit Conditions	7/21/2015	Met all requirements
New ATM Drive-Through AccessBank Texas	Specific Use Permit Conditions	10/20/2015	Met all requirements
DME Locust Substation	Specific Use Permit Conditions	1/5/2016	Met all requirements
Meadow View Lofts	Specific Use Permit Conditions	1/5/2016	Met all requirements
Denton Rehab/Nursing Center	Zoning Overlay Conditions	5/10/2016	<p>Have not submitted a site plan or building permit. The conditions have been placed on property.</p> <ol style="list-style-type: none"> 1. The Elderly Housing use must substantially comply with the attached Site Plan and Landscape Plan, attached as Exhibit A and incorporated herein; and 2. The maximum building square footage shall be 60,730 square feet; and 3. The structure must maintain a 15-foot Type "C" Buffer on the North property line adjacent to the single-family dwellings; and 4. No additional parking spaces are permitted.
North Elm Street Apartments	Specific Use Permit Conditions	2/7/2017	Met all requirements

Conditional Approvals and Overlays Approved since 2015

Project Name	Project Type	Approval Date	Conditions Met
<p align="center">Quik Trip</p>	<p align="center">Specific Use Permit Conditions</p>	<p align="center">2/7/2017</p>	<p>Have not submitted a site plan or building permit. The conditions have been placed on property.</p> <ol style="list-style-type: none"> 1. The proposed development must substantially conform to the attached Site Plan, Landscape Plan, and Grading Plan as submitted, including: <ol style="list-style-type: none"> a. A 5-foot curb inlet filter with a replaceable media pack shall be installed and maintained in the northwest corner of the site as depicted on the attached Site Plan. b. The applicant must submit three reports per calendar year to the Planning Division demonstrating that the curb inlet filter has been inspected and maintained a minimum of three times per year or when debris and accumulation reaches 80% of filter capacity. Additionally, the reports must provide confirmation that the media packet has been replaced at least once per year or when the media pack is 50% coated with contaminants. c. A marked pedestrian connection must be installed to connect the sidewalk on North Carroll Boulevard with the retail building. d. Four existing trees that are currently planted in the new parking area shall be relocated on the site as depicted in the attached Landscape Plan. e. Four additional 2-inch caliper large canopy trees from the Landscape Plant List must be planted onsite in accordance with the Landscape and Tree Canopy Requirements outlined in Section 35.13.7.B of the Denton Development Code.
<p align="center">The Standard/The Hudson at MedPark</p>	<p align="center">Specific Use Permit Conditions</p>	<p align="center">3/21/2017</p>	<p>Have not submitted a site plan or building permit. The conditions have been placed on property.</p> <ol style="list-style-type: none"> 1. Comply with the site plan, landscape plan attached. 2. Will meet or exceed the requirements of DDC 35.13.13.2; however EIFS shall be permitted only as accent building materials limited to 10% of the total building façade. 3. No pole signage shall be used along Hudsonwood Drive. Signs shall be designed in accordance with dimensional requirements in Chapter 33 of the Code of Ordinances.

Conditional Approvals and Overlays Approved since 2015

Project Name	Project Type	Approval Date	Conditions Met
Denton Calvary Academy High School	Specific Use Permit Conditions	5/2/2017	Have not submitted a site plan or building permit. The conditions have been placed on property. 1. The proposed use must be restricted to existing buildings on Lots 1R, 2R, 3R, and 4R, Block A, of the Denton Bible Church Addition, as is reflected on the attached Site Plan. Existing landscaping coverage and parking counts must be maintained as is reflected on the attached Site Plan. Any changes to the building footprints, parking counts, parking lot layouts, or landscaping area on Lots 1R, 2R or 3R must be approved by amending the SUP. Lot 4R can develop with uses permitted in the NRMU District under the standards of the Denton Development Code without amending the SUP.
Riney Road Apartments	Specific Use Permit Conditions	8/1/2017	Have not submitted a site plan or building permit. The conditions have been placed on property. 1. Comply with the site plan, landscape plan, and elevations exhibit "B" 2. Shall include secure bicycle parking at a ratio of one bicycle parking stall for every ten vehicle parking spaces provided.
Justice Plaza	Zoning Overlay Conditions	10/17/2017	Meeting all requirements
Retreat at Denton	Specific Use Permit Conditions	12/5/2017	Meeting all requirements
Cope Addition Denton	Zoning Overlay Conditions	12/5/2017	Have not submitted a site plan or building permit. The conditions have been placed on property. 1. Single-family Dwellings shall be the only permitted use. 2. A maximum of 86 Single-family Dwellings may be developed.
Yale Development Audra and Nottingham	Zoning Overlay Conditions	12/5/2017	Have not submitted a site plan or building permit. The conditions have been placed on property. 1. Single-family Dwellings shall be the only permitted use. 2. A maximum of 33 Single-family Dwellings may be developed.
Palladium Denton	Specific Use Permit Conditions	12/15/2017	Currently meeting all requirements

Conditional Approvals and Overlays Approved since 2015

Project Name	Project Type	Approval Date	Conditions Met
Audra Tract Rezoning	Zoning Overlay Conditions	2/6/2018	<p>Have not submitted a site plan or building permit. The conditions have been placed on property.</p> <ol style="list-style-type: none"> 1. Single-family Dwellings shall be the only permitted uses. 2. A maximum of 54 single-family dwellings may be developed. 3. Minimum front setbacks shall be no less than 20 feet.
Mingo Road Apartments	Specific Use Permit Conditions	2/8/2018	<p>Have not submitted a site plan or building permit. The conditions have been placed on property.</p> <ol style="list-style-type: none"> 1. A full site plan submittal shall be required to ensure each phase of the development complies with the requirements of the Denton Development Code in terms of site design, landscaping, parking, and building design as provided in DDC 35.6.3 and is generally consistent with the Concept Plan provided in Exhibit B. 2. The Site Plan shall substantially comply with the Concept Plan, specifically with regard to the following items: <ol style="list-style-type: none"> a. The setbacks from adjoining single family residences shall not be reduced beyond what is shown. b. The dumpster location shall not be closer to single family residences. c. Preserve Protected Trees and those trees shown on the concept plan.
Coventry II Apartments	Specific Use Permit Conditions	2/20/2018	<p>Have not submitted a site plan or building permit. The conditions have been placed on property.</p> <ol style="list-style-type: none"> 1. A full site plan submittal shall be required to ensure the development complies with the requirements of the Denton Development Code in terms of site design, landscaping, parking, and building design as provided in DDC 35.6.3 but shall be in conformance with the concept plan (Exhibit B) as submitted.

Conditional Approvals and Overlays Approved since 2015

Project Name	Project Type	Approval Date	Conditions Met
Colorado Townhomes	Zoning Overlay Conditions	5/1/2018	Have not submitted a site plan or building permit. The conditions have been placed on property. 1. There shall be no uses permitted other than single family attached dwelling units, including townhouses, or single family detached dwelling units. 2. The overall density shall not exceed ten dwelling units per acre. 3. Buildings which are contiguous to the residential neighborhoods shall have a maximum height of two stories. 4. Installation of an eight foot tall fence along adjacent properties.
People's Funeral Home Upgrade & Expansion	Zoning Overlay Conditions	8/7/2018	Have not submitted a site plan or building permit. The conditions have been placed on property. 1. The permitted uses within the DC-N District shall be restricted to Mortuary. 2. The maximum building height shall be limited to one-story.
Creekside	Zoning Overlay Conditions	9/12/2018	Currently meeting all requirements

FREE EVENT!

BUILDING RESILIENT NEIGHBORHOODS TOGETHER!

**THE ANNUAL
NEIGHBORHOOD
EMPOWERMENT
SUMMIT**

13

SATURDAY, OCTOBER

LEARN MORE ABOUT OUR NEIGHBORHOOD GRANTS

BREAKFAST | LUNCH | DOOR PRIZES | SPEAKERS | WORKSHOP

9 AM - 1 PM

**MLK JR. RECREATION CENTER
1300 WILSON ST DENTON, TX 76205**

To make appropriate accommodations, register at www.cityofdenton.com/neighborhoodplanning or contact Ron Menguita at Ron.menguita@cityofdenton.com or call at (940) 349-8328 by October 10.

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2018**

13

OCTUBRE

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**INFORMAL STAFF REPORT
TO MAYOR AND CITY COUNCIL**

SUBJECT:

Update on plans to begin Feline Leukemia Virus (FeLV) and Feline Immunodeficiency Virus (FIV) testing at the Denton Animal Shelter.

BACKGROUND:

Following recent feedback from concerned community members regarding the need to properly screen for FeLV and FIV at the Denton Animal Shelter, the City Manager's Office and Animal Shelter staff polled several animal shelters around the DFW Metroplex for best practices. Based on the research conducted, testing cats at the time of sterilization is the regional industry standard.

Using the regional industry standard as a guide, staff will begin testing all cats at the time of sterilization starting November 1. The anticipated annual cost to conduct the FeLV/FIV test is \$21,000. This estimate is based on approximately 1,400 cats being sterilized at the shelter per year and a cost of \$15 per cat to conduct the test. For FY 2018-2019, staff will use funding from the Animal Shelter's Medical Donations Special Revenue Fund to cover the expense. This will be a budgeted operating line item in future fiscal years.

Starting on September 12, 2018, Animal Services began providing written notice in cat adoption packets along with a verbal notification at the time of adoption that cats currently in the shelter have not been tested for FeLV or FIV. This information will remain in the packet until all cats at the shelter have been tested.

ATTACHMENT:

Regional FeLV/FIV Screening Research

STAFF CONTACT(S):

Paul O'Neill
Animal Services Supervisor
Denton Police Department
Paul.ONeill@cityofdenton.com
940-349-7598

Animal Shelter FeLV/FIV
Screening Research

	Hours of Operation	Animal Adoption Fees	Website	Phone	Cat Leukemia Testing Process	Test Administered/Cost
Arlington	Monday – Friday 10 a.m. – 6 p.m. Second Tuesday each month 11 a.m. – 6 p.m. Saturday 10 a.m. – 4 p.m. Closed Sunday	\$100 for a dog and \$90 for a cat	http://www.arlington-tx.gov/animals/	(817) 459-5898	Conducts FELV/FIV testing at the time of sterilization.	Idexx Snap Test, \$13.49 per cat
Carrollton	Monday 10 a.m. -5 p.m. Tuesday 10 a.m.-6 p.m. Wednesday 10 a.m. -5 p.m. Thursday 10 a.m. -6 p.m. Friday 10 a.m. -5 p.m. Saturday 1:30 p.m. -5 p.m. Sunday & Holidays Closed	\$10 Adoption \$5 City License (residents only)	https://www.cityofcarrollton.com/departments/departments-a-f/animals-services/animal-adoptions	(972) 466-3420	Conducts the tests on a request basis from rescue groups. Only test cats when they need to be made "more desirable" for adoption or to have taken on by other shelter facilities.	Idexx Snap Test, did not have cost information readily available
Fort Worth	Monday-Sunday: Noon–6 p.m. (All services, including adoptions, reclaims and rescues)	Dogs \$49 Cats \$25	http://fortworthtexas.gov/animals/	(817) 392-1234	Test all cats prior to adopting them out. Require medical waiver prior to adopting out cats with FeLV or FIV	Manufacturer information not readily available
Grand Prairie	Sunday-Monday: Closed Tuesday-Friday: 10 a.m.-6 p.m. Saturday: noon-6 p.m.	Normal adoption fees are \$70 per animal, which include sterilization, microchip implantation, core vaccines, rabies vaccination, and heartworm testing, if applicable.	https://www.gptx.org/city-government/city-departments/animal-services/adoptable-pets	(972) 237-8575	FeLV/FIV Test administered to all cats. Test is conducted at the time the cat is microchipped.	Idexx Snap Test
Irving	Sunday-Monday -Closed Tuesday-Friday: 11 a.m. - 6 p.m. Saturday: 10 a.m. - 5 p.m.	Fees range from \$70-\$100	http://www.cityofirving.org/130/About-IAS	(972) 721-2256	FeLV/FIV testing administered for all domesticated (not feral) cats upon intake.	Idexx (6 boxes, 30 per box \$400) \$13.33 each
Lewisville	Monday - Friday 10 a.m.- 5 p.m. Saturday 1 - 5 p.m. Sunday Closed	\$90	https://www.cityoflewisville.com/about-us/city-services/animal-services/animal-adoption-center	(972) 219-3478	Test all cats upon spay/neuter -including feral and domesticated.	Currently use VetScan rapid test kit, pack of 25 is 303.75 (\$12.15 each)
Mesquite	Monday 11 a.m. - 5:30 p.m. Tuesday 11 a.m. - 5:30 p.m. Wednesday Closed Thursday 11 a.m. - 5:30 p.m. Friday 11 a.m. - 5:30 p.m. Saturday 1 - 5:30 p.m. Sunday Closed	Pre altered pet: \$35 Cat adoption: \$80 Dog adoption: \$100	https://www.cityofmesquite.com/130/Animal-Services	(972) 216-6283	Does not test for FIV or FeLV	

Animal Shelter FeLV/FIV
Screening Research

	Hours of Operation	Animal Adoption Fees	Website	Phone	Cat Leukemia Testing Process	Test Administered/Cost
Plano	Monday - Friday 9 a.m. - 6 p.m. Saturday - Sunday 10 a.m. - 4 p.m.		https://www.plano.gov/194/Animal-Services	(972) 769-4360	All adoptable cats that are over 6 months of age are tested upon sterilization.	Currently use Vetscan rapid test kit, pack of 25 is 303.75 (\$12.15 each)
Richardson	Mon.-Fri.- 8 am-7 pm Sat.- 9 am-5 pm Sun.- 1 pm-5 pm	Adult Dogs (Older than 6 months) - \$25 Adult Cats (Older than 6 months) - \$15 Puppies (6 months or younger) - \$35 Kittens (6 months or younger) - \$20	https://www.cor.net/departments/animal-services	(972) 744-4480	Test all cats considered adoptable, conduct the test upon neutering.	
Denton	Monday through Saturday from 10 a.m. to 5 p.m.		https://www.cityofdenton.com/en-us/residents/health-safety/animal-services	(940) 349-7594	Currently include information in packet explaining that FeLV and FIV testing is not provided. Will begin testing on November 1.	

**INFORMAL STAFF REPORT
TO MAYOR AND CITY COUNCIL**

SUBJECT:

Appointing Fifth Member to Aquatics Committee

BACKGROUND:

On May 14, 2002 the City of Denton (COD) and the Denton Independent School District (DISD) entered into an Aquatic Center Operations Agreement. The purpose of the agreement was to provide for the operation, management, maintenance, and usage of the Aquatic Center which includes the Natatorium and Water Works Park.

As part of the agreement, a Natatorium Committee was appointed to meet, as needed, to develop an annual schedule and time allocation for usage of the Natatorium. The committee consisted of two representatives from COD, two representatives from DISD, and a fifth committee member that was appointed by the mutual consent of the City Manager and the DISD Superintendent of Schools.

The Natatorium Committee has not held a meeting since 2005. The annual schedule and time allocation usage for the Natatorium is currently developed each summer between COD aquatics staff and DISD aquatics.

An assessment of the Aquatic Center's operations was completed in April, 2018, by PROS Consulting. One of the key recommendations of the assessment was to consider reinstating the Natatorium Committee to increase accountability and lines of communication between COD and DISD. In June, 2018, the Aquatics Committee was reinstated and charged with recommending a fifth member to serve, evaluating the role of the committee, and reviewing the joint agreement. The committee currently consists of two PARD employees appointed by the City Manager and two members appointed by the DISD Superintendent.

To move forward with the direction given, the Aquatics Committee is recommending Charlotte "Barney" Sanborn as the fifth committee member. Barney Sanborn is a retired Chair and Professor Emerita, Department of Kinesiology, Texas Woman's University. Dr. Sanborn began her collegiate teaching and research career at the University of Denver. She and her family moved to Denton, Texas where she continued her career as an associate professor in the Department of Kinesiology at Texas Woman's University (TWU). After being promoted to Full Professor, she became the first Executive Director of the Institute for Women's Health. She ended her career as the Chair of the Department of Kinesiology in 2015.

Throughout her life, Mrs. Sanborn has been actively involved in aquatic activities. She holds extensive knowledge and experience teaching and programming in the aquatic field. Mrs. Sanborn was a member of the original Aquatics Committee and expressed an interest in serving on the new committee.

The fifth member of the committee must be appointed by the mutual consent of the City Manager and the DISD Superintendent of Schools. The COD and DISD will move forward on Mrs. Sanborn's appointment per the agreement.

ATTACHMENT(S):

Ordinance 2002-142 Aquatic Center Operations Agreement

STAFF CONTACT:

Laura Behrens

Assistant Director of Parks and Recreation

Laura.Behrens@cityofdenton.com

ORDINANCE NO. 2002-142

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN AQUATIC CENTER OPERATIONS AGREEMENT BY AND BETWEEN THE CITY OF DENTON, TEXAS AND THE DENTON INDEPENDENT SCHOOL DISTRICT AMENDING AN INTERLOCAL AGREEMENT DATED MAY 15, 2001; AUTHORIZING THE EXPENDITURE OF FUNDS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Denton ("CITY") and Denton Independent School District ("DISD") have previously entered into an Interlocal Agreement dated May 15, 2001 (the "Interlocal Agreement") to provide for the construction, maintenance and operation of an Aquatic Center consisting of a natatorium, an outdoor swimming pool, related aquatic facilities, and infrastructure necessary to serve said facilities (the "Aquatic Center"); and

WHEREAS, THE CITY and DISD desire to enter into an Aquatic Center Operations Agreement which amends the Interlocal Agreement to provide for the maintenance, management, operation, and usage of the Aquatic Center after it is constructed, a copy of which is attached hereto and made a part hereof by reference (the "Operations Agreement"); and

WHEREAS, the City Council finds that the Operations Agreement is in the public interest, NOW, THEREFOR,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The Mayor, or in her absence the Mayor Pro Tem, is hereby authorized to execute, on behalf of the City, the Operations Agreement.

SECTION 2. The expenditure of funds as set forth in the Operations Agreement is hereby authorized.

SECTION 3. This ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the 14th day of May, 2002.

Euline Brock
EULINE BROCK, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

By: Jennifer Walters

APPROVED AS TO LEGAL FORM:
HERBERT L. PROUTY, CITY ATTORNEY

By: [Signature]

AQUATIC CENTER
OPERATIONS AGREEMENT

THIS AGREEMENT is made and entered into by and between the DENTON INDEPENDENT SCHOOL DISTRICT (hereinafter "DISD"), organized and existing under the laws of the State of Texas, and the CITY OF DENTON, TEXAS, a Texas Municipal Corporation (hereinafter "CITY"), acting by and through, and under the authority of their respective governing bodies; and

WHEREAS, DISD and CITY have heretofore entered into that certain Interlocal Agreement dated May 15, 2001 to provide for the construction of an Aquatic Center (the "Interlocal Agreement"); and

WHEREAS, DISD and CITY have entered into this agreement in order to amend the Interlocal Agreement to provide for the maintenance, management, operation, and usage of the Aquatic Center (the "Operations Agreement" or "Agreement"); and

WHEREAS, DISD and CITY are local governmental entities both of whom have the authority to perform the services set forth in this Operations Agreement individually and who mutually desire to enter into this Operations Agreement, which is authorized by Chapter 791 of the Texas Government Code (Vernon 1994), Section 45.109 of the Texas Education Code, and Chapter 332 of the Texas Local Government Code, in order to maximize the benefits derived from each taxpayer dollar; and

WHEREAS, DISD and CITY desire to pool their resources, avoid unnecessary or duplicitous expense, and take advantage of maximizing economies of scale, resulting in cost savings to their respective taxpayers; and

WHEREAS, the DISD and CITY agree that all payments made in connection with the governmental functions provided for by this Agreement shall be made from current revenues available to the paying party and the payments received are adequate and fairly compensate the parties for the services performed; and

WHEREAS, the Interlocal Cooperation Act, now contained in Chapter 791 of the Texas Government Code (Vernon 1994), authorizes the DISD and CITY to enter into this Agreement for the purpose of achieving the governmental functions and providing the services represented by this collective, cooperative undertaking.

NOW THEREFORE, the DISD and CITY, for and in consideration of the premises and the mutual covenants set forth herein do hereby AGREE as follows:

ARTICLE I
INCORPORATION OF PREAMBLES

All matters and recitations stated in the preamble of this Agreement are true and correct and are hereby incorporated by reference into the provisions of this Agreement for all purposes.

ARTICLE II
PURPOSE

The purpose of this Agreement is, as described in the preamble, is to evidence the agreement of the DISD and CITY to provide for the operation, management, maintenance, and usage of the Aquatic Center as defined in the Interlocal Agreement.

ARTICLE III
TERM

The term of this Agreement shall commence on the date on which all parties hereto have executed this Agreement (the "Effective Date") and shall continue until terminated in accordance with the provisions of the Interlocal Agreement.

ARTICLE IV
DEFINITIONS

The following terms shall have the meanings provided in the Interlocal Agreement and as amended as set forth below:

Project includes the operation, management, maintenance and usage of the Aquatic Center

ARTICLE V
PROJECT OPERATION

5.1 Project Operation and Management. Subject to the terms and conditions contained in this Agreement, the City will be the managing partner of the Aquatic Center. This includes the direct oversight of programming, scheduling, fiscal operations, personnel, and the operation and maintenance of Aquatic Center.

5.2 Natatorium Committee. The Natatorium Committee (the "Committee") shall consist of five members. Two members shall be employees of the CITY appointed by the City Manager or his/her designee, and two members shall be employees of the DISD appointed by the Superintendent of Schools of the DISD. The fifth member shall be appointed by the mutual consent of the City Manager and Superintendent of Schools. The Committee shall not be responsible for the day to day operations of the Natatorium or the management and operation of the Natatorium, but shall be responsible for setting usage policies and procedures for the implementation of the allocation of usage of the Natatorium between the CITY and DISD. In

setting such allocation of usage policies the Committee shall be subject to the Usage Polices set forth in Section 5.3 below. The Committee shall meet as needed, and will develop an annual schedule and time allocation for the Natatorium. Deviations from or additions to the annual schedule during the course of the year is an operational function affecting the annual operating budget. Therefore such deviations and additions are under the control of and must be approved by the City as the managing partner of the Aquatic Center. Prior to the opening of the Aquatic Center, the Committee will meet and develop usage policies, procedures, rules and regulations that balance the needs of both the CITY and DISD.

5.3 Usage Policies. The Aquatic Center shall be operated in accordance with the following requirements:

5.3.1 The Outdoor Aquatic Facilities are intended for CITY activities open to the general public in accordance with such policies and procedures as may be adopted by the CITY.

5.3.2 The Committee's schedule of use of the Natatorium shall allow for flexibility for the student day and the school calendar.

5.3.3 DISD is granted the right to use the Natatorium during the DISD school year (first day of school through last day of school) and at such other times sanctioned by the DISD for swim team meets, practices, swimming lessons and events. The DISD swim program may in the future be expanded to include such uses as Middle School UIL swim team programs or Learn To Swim School Curriculums. After the annual schedule and time allocation is set by the Natatorium Committee, reasonable requests for additional hours for the swim team or other DISD sponsored activities must be approved by the CITY.

5.3.4 During periods of joint use of the Natatorium by CITY and DISD the Committee will provide for rules and procedures that will allow the DISD to maintain its statutory duties to protect students during school operation or school sponsored events as provided under Sections 37.105 and 37.124 of the Texas Education Code.

5.3.5 The schedule and time allocation must balance DISD's need to serve its students and meeting the goals of the Business Plan. The CITY will be allowed the opportunity to provide programs and services to the community, and to generate revenue in order to offset operation and maintenance costs.

5.3.6 DISD may host swim meets provided any direct costs associated with hosting the event shall be paid by DISD. "Direct costs" shall mean those costs for providing officials or other personnel (excluding DISD employees) required by the UIL for hosting said meets. DISD shall reimburse CITY for direct costs incurred by CITY, if any, to staff swim meets such as lifeguards, building attendants, etc. These costs will be scheduled and approved prior to the event by DISD and the CITY. DISD may utilize all parts of the Natatorium and surrounding grounds, including classrooms, multi-purpose rooms, etc.

and available parking at no charge for DISD sponsored events. DISD shall be responsible for storage of all equipment/materials, etc. used for the facilitation of all DISD sponsored events at the conclusion of each event. This may include but not be limited to lane lines, timing mechanisms, tables, chairs, etc.

5.3.7 The CITY shall not be responsible for any interrupted or canceled use of the Natatorium due to circumstances beyond its control including but not limited to mechanical failure, weather, act of God, or other natural disasters. The CITY shall provide alternative days or portions thereof in the event of interruption of use due to such circumstances if DISD deems it necessary to complete DISD sponsored activities.

5.3.8 When using the Natatorium, DISD's use includes access to and use of the Natatorium, classrooms, multi-purpose rooms, parking areas, and other areas that are associated with the particular DISD event or use, at no additional charge above the cost allocation provided for in Section 6.2 and the Direct Charges provided for in Subsection 5.3.7.

5.3.9 CITY and DISD shall be entitled to use each others timing systems, equipment, and furnishings at the Aquatic Center, subject to the provisions of 5.5.2.

5.3.10 The use of the Natatorium must at all times be in compliance with applicable laws, ordinances, and regulations pertaining thereto.

5.3.11 No alcoholic beverages shall be sold, consumed, or possessed in or at the Aquatic Center or on property surrounding the Aquatic Center that is owned by DISD or the CITY.

5.4 Other DISD Use: DISD may, subject to availability, and upon payment of applicable fees, use the Outdoor Aquatic Facilities for DISD functions or events or utilize CITY staffing and administration for DISD functions or events at the Aquatic Center.

5.5 Project Maintenance.

5.5.1 After completion of construction of the Project, notwithstanding each party's ownership interest in the Project, the CITY, as managing partner, shall be responsible for the direct operation and maintenance of the Project. Note: The CITY shall operate and maintain the Aquatic Center in such a manner so as to ensure the continued safe operation of the facilities. The CITY shall be responsible for the daily pickup of trash and litter on the exterior grounds. The CITY shall be responsible for the repair and maintenance of the exterior grounds and landscaping for the Project Site, including but not limited to, all landscaped open areas, plants, shrubbery, trees, grass areas, picnic areas or rest areas, and irrigation systems. The CITY shall be responsible for the repair and maintenance of all improvements located on the Project, including but not limited to all buildings, permanent structures, lighting, sidewalks and any other paved or improved area. All landscaping shall be maintained in a neat and orderly manner at all times. The

exterior grounds shall be kept free of trash , litter, weeds, and other material or plants not a part of the landscaping. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year.

5.5.2 Notwithstanding the above, DISD shall be responsible for the repair of any damage, other than ordinary wear and tear, to the Aquatic Center, equipment and furnishings directly attributed to DISD's use, including its patrons, invitees, officials, agents, and/or representatives. CITY shall be responsible for the repair of any damage, other than ordinary wear and tear, to the Aquatic Center, equipment and furnishings directly attributed to CITY's use, including its patrons, invitees, officials, agents, and/or representatives.

ARTICLE VI PROJECT COSTS AND REVENUES

6.1 Aquatic Center Revenue. Subject to the provisions of this Section 6.1, the CITY shall be entitled to retain all income and revenue generated by the Aquatic Center except for revenues raised by booster groups for competitive aquatic programs or revenues generated from a DISD competitive aquatic program event. Any revenue exceeding direct costs will be used to offset the operating costs of the Aquatic Center. Revenue from the operation and use of the Aquatic Center will be used to offset the operating deficit, if any, of the Aquatic Center. All revenues over expenses, if any, shall be retained by the CITY to be held in reserve for routine capital maintenance. The reserve may also be used for future project expansions associated with the Aquatic Center to be used at the sole discretion of the CITY. The Director of the Parks and Recreation Department will be responsible for setting all fees at the Aquatic Center, except for DISD supervised events.

6.2 Aquatic Center Costs.

6.2.1 Subject to the provisions of this 6.2, the CITY is responsible for the ongoing maintenance and operational costs of the Aquatic Center. Attached hereto and made a part hereof as Exhibit "A" is a preliminary estimate of operations and maintenance costs (the "Preliminary Cost Estimate") based on the Business Plan which is attached hereto and incorporated herein by reference as Exhibit "B" (the "Business Plan"). The Preliminary Cost Estimate is based on a typical full 12 calendar month year of operation. At the end of the CITY's fiscal year (September 30), the CITY will determine if there is a net profit or loss. If there is a deficit, the CITY will provide DISD with written notice of such deficit within 90 days after the end of the CITY's fiscal year (December 31). DISD will reimburse the CITY for 50% of the deficit within 30 days after the beginning of DISD's next fiscal year (June 30).

6.2.2 The CITY will include in the annual operating budget for the Aquatic Center, funding for minor repairs and maintenance of equipment and facilities. Routine capital

maintenance, such as recirculation and filtration systems, landscape replacement, etc., will be funded from reserves of any revenues (over expenses) available at the end of the fiscal year. Non-routine capital maintenance, such as structural repairs, replacement of HVAC systems, etc. will be funded outside of revenue generated by the Aquatic Center through other financing sources deemed appropriate by the CITY and DISD. If the non-routine capital maintenance is related only to the outdoor aquatic facilities, the CITY will be solely responsible for the funding. If the non-routine capital maintenance is related only to the natatorium, DISD will be solely responsible for the funding.

ARTICLE VII NAMING OF FACILITIES

The CITY is authorized to name the Outdoor Aquatic Facilities and DISD is authorized to name the Natatorium. The naming of the Aquatic Center shall be approved by the CITY and DISD.

ARTICLE VIII MISCELLANEOUS

7.1 Alterations: No party shall make any alterations to the Project without the prior written consent of the other party. Notwithstanding, neither party shall be required to obtain the other party's consent to perform such party's required maintenance hereunder.

7.2 Books and Records: The City Manager shall cause to be prepared full and accurate books of accounts reflecting the condition of the business and finances of the Project (the "Project Records"). DISD shall have access to Project Records and shall be entitled to examine the same during normal business hours. At the end of each fiscal year, the City Manager shall cause to be prepared a statement of operations and a statement of financial operations (using generally accepted accounting principles) for the year. A preliminary statement of operations shall be provided to the DISD no later than 60 days following the last day of the prior fiscal year. The final statement of operations shall be provided to DISD within 10 days after it is completed.

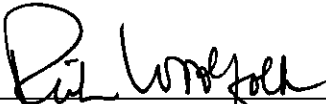
7.3 Joint Continued Use: Upon expiration of the fifty (50) year term, DISD and CITY may enter into a mutually acceptable agreement regarding the terms and conditions for the continued joint use and operation of the Aquatic Center.

7.4 All other terms and conditions of the Interlocal Agreement not amended or revised by this Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Denton Independent School District has caused this Interlocal Operations Agreement to be executed by its duly authorized President of the Board of

Trustees; and the City of Denton, Texas has caused this Interlocal Operations Agreement to be executed by its duly authorized Mayor on this the 14th day of May, 2002.

DENTON INDEPENDENT
SCHOOL DISTRICT

By: 
Rick Wolfolk
President of the Board of Trustees

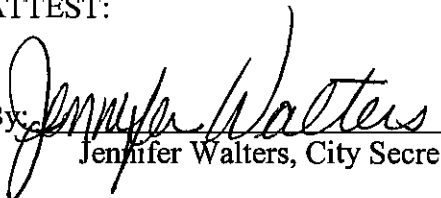
ATTEST:

By: 
Jean B. Schaake,
Member of the Board of Trustees


CITY OF DENTON

By: 
Euline Brock, Mayor

ATTEST:

By: 
Jennifer Walters, City Secretary

Approved as to legal form:
Herbert L. Prouty, City Attorney

By: 

DRAFT

5.9 Proforma Projection

Denton Aquatics Complex Proforma Projection

EXHIBIT A

	Natatorium		Waterpark		Combined Totals
ATTENDANCE					
Day Use Resident					
Regular		2903		19090	25,787
Child		1,303		5338	8,434
Senior		435		356	1,028
Day Use Non-Resident					
Regular		2,542		15845	20,746
Child		1,452		4582	7,097
Senior		484		382	1,028
Block Pricing		8,186		2,230	10,416
Annual Pass Resident		1,939		7,135	11,013
Annual Pass Non-Resident		484		5,352	6,644
Instructions/Lessons		872			1,163
Instructions/Lessons NR		310			387
Exercise/Therapy		1,204		535	2,083
Exercise/Therapy NR		375		176	694
Camps/Day Care				892	892
Birthday Parties		4,500		4,460	8,960
Special Events		5,162		11,149	16,311
		<u>32,151</u>		<u>77,524</u>	<u>122,683</u>
SALES					
Day Use Resident	Per Cap		Per Cap		
Regular	5.95	17,273	6.95	132,676	149,944
Child	3.95	5,147	4.95	26,423	31,569
Senior	3.95	1,718	4.95	1,762	3,479
Day Use Non-Resident					
Regular	7.95	20,209	6.95	141,813	162,023
Child	5.95	8,639	6.95	31,845	40,482
Senior	5.95	2,880	6.95	2,655	5,535
Block Pricing		18,750		6,000	24,750
Annual Pass Resident	50.00	24,238	70.00	124,863	149,100
Annual Pass Non-Resident	80.00	9,680	80.00	107,040	116,730
Instructions/Lessons	40.00	34,880		0	34,880
Instructions/Lessons Non-Resident	50.00	15,500		0	15,480
Exercise/Therapy	45.00	54,180	35.00	18,725	72,905
Exercise/Therapy Non-Resident	55.00	20,625	40.00	7,120	27,760
Camps/Day Care	100.00	0	100.00	89,200	89,200
Birthday Package	11.00	49,500	11.00	49,060	98,560
Special Events/Groups Package	10.00	51,620	10.00	111,490	163,110
Gate Subtotal:		<u>334,839</u>		<u>850,671</u>	<u>1,185,516</u>
Food and Catering	0.59	18,840	1.52	129,201	148,042
Retail		0	0.15	1,675	1,672
Rentals	0.12	3,768	0.25	21,242	25,018
Sponsorship		<u>5,000</u>		<u>16,000</u>	<u>21,000</u>

	Gross Sales:	362,447	1,018,788	1,381,248
COST OF SALES				
Food and Catering		7,913	54,265	62,177
Retail		0	837	836
Rental		565	3,186	3,753
	Cost of Sales:	8,478	58,288	66,766
GROSS PROFIT		353,969	960,500	1,314,482
OPERATING EXPENSES				
Personnel-Full		208,845	174,138	382,983
Personnel-Part-time		102,409	149,586	251,995
Advertising		10,000	35,000	45,000
Dues/Subscriptions		250	250	500
Medical Supplies		1,000	1,500	2,500
Office Supplies/Repair		2,000	4,000	6,000
Pool Supplies		50,000	60,000	110,000
Postage		1,000	3,000	4,000
Printing		2,000	7,000	9,000
Repair/Maintenance		27,500	60,000	87,500
Special Events		10,000	35,000	45,000
Park Supplies/Trash Removal		5,000	6,000	11,000
Telephone		3,000	5,000	8,000
Training		2,000	2,500	4,500
Travel/Entertainment		1,000	1,000	2,000
Uniforms		1,500	3,000	4,500
Utilities		225,000	90,000	315,000
	Operating Expense:	652,504	636,974	1,289,478
Net Operating Income:		(298,535)	323,526	25,004
% of Gross Sales:		-82.37%	31.76%	1.81%

DRAFT

**INFORMAL STAFF REPORT
TO MAYOR AND CITY COUNCIL**

SUBJECT:

This report is intended to provide an update on the status of the ongoing rewrite of the Denton Development Code (DDC) Subchapter 13, Tree Preservation and Landscape Standards.

EXECUTIVE SUMMARY:

Since May of 2018, Development Services staff has been working on a comprehensive rewrite of the tree preservation and landscape standards within Subchapter 13 of the DDC. Work on this has been presented to the Committee on the Environment (COE), the Planning and Zoning Commission, and the City Council throughout the process, and staff will continue to provide regular updates as the rewrite progresses. Major changes are proposed in the both the tree preservation and landscape standards to promote enhanced tree preservation City wide, to align the tree code and landscape code with Environmentally Sensitive Area (ESA) regulations, and to provide greater flexibility in landscaping requirements while maintaining high standards for new development. Staff has targeted dates in November to present a consolidated draft of the Landscape and Conservation Code to both the COE and City Council.

BACKGROUND:

The tree preservation regulations are a component of Sec. 35.13.7, of the DDC, “Tree Preservation and Landscape Standards.” The existing Tree Preservation and Landscape Requirements (inclusive of the tree fund) were adopted in 2004 to promote tree preservation and to facilitate site design and construction that would allow for the long-term viability of trees.

While the current tree preservation regulations served to protect some of the existing tree canopy, more is needed to manage and maintain essential tree canopy and to provide clear guidance for tree preservation and mitigation within the city.

On May 21, 2018, staff presented a number of policy questions regarding the comprehensive rewrite of DDC Subchapter 13, Tree Preservation and Landscape Standards to the COE. Policy questions discussed included:

1. Should the city develop a comprehensive Tree Management Plan?
2. Where applicable, should the new code defer to Texas Local Government Code Section 212.905 as the governing language?
3. Should all or a percentage of tree mitigation plantings be permitted off-site or as street trees?
4. Should the planting of trees in an off-site tree bank (i.e. area set aside as a permanent receiver site for tree plantings) be explored?
5. If preserved canopy is credited towards meeting tree canopy requirements as part of the landscape requirements, should it only apply to buffer tree requirements; meaning a

developing property would still be required to provide street trees and trees within the parking lot?

6. Should property owners subject to the tree preservation regulations memorialize their tree preservation plan through the use of a development agreement, conservation easements, land use or deed restrictions, or tree preserves/transfer of title to a public agency/entity or other method?

Subsequently, on August 6, 2018, staff presented proposed Tree Code Changes to the COE, including the following:

1. Creates an intent to achieve a 30% tree canopy coverage citywide to promote a multi-aged urban forest.
2. Establishes Exempt, Quality, Heritage and Historic Trees.
3. Establishes a Development Impact Area within each lot being developed.
4. Establishing Preserved Habitat Areas and Conservation Easements as incentives for preserving trees in close proximity to each other and to ESA habitats.

On August 22, 2018, staff presented an update on the Tree Code to the Planning and Zoning Commission during the work session. During this update, staff discussed some of the larger policy questions that had been previously reviewed with the City Council and COE. A few of the major concerns of the Planning and Zoning Commissioners included:

- Whether mesquite trees should be protected or exempted from preservation requirements.
- A desire to focus more on the preservation of high quality trees such as Post Oaks and Blackjack Oaks.
- Whether the 30% preservation goal was sufficient or if the goal should be increased to 40%.

Staff again presented updates to the tree code and landscape code to the COE on September 17, 2018, and to the Planning and Zoning Commission on both September 26, 2018, and October 10, 2018. Outlined below is a summary of the most recent updates:

1. Amend tree classifications to include definitions for Heritage, Landmark, Non-Protected, and Quality Tree designations.
2. Clarify language related to the City-wide canopy goal and preservation percentages.
3. Update credits proposed toward mitigation as well as replacement ratios to incentivize preservation of larger trees.
4. Provide incentives for preservation related to energy conservation, conservation easements, tree clusters, and parking reductions.
5. Maintain minimum landscape and tree canopy area requirements in the landscape code.
6. Apply a point system to landscaping and new tree planting requirements with a variety of options for attaining the point goal on a required landscape plan.

At the September 27, 2018, COE meeting staff was tasked with conducting further research into several topics, including:

- Determining where restoration trees could be planted off-site, including whether adequate area exists within City right-of-way to accept these trees. Also, determine the estimated cost for planting and maintaining the trees.

- Consider splitting the City-wide goal of 30% into separate canopy goals for the eastern more wooded part of the City versus the western prairie parts of the City. Additionally, consider allowing credits for preserved prairie areas.
- Further research and analyze what species and size of trees should be protected versus non-protected.
- Finalize how preservation credits can apply towards landscaping requirements.

Since the last COE meeting, staff has continued to research these topics and further refine the drafts of the tree preservation and landscape regulations. Staff intends to present a consolidated draft of the newly proposed Landscape and Conservation Code, which would include ESA regulations in addition to tree preservation and landscaping, to the COE at the upcoming November 5, 2018 meeting. This draft will reflect the results of staff's research as well as input received from both the COE and the Planning and Zoning Commission.

Following the COE meeting on November 5, staff will present the draft Landscape and Conservation Code to the City Council at the Work Session on November 13, 2018. Based upon input received at these meetings, the consolidated Landscape and Conservation Code will be incorporated into the DDC update for adoption.

CONCLUSION:

Over the past several months Development Services staff has been rewriting the DDC's tree preservation and landscaping requirements. These regulations have gone through multiple revisions as a result of recent meetings with the COE and Planning and Zoning Commission. Staff has targeted dates in November to present a consolidated draft of a new Landscape and Conservation Code to both the COE and City Council.

STAFF CONTACT:

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**INFORMAL STAFF REPORT
TO MAYOR AND CITY COUNCIL**

SUBJECT:

This is a brief summary providing information about Community Improvement Services' history, programs, notification and abatement process, compliance rates, and a sample educational brochure.

EXECUTIVE SUMMARY:

The mission of the Community Improvement Services Division (CIS) is to improve the health, safety and public welfare of the Denton community. Improving the quality of life in Denton is a cooperative effort between residents, businesses and City staff. CIS enforces the regulations contained in the Denton Property Maintenance Code, i.e. tall grass and weeds, low-hanging tree limbs, trash and debris, inoperable and junk vehicles, illegal outside storage, stagnant water, graffiti, dilapidated fences, parking on unimproved surfaces and substandard structures. CIS also enforces site line obstructions. On an annual basis, CIS works with the community to maintain an approximate 95% voluntary compliance rate across all enforcement areas.

BACKGROUND:

In 2006, the Denton City Council charged the Chamber of Commerce with performing a property maintenance assessment in Denton. The Chamber assigned the project to the 2006-2007 Leadership Denton class. The findings were delivered in a public meeting in January 2007. Per the report, "seventy two percent of the respondents felt that the codes were not being adequately enforced."

The Leadership Denton class made the following recommendations:

- Establish an online system for reporting code violations,
- Evaluate the existing property maintenance codes for consistency,
- Consider additional staffing for code enforcement, and
- Provide residents with a quick-reference guide to property maintenance codes in the City of Denton.

All four of Leadership Denton's recommendations were accomplished in FY 2006-2007.

Over the next two years, with Council support, many improvements were made including:

- Rewriting the property maintenance code,
- Implementing proactive code enforcement,
- Instituting several focused enforcement programs,
- Establishing a 10-week officer training program and Standard Operating Procedures, and
- Creating various educational materials, both in English and in Spanish.

Currently, CIS has several successful programs:

- Dangerous Buildings Program – Since 2009, 387 structures have been demolished and 100 structures have been rehabilitated. Due to the program's 91% voluntary compliance rate, the City has expended \$155,185 in 10 years of programming.
- Minimum Building Standards Program (MBS) – Program created to decrease the number of structures that would eventually become dangerous due to ongoing neglect and deferred maintenance. Since program implementation in 2011, CIS has opened 4,976 cases (many with multiple violations) to facilitate the repair of exterior concerns such as missing or damaged roofing shingles, broken windows, missing and deteriorated siding, and unpainted wood surfaces on both primary and accessory structures. The MBS Program has a 92% voluntary compliance rate.
- Free Graffiti Removal Services – Program designed to remove graffiti from private and public properties. In an effort to further reduce the prevalence of graffiti in the community, CIS has assisted Keep Denton Beautiful with their Mural Art Projects by painting out existing graffiti to provide spaces that are conducive for murals across the community.
- Enhanced Right-of-Way Maintenance Program – CIS maintains 215 acres of high visibility rights-of-way (adjacent to residential and business properties) along City entryways and commercial corridors at an enhanced service level to help improve the aesthetic of the community.

Over the past 10 years, the City's property maintenance voluntary compliance rates have steadily risen due to several factors, including a continued increase in community education efforts, working individually with residents on case specific plans to bring properties into compliance, and providing resource information to low-income residents. In FY 2016-2017, CIS distributed 3,104 educational materials and provided education at 34 community events, including Town Hall meetings, Council Member District meetings, homeowner association meetings, university events, the Neighborhood Empowerment Summit, and National Night Out.

ORDINANCE UPDATE

On November 6, City Council will be asked to consider an ordinance that helps clarify requirements in the Property Maintenance Code and further defines the scope of responsibilities for CIS staff. The original ordinance was passed in May 2017; City Staff had the intent to update the ordinance when necessary to meet the current needs of the City and to further define components to better outline expectations for residents and property owners. Over the past 16 months City staff, has identified four areas that need to be clarified in the current ordinance:

1. Dangerous buildings,
2. Open and abandoned structures,
3. Improperly placed solid waste carts, and
4. View obstructions.

These revisions do not alter the mission of CIS and are consistent with processes that CIS staff have recently implemented. The intent of the revised ordinance is to outline the City's ability to have CIS perform and enforce functions they currently provide.

CONCLUSION:

In cooperation with local residents, businesses, and other City operations, CIS supports improving the health, safety, and general welfare of the community by facilitating compliance with local property maintenance codes and by offering proactive improvement-oriented support programs.

ATTACHMENT(S):

Up to Code Brochure (English and Spanish)

STAFF CONTACT:

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Community Improvement Services Manager
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GARAGE/YARD SALES

- No more than 1 sale every 4 months with a limit of 3 days per sale.
- Signs stating the location and date may not be larger than 6 square feet.
- No more than 1 sign is allowed on premises and no more than 3 signs may be located off premises.
- Put out signs no more than 24 hours before the sale and remove within 24 hours after the sale.
- Signs may not be placed on any public property, e.g. utility or traffic sign poles, utility boxes, street medians, between the curb and sidewalk, etc.

HOUSE NUMBERS

- Are required and must be at least 4" high and visible from the street.

GRAFFITI

- Remove graffiti, or paint over all graffiti in a color that closely matches the background.

TRASH/RECYCLING CONTAINERS

- Containers may not be set out until after 6 p.m. the night before scheduled pickup, and all containers and unaccepted items must be removed by 8 a.m. the morning after scheduled pickup.
- No items may be set outside the containers unless a special collection has been requested from Solid Waste Customer Service. Please call (940) 349-8787 for more information.
- Containers may not be stored in the front yard, on the front porch, or in front of the main structure on the property. Store containers at the side or back of the residence, in the garage, or in a storage building.

TRASH and DEBRIS

- Remove any refuse, trash, debris, junk, garbage, etc. from property, including adjacent easements and rights-of-way.
- Do not maintain property in a manner that creates unsanitary conditions.

PARKING of OVERSIZED VEHICLES

- Recreational vehicles, travel trailers, boats or boat trailers, tow trucks, or any vehicles other than a motor vehicle may not be parked or stored on a residential street. The police department enforces this ordinance - please call (940) 349-8181.

PARKING on RIGHTS-OF-WAY

- Do not park any vehicle in or on any right-of-way, including sidewalks, alleys, public easements, etc. Exception: vehicles legally parked on a street or highway.

STORAGE of GOODS in RIGHTS-OF-WAY

- Do not store any objects, items, or personal property (basketball goals, skateboard ramps, etc.) in or on any right-of-way such as a sidewalk, parkway, street, or easement.

PARKING REGULATIONS

- Park vehicles on improved surfaces only.
- When adding an improved parking surface, it must be made of the same material, be connected to, and run parallel with the original driveway.
- Added parking surfaces may not be more than 12' wide or closer than 3' to a neighboring property line. If the additional surface is parallel with a sidewalk, there must be at least 5' between the added surface and the closest edge of the sidewalk.
- In a side or back yard, that has no improved parking surface, a vehicle may be screened behind a privacy fence or wall.

- Additional parking surfaces cannot be placed in an easement or right-of-way.
- Existing dirt driveways must be improved. Options: concrete, asphalt, pavers, and open pavers. (Single-family and duplex residences may opt to use 4" of gravel which must be bordered).
- Do not use a vehicle for living, sleeping, or storage of trash, debris, or personal property not normally associated with the vehicle.

INOPERABLE and JUNK VEHICLES

- Inoperable vehicles (not in operating condition, one or more flat tires, wrecked, dismantled, or dilapidated) and junk vehicles may not be visible from any right-of-way or adjacent property.
- Only one such vehicle is allowed on residential property if screened completely by a solid, opaque fence or enclosed in a building.
- A cover or tarp is not considered adequate screening.
- An inoperable motor vehicle that remains inoperable for more than 30 consecutive days becomes a junk vehicle.

TEMPORARY CARPORTS or AUTO SHADE COVERS

- A structure that provides shade, shelter, or weather protection that is not permanently secured below ground level or that has a non-rigid top material must be removed.

TEMPORARY STORAGE CONTAINERS/ PORTABLE STORAGE UNITS (PODS)

- Shall be permitted by the Building Inspections Division. Please call (940) 349-8360 for more information. Post permit in a visible location.
- Limited to 3, 30-day permits per calendar year.

- Storage containers must be located on an improved surface.
- Storage containers may not be located in any part of a fire lane, required parking space or maneuvering lane, public right-of-way, or visibility triangle.
- Property must have a primary structure to which the storage container is an accessory use.
- Storage containers less than 120 square feet, located in a back yard and screened from public view, do not require a permit.

OUTSIDE STORAGE

- Items or objects shall be located in the side or back yard only and shall be completely screened from public view.
- Children's play equipment, smokers, barbecue grills, and furniture or appliances designated for outdoor use shall be stored in the side or back yard, but do not need to be screened.
- Outdoor furniture that is in good repair may be maintained in the front yard.

**For more information, visit
www.cityofdenton.com.**

**Community Improvement Services
City Hall East
601 E. Hickory, Suite B
Denton, TX 76205
(940) 349-8743**

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MINIMUM BUILDING STANDARDS

Protective Treatment

- Maintain all exterior surfaces, including but not limited to walls, windows, doors, door and window frames, cornices, porches, trim, balconies, decks, and fences, in good condition.
- Exterior wood surfaces shall be free of all peeling, flaking, chalking, and chipped paint.
- Metal surfaces must be free from any rust and coated to inhibit rust or corrosion.

Exterior Walls and Surfaces

- Shall be maintained free from holes, breaks, loose, missing, or rotting materials.
- Shall be maintained with paint or similar surface treatment to protect them from weather conditions, decay, and rust.

Roofs and Drainage

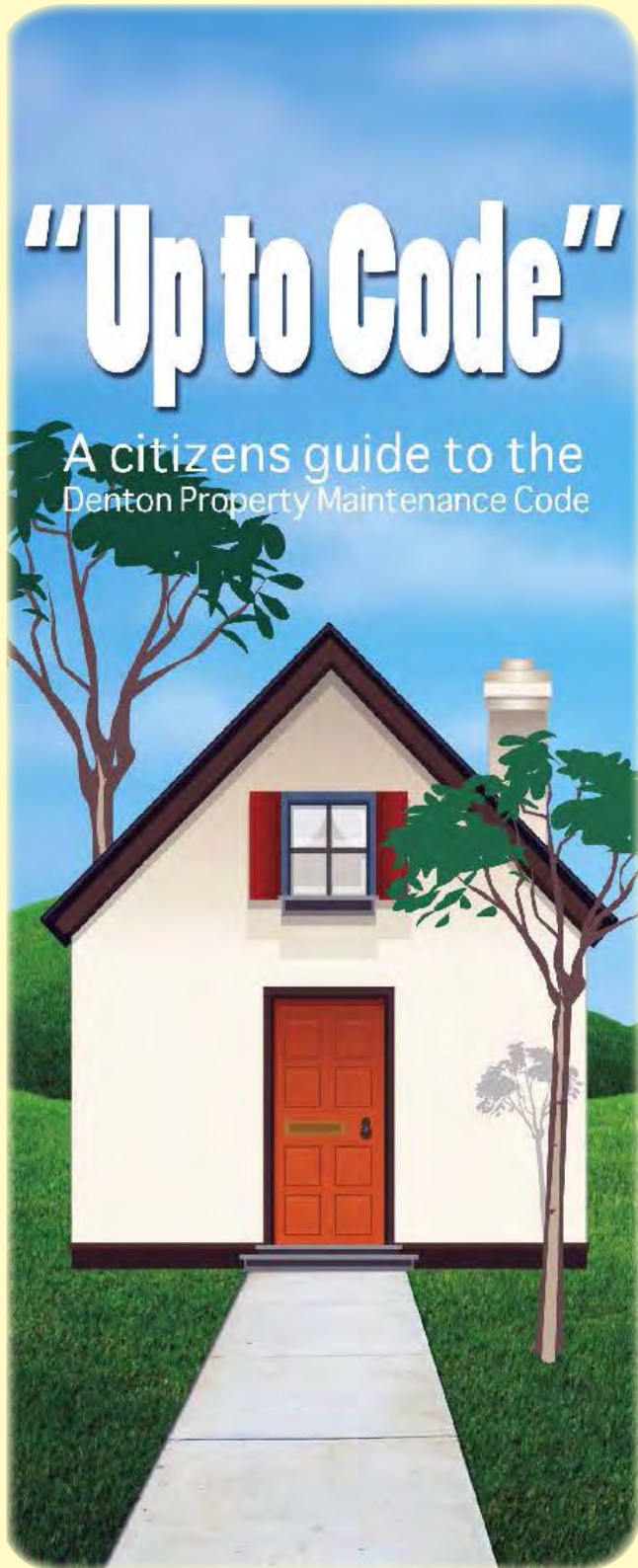
- Repairs and replacements shall be made of approved roofing materials and installed according to manufacturer's guidelines.
- Coverings and materials shall not be missing, broken, rotted, split, curled, or buckled.
- Shall be sound and tight to not admit rain or surface drainage water.
- Shall not allow dampness or deterioration in the walls or interior portion of the structure.
- Drains, gutters, and downspouts shall be maintained in good condition and free from obstructions.
- Roof water shall not discharge in a manner that creates a public nuisance.

Various Features

- Garage doors, cornices, belt courses, corbels, trim, wall facings, manufactured and mobile home skirting, and other similar features shall be properly anchored, and maintained in good and safe condition.

Unsecured and Vacant

- Unoccupied buildings or structures must be locked, boarded up, or otherwise secured so as not to allow entry by unauthorized persons.



The City of Denton's Community Improvement Services Division is committed to improving the quality of life for each Denton resident and business.

Our mission is to work with residents and businesses to preserve the health, beauty, safety, and property values of the community through compliance with City codes. Community Improvement Services proactively enforces the Denton Property Maintenance Code (DPMC), i.e. nuisance, general property maintenance, minimum building standards, and dangerous building regulations. Improving health and safety, enhancing the city's appearance, and maintaining property values is a cooperative effort between the City and its residents.

This brochure highlights many of the ordinances found in the DPMC. For more details, visit www.cityofdenton.com.



GRASS, WEEDS, and OTHER VEGETATION

- In yards, easements, and rights-of-way (including easements and rights-of-way behind fences), grass and weeds shall not be taller than 12".
- Vegetation that is growing within 1' of a street or alley, which interferes with traffic or visibility, must be removed.
- Tree limbs lower than 13.5' above a street or 12' above an alley that obstruct vehicular traffic must be trimmed.

- Tree limbs lower than 7' above a sidewalk must be trimmed.
- Vegetation growing or encroaching upon improved rights-of-way (sidewalks, curbs, or streets) must be removed.

FENCE REQUIREMENTS

- Replacement or substantial repairs will require a fence permit which is obtained through the Building Inspections Division at (940) 349-8360.
- Fences are to be constructed with the smooth side facing out.
- Construction—wood, wrought iron, masonry, brick, vinyl, PVC, or composite material. Support frames, braces, and fastenings must be on the inside of fences.
- Newly constructed side and back yard fences—8' maximum; front yard fences—3.5' maximum.
- Must be set back at least 10' from the street or alley or 5' from the sidewalk, whichever is greater.
- Shall not be placed in any right-of-way, easement, fire lane, required parking space, or obstruct any visibility sight lines or triangles.

FENCE MAINTENANCE

- Shall be maintained in sound structural condition with no broken, loose, damaged, or missing parts.
- Repairs must be made using the same or similar materials of like color, size, and shape of the original fence.
- If 50 percent or more of one side of a fence needs repair, the entire side must be replaced.



NORMAS MÍNIMAS DE CONSTRUCCIÓN

Tratamiento de Protección

- Mantenga todas las superficies exteriores, incluyendo pero no limitado a paredes, ventanas, puertas, los marcos de las puertas y ventanas, cornisas, balcones, molduras, terrazas, y cercas en buenas condiciones.
- Las superficies exteriores de madera deben estar exentas de cualquier descamación, tiza y pintura picada.
- Las superficies metálicas deben estar libres de óxido y cubiertas con algún material que previene la oxidación ó corrosión.

Paredes Exteriores y Superficies

- Deben mantenerse sin agujeros, y sin material quebrado ó faltante, suelto ó descompuesto.
- Debe mantenerse con tratamiento superficial de pintura ó similar para protegerlos de las condiciones climáticas, decadencia, y óxido.

Techos y Drenaje

- Las reparaciones y sustituciones se harán de materiales aprobados para techos e instalados de acuerdo a las guías del fabricante.
- Los materiales y cubiertas no pueden estar quebradas, descompuestas, divididas, rizadas ó amarradas.
- Deben estar en buen estado y firmes para no dejar que entre lluvia ó agua de drenaje superficial.
- No deben permitir humedad ó deterioro de las paredes ó la parte interior de la estructura.
- Los drenajes, alcantarillas y desagües deberán mantenerse en buenas condiciones y libres de obstrucciones.
- Agua del techo no se puede descargar de una manera que cree una molestia pública.

Varias Características

- Las puertas de garaje, cornisas, cursos de cinturón, ménsulas, molduras, la vista de las paredes, manufacturadas, el bordeado de las casas móviles, y otras características similares, deberán estar debidamente ancladas, y mantenidas en un buen y seguro estado.

No Aseguradas y Vacantes

- Edificios desocupados ó estructuras tienen que estar cerradas, tapiadas, ó de alguna manera aseguradas a fin de no permitir la entrada de personas no autorizadas.

Guías de Aplicación del Código

Guía para los ciudadanos sobre el Código de Mantenimiento de Propiedad de Denton



La División de Mejoramiento de la Comunidad de la Ciudad de Denton está comprometida a proveer una calidad de vida óptima para cada residente de la Ciudad. La división ofrece servicios que aseguran la salud, seguridad y bienestar general de los ciudadanos de nuestra comunidad. El Departamento de Aplicación del Código de forma proactiva hace cumplir el Código de Mantenimiento de Propiedad de Denton (DPMC), es decir, mantenimiento de la propiedad en general, y reglamentos de construcción peligrosos.

La división está expandiendo sus servicios para incluir el cumplimiento de las normas de construcción mínimas.

Mejorando la salud y seguridad, mejorando la apariencia de la Ciudad, y manteniendo los valores de propiedad es un esfuerzo cooperativo entre la Ciudad y sus residentes. Este folleto enfatiza muchas de las ordenanzas encontradas en el DPMC. Para obtener más detalles, visite www.cityofdenton.com.



PASTO, MALESA Y OTRO TIPO DE VEGETACIÓN

- En jardines, banquetas y derechos de vía (incluyendo las banquetas y derechos de paso detrás de las cercas), la hierba y maleza no deberá ser más alta de 12".
- La vegetación que crece más de 1' hacia la calle ó callejón, que interfiere con el tráfico ó la visibilidad, debe ser eliminada.
- Las ramas de árboles más bajas de 13.5' por encima de una calle ó 12" por encima de un callejón que obstruyen el tráfico vehicular, deben ser recortadas.
- Las ramas de árboles inferiores a 7' por encima de la acera ó banqueta deben ser recortadas.
- Vegetación que crece ó invade el derecho de paso (banquetas, bordillos, ó en las calles) debe ser removida.

REQUERIMIENTOS PARA CERCAS

- Construcción -- madera, hierro forjado, albañilería, ladrillo, vinilo, PVC, ó materiales compuestos. Marcos de apoyo, refuerzos, y los cierres deben estar en el interior de las cercas.
- Cercas laterales ó traseras de nueva construcción - 8' máximo; máxima para el patio delantero es de 3.5'.
- Deben ser empezadas por lo menos a 10' de la calle ó callejón ó 5' de la banqueta, lo que sea mayor.
- No podrán colocarse en cualquier derecho de vía, banqueta, línea de fuego, espacio de estacionamiento requerido, u obstruir la vista de cualquier línea ó triangulo de visibilidad.

MANTENIMIENTO DE CERCAS

- Se mantendrá en buenas condiciones estructurales sin partes rotas, flojas, dañadas, ó con piezas faltantes.
- Las reparaciones deben deberán hacerse utilizando el mismo ó muy similar material y composición, color, tamaño, forma y calidad.
- Si el 50 por ciento ó más de uno de los lados de la cerca necesita reparación, toda la parte debe ser reemplazada.



GARAJE / VENTAS DE GARAJE

- No más de una venta cada 4 meses con un límite de 3 días por venta.
- Los anuncios indicando la ubicación y fecha no pueden más grandes de 6 pies cuadrados.
- No más de un anuncio se permite en la localidad y no más de tres anuncios se pueden situar fuera de las instalaciones.
- Los anuncios no se pueden poner con más de 24 horas antes de la venta y deben ser removidos 24 horas después de la venta.

■ Los anuncios no se pueden colocar en cualquier propiedad pública, por ejemplo, postes de utilidades ó tráfico, cajas de servicios públicos, ó colocados en medio de la calle, etc.

NÚMEROS DE CASA

■ Si requieren y debe ser al menos 4 pulgadas de altura y visibles desde la calle.

GRAFITI

■ Quitar ó pintar sobre todo grafiti.

CONTENEDORES DE BASURA/ RECICLAJE

■ Los contenedores no podrán establecerse afuera hasta después de las 6 pm del día antes de la recolección programada, y todos los contenedores y los artículos no aceptados deberán ser retirados para las 8 am después de la recolección programada.

■ Nada puede estar fuera de los contenedores a menos que una colección especial se haya solicitado al Departamento de Servicio al Cliente de Residuos Sólidos. Por favor llame al (940) 349-8700 para más información.

■ Los contenedores no podrán ser almacenados en el patio delantero, en el porche delantero, ó en frente de la estructura principal de la propiedad. Almacene los contenedores en la parte lateral ó posterior de la residencia, en el garaje ó en un edificio de almacenamiento.

BASURA Y ESCOMBROS

■ Quite cualquier basura, escombros, chatarra, etc. de la propiedad, incluyendo banquetas adyacentes y derechos de vía.

■ Mantenga la propiedad de una manera que no cree condiciones insalubres.

ESTACIONAMIENTO DE VEHICULOS GRANDES

■ Vehículos recreativos, casas rodantes, botes ó remolques de embarcaciones, camiones de remolque, ó cualquier vehículo que no sea un vehículo de motor no puede ser estacionado ó almacenado en una calle residencial. El departamento de policía hace cumplir esta ordenanza: por favor, llame al (940) 349-8181.

ESTACIONAMIENTO EN DERECHO DE VÍA

■ No estacione un vehículo en ó sobre cualquier derecho de vía, incluyendo banquetas, callejones, vía pública, calles ó carreteras. Excepción: vehículos legalmente estacionados en una calle ó carretera.

ALMACENAMIENTO DE MERCANCIA EN DERECHOS DE VÍA

■ No mantenga objetos, elementos ó bienes personales (metas de baloncesto, rampas de patinaje, etc.) en ó sobre cualquier derecho de vía como una banqueta, avenida ó calle.

REGULACIONES DE ESTACIONAMIENTO

■ Estacione vehículos en superficies pavimentada solamente.

■ Cuando se añade espacio a una superficie de estacionamiento, debe ser hecha del mismo material, estar vinculado y paralelo con la entrada original.

■ Las superficies de estacionamiento añadidas no podrán ser superiores a 12' de ancho ó cerca de 3' a la línea de la propiedad vecina. Si la superficie adicional es paralela a la banqueta, debe haber por lo menos 5' entre la superficie del agregado y el borde más próximo de la banqueta.

■ En un patio lateral ó trasero, que no tiene estacionamiento de superficie pavimentada, el vehículo puede ser tapado detrás de una cerca ó pared.

■ Superficies adicionales de estacionamiento no pueden ser colocadas en el derecho de vía, ó interferir con la visibilidad del tráfico.

■ Las actuales calzadas de tierra debe ser pavimentadas. Opciones: concreto, asfalto, adoquines, adoquín abierto. (Viviendas Unifamiliares y dúplex pueden optar por usar 4" de grava, la cual debe ser bordeada).

■ No utilice un vehículo para vivir, dormir, ó almacenamiento de basura, escombros, ó de bienes personales que no se asocian normalmente con el vehículo.

VEHICULOS INSERVIBLES/CHATARRA

■ Vehículos inoperables (no en condiciones de funcionamiento, uno ó más neumáticos desinflados, chocados, desmantelados, ó en mal estado) y los vehículos chatarra no pueden ser visibles desde cualquier derecho de vía ó propiedad adyacente.

■ Sólo un vehículo se permite en la propiedad residencial si es cubierto completamente por una cerca ó guardado en un edificio.

■ Una cubierta ó lona no es considerada como una cubierta adecuada.

■ Un vehículo de motor inoperable que sigue siendo inoperante durante más de 30 días consecutivos, se convierte en un vehículo chatarra.

COCHERAS TEMPORALES Ó CUBIERTAS DE AUTOS

■ Una estructura que da sombra, refugio ó protección contra la intemperie que no está permanentemente asegurada, anclada al nivel del suelo ó que no se compone de un material rígido debe ser removido.

ALMACENAMIENTO TEMPORAL / UNIDADES DE ALMACENAMIENTO PORTÁTIL (PODS)

■ Se debe obtener un permiso de uso temporal del Departamento de Inspección de Construcciones. Por favor llame al (940) 349-8360 para más información. El permiso debe ser colocado en una ubicación visible.

■ Limitado a 3 permisos, por cada 30 días de permiso por calendario anual.

■ Contenedores de almacenamiento deben ser situadas en una superficie pavimentada.

■ Contenedores de almacenamiento no podrán estar situados en cualquier parte de la línea de fuego, espacio requerido para estacionamiento, del derecho de paso público, ó triángulo de visibilidad.

■ La propiedad debe tener una estructura primaria a la que el contenedor de almacenamiento sea un accesorio en uso.

■ Contenedores de almacenamiento inferior a 120 pies cuadrados, ubicados en un patio trasero, y ocultos de la vista pública, no necesitan tener un permiso.

ALMACENAMIENTO EXTERIOR

■ Objetos ó utensilios deben ser localizados en el patio lateral ó trasero y deben estar completamente cubiertos de la vista pública.

■ Equipo de juego de niños, parrillas, asadores y muebles diseñados para uso exterior deben ser guardados en la parte lateral ó el patio trasero, pero no necesitan ser cubiertos.

■ Muebles para exteriores ó jardín que están en buena condición pueden mantenerse en el patio delantero.

Para más información llame al
(940) 349-8743, ó visite
www.cityofdenton.com.



**INFORMAL STAFF REPORT
TO MAYOR AND CITY COUNCIL**

SUBJECT:

An update regarding the Board of Ethics' revised rules of procedure to be presented at a City Council work session on October 23, 2018.

EXECUTIVE SUMMARY:

On August 28, 2018 an ordinance was submitted for City Council consideration confirming the Board of Ethics' rules of procedure. City Council postponed the approval and requested the Board hold another meeting to discuss a number of topics identified by City Council. The Board held a meeting on September 17, 2018, modified, and approved the redlined draft "M" included as **Attachment 1**.

BACKGROUND:

Beginning in November 2017, City Council, working in consultation with attorney Alan Bojorquez, drafted the City's ethics ordinance over eight (8) work sessions, four (4) public hearings, and a total of twenty (20) hours of discussion. The Ethics Ordinance was adopted by City Council on May 1, 2018. Adoption of rules of procedure for the Board of Ethics is a requirement of Section 2-277(k) and are subject to confirmation by City Council. Rules of procedure are meant to be a guide for proceedings conducted by the Board of Ethics.

The Board of Ethics held their inaugural meeting on July 31, 2018 in which ethics training was held with Alan Bojorquez and members discussed the Board's rules of procedure. A second meeting was held on August 13 and the Board unanimously approved rules of procedure. Alan Bojorquez presented that draft to City Council on August 21, 2018 and, with no changes, submitted the rules of procedure for City Council consideration on August 28, 2018. The item was pulled for a discussion and City Council requested that the Board of Ethics hold a meeting to deliberate and present a recommendation on a number of topics that were discussed.

A Board of Ethics meeting was held on September 17, 2018 wherein the Board discussed those topics and others of interest to board members. The following changes were made:

- Added Section E(1)(a) is subject to Section E (11).
- Added language in Section E (5) stating the Chair or a simple majority of the Board may extend time limitations and a requirement that the Chair ask the party if they have had a full and fair hearing, and an opportunity to present all of the evidence. This change was made after a discussion of the practice being used in administrative hearings.
- Created a requirement for the issuance of a Letter of Dismissal justifying the reason for dismissal in areas where the Board may dismiss a complaint.
- Allowed for the failure to comply with a subpoena to be considered during deliberations.
- Modified language in the Board's allowance to question witnesses to clarify that questions from the Board do not count against a parties allotted time.
- Modified Section E (19) to allow for representation by persons other than legal counsel.

- Added a Reconsideration section to clarify that any reconsideration shall follow procedures stated in the Ethics Ordinance Section 2-283.
- Created an allowance for the Board to recommend modifications to the Ethics Ordinance and/or rules of procedure.

The revised rules of procedure, included as **Attachment 1**, will be presented to the City Council by Board of Ethics Chair Jesse Davis in a work session on October 23, 2018.

ATTACHMENT(S):

1. Rules of procedure redlined draft “M”

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Rules of Procedure for Conducting Meetings & Hearings

City of Denton, Texas
Board of Ethics

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**CITY OF DENTON
BOARD OF ETHICS**

**RULES OF PROCEDURE FOR
MEETINGS & HEARINGS**

A. GENERAL

1. CONFIDENTIALITY

The City of Denton shall strive to maintain a level of confidentiality during the preliminary phases of processing Complaints in order to avoid unduly tarnishing of peoples' reputations while striving to provide due process. Confidentiality shall be limited by law, including the Texas Public Information Act.

Under the Code of Ethics, a Complaint submitted to the City is confidential until it is either dismissed or placed on an agenda.

The Board of Ethics shall maintain the confidentiality of any document it receives that is categorized as being subject to common law privacy as defined by Section 552.101 of the Texas Government Code; trade secrets, audit working papers, certain commercial or financial information as defined by Section 552.110 of the Texas Government Code; confidentiality of certain private communications of elected officers as defined by Section 552.109 of the Texas Government Code; and all other information considered confidential and protected under the Texas Public Information Act or other law, as applies to Section 552.022 of the Government Code.

Code of Ethics §2-279(j).

2. EX PARTE

The Complainant and the Accused are prohibited by the Code of Ethics from communicating (directly or indirectly) about the subject matter or merits of the Complaint, or any issue of law or fact about a Complaint, with the Board, any of its members, or witnesses identified in the Complaint (or filed supplements). Similarly, the Board is prohibited from communicating about the subject matter or merits of a Complaint, or any issue of law or fact about a Complaint with the parties or other persons (except for members of the Board, the City Auditor's Office, City Attorney's Office, or Special Counsel).

Code of Ethics §2-279(k).

B. MEETINGS

1. **Calling Meetings.** Board meetings shall be called by the Chairperson, or upon request of three (3) board members, or the City Auditor, at least annually.
2. **Call to Order.** The Chairperson shall call the hearing to order, announce the time the hearing is called to order, and state whether a quorum of the board is present. The quorum is four (4) board members, which can include the Chairperson.
3. **Open Meetings.** Board meetings shall be conducted in compliance with the Texas Open Meetings Act.

4. **Adjournment.** Meetings of the Board may be adjourned by the Chairperson's initiative or upon vote of a majority of the members.

Code of Ethics §2-281.

C. ADVISORY OPINION

1. **Assignment.** The City Auditor shall refer requests to either a Panel or to Special Counsel. Panels shall be designated by the Chairperson consisting of three (3) board members on a rotating basis. Three (3) board members must be in attendance.
2. **Calling Meetings.** Panel meetings shall be called by the City Auditor.
3. **Open Meetings.** Panel meetings shall be conducted in compliance with the Texas Open Meetings Act.
4. **Notice.** The City Auditor shall send a written notification of the Panel meeting to the requesting City Official at least five (5) calendar days prior.
5. **Participation.** While the requesting City Official and other persons may attend the meeting, no testimony or public comments will be accepted.
6. **Scope.** When assembled, Panels shall respond to a request for an Advisory Opinion by issuing written guidance regarding how the Code of Ethics applies (if at all) to a particular situation or behavior. The opinion may contain conclusions and / or recommendations.
7. **Basis of Opinion.** A Panel's opinion shall be limited to the facts presented in writing by the requestor. No additional material will be considered. The opinion shall reflect the majority position of the Panel.
8. **Deadline.** A Panel must issue its Advisory Opinion within thirty (30) days of the City Auditor's receipt of the request.

Code of Ethics §2-278.

D. PRELIMINARY ASSESSMENTS

1. **Assignment.** The Chairperson shall designate panels consisting of three (3) board members on a rotating basis.
2. **Calling Meetings.** Panel meetings shall be called by the Chairperson.
3. **Open Meetings.** Panel meetings shall be conducted in compliance with the Texas Open Meetings Act.

4. **Notice.** The City Auditor shall send a written notification of the Panel meeting to the Complainant, the Accused, and the City Attorney at least five (5) calendar days prior.
5. **Participation.** While the Complainant, the Accused, and other persons may attend the meeting, no testimony or public comments will be accepted.
6. **Scope.** When assembled, Panels shall determine if a Complaint is Actionable or Baseless, as defined by the Code of Ethics.
7. **Basis.** A Panel’s review is limited to the contents of the Complaint. No extraneous information may be considered, unless the Panel wishes to review information as part of a consideration of the accuracy of the statements made in the Complaint in conjunction with the making of a recommendation that a hearing be first held on an accepted Complaint to determine if it may be frivolous.

Code of Ethics §2-280.

E. HEARINGS

1. Preliminary Hearing

If a Complaint proceeds to a hearing, the Board of Ethics may conduct a preliminary hearing to:

- (a) issue a subpoena requesting the production of data or other evidence from a City Official needed for the performance of the board’s duties and including the board’s exercise of its powers of investigation., subject to Section E(11) of these Rules.-
- (b) rule on any procedural requests from the parties, such as Motions for Continuance.

2. Evidentiary Hearing

If a Complaint proceeds to a hearing, the Board of Ethics may:

- (a) allow witnesses to attend and testify;
- (b) admit evidence; and
- (c) make determinations.

3. Scheduling / Calling

Hearings shall be scheduled by the City Auditor upon the filing of:

- (a) a Panel determination that a Complaint is Actionable; or
- (b) an Appeal challenging a Panel’s dismissal of a Complaint as Baseless.

The City Auditor shall send a written notification of the hearing to the Complainant, the Accused, and the City Attorney at least seven (7) calendar days prior.

Code of Ethics §2-281(c).

4. Purpose

The purpose of evidentiary hearing(s) shall be solely to determine whether:

- (a) a violation of the Code of Ethics occurred, and if so to assess the appropriate sanction;
- (b) an Accepted Complaint was erroneously dismissed as Baseless by a Panel; and/ or
- (c) an Accepted Complaint is Frivolous.

5. Authority of Chair

The Chair will control discussion at all times so that only one (1) person speaks at a time. The Chair will enforce these rules through the following measures:

- (a) by calling a person to order, advising them of the rules and requesting compliance;
- (b) by ending a person's opportunity to speak on an agenda item; and/or
- (c) by ordering a person to leave a meeting and barring the person's presence during the remainder of the meeting.

The Chair may reasonably extend time limits provided under these rules, either at their own discretion or by a simple majority vote of the Board. At the expiration of a party's time, the chair shall ask the party if they feel they have had a full and fair hearing, and if they feel they have had an opportunity to present all of the relevant evidence and testimony in their hearing.

6. Call to Order

The Chairperson shall call the hearing to order, announce the time the hearing is called to order, and state whether a quorum of the board is present. The chair shall identify the Complaint being considered by the board.

7. Recusals

At any point prior to the commencement of deliberations, members of the Board can recuse themselves. It is preferred that recusals be communicated to the Chairperson prior to a hearing so that alternate members can be designated. Grounds for recusal ~~can~~ shall include prohibitions listed in ~~the Code of Ethics City of Denton Code of Ordinances, Chapter 2, Article XI, Section 2-273(a)~~ (e.g., Conflicts of Interest), or any other ethical basis deemed compelling by the recusing member. Board members shall recuse themselves if the City Council member who nominated them is a party to a Complaint pending before the Board member.

8. Enter Appearance of the Parties

The Chairperson shall call the parties to announce if they are present. If the Complainant is not present, the Chairperson shall dismiss the Complaint, ~~and~~ close the hearing, and issue a Letter of Dismissal.

9. Procedural Request

All procedural motions that the Complainant or person charged in the complaint wishes the board to consider at the evidentiary hearing must be filed with the City Auditor's Office at least four (4) calendar days prior to the evidentiary hearing. The board shall determine whether to grant requests that had not been submitted in time for the Preliminary Hearing.

Within one (1) business day after receipt, the City Auditor's Office will promptly forward the procedural motions to the board members, the city attorney's office, and the opposing party.

In addition to other procedural matters, the board may consider a request for a reset or continuance of a hearing. The board may also, on its own motion, reset or continue a hearing. At the beginning of the hearing, the board will consider and rule upon any such request and procedural motions.

10. Evidence & Witnesses

No later than by seven (7) calendar days prior to the hearing, the Board of Ethics shall in writing request the parties to submit to it the identities of their witnesses, briefly describing the matter each will be expected to testify about, and any sworn statements and documentary evidence they desire to be considered. The parties shall submit their aforementioned evidence to the City Auditor within the time specified in the notice (that being no less than four (4) calendar days prior to the hearing), who shall forward to the parties, Board members and the City Attorney no less than three (3) calendar days prior to the hearing.

11. Subpoena

Periodically, the need for additional information may be needed when considering a Complaint. The Board of Ethics has the authority under the Code of Ethics to issue subpoenas for witnesses and/or records in furtherance of its investigatory and enforcement power under the Code. When deemed necessary by simple majority, the Board may issue subpoenas to City Officials compelling their attendance and/or their production of data or other evidence deemed relevant to the pending Complaint. The scope of the Board's authority to subpoena records is limited to those under the direct control and in possession of City Officials. Subpoenas will not be issued for persons who would serve as character witnesses. The subpoena shall be on a form provided by the City Auditor's Office. Service of subpoenas shall be by the City Auditor's Office.

[The Board may consider a party's failure to comply with a subpoena in its deliberations and/or exclude evidence related to the subject matter of the subpoena offered by the party which fails to comply.](#)

A record subpoenaed and produced under the Code of Ethics (as provided by the City Charter) that is otherwise privileged or confidential by law remains privileged or confidential and shall not be released to the public unless release is ordered by the Attorney General's office in a ruling issued pursuant to Section 552.306 of the Texas Government Code or a court of competent jurisdiction.

At the conclusion of all proceedings regarding a Complaint, records subpoenaed and produced that are otherwise privileged or confidential by law shall be returned to the producing source and all copies shall be destroyed in accordance with the City's Records Retention Schedule.

Code of Ethics §2-277(h).

12. Exhibits

All exhibits submitted by the parties shall be numbered sequentially. Complainant's exhibits shall be pre-marked with the letter "C" followed by a dash, followed by a number; for example "C-1". The Accused's exhibits shall be pre-marked with the letter "A," followed by a dash, followed by a number, for example "A-1".

13. Decorum

Speakers must confine their remarks to the subject under discussion. Personal attacks and remarks are prohibited.

14. Sworn Testimony

Each witness before testifying at the final hearing shall be duly sworn by the Chair or Presiding Member.

Code of Ethics §2-281(c)(3).

15. Order of Presentations

Complainant shall open the presentation of the evidence and argument. Accused may then elect to present evidence and argument in response to the evidence presented to support its defense, but will not be required to do so. Complainant shall be permitted to present rebuttal evidence on any defense raised in Respondent's case presentation.

16. Opening Statement

Before presenting any evidence each party shall present their positions with an initial statement in a narrative form including a summary of documents and witness testimony to be presented. Initial statements shall not exceed three (3) minutes.

17. Presentation of Evidence

The parties may offer such evidence as is relevant and material to the complaint or any defense. All exhibits submitted in advance of the final hearing shall be admitted at the start of final hearing except those that the Board finds, after objection by a party, to be inadmissible as hearsay or speculative. Parties are restricted to evidence submitted in the board packet except if good cause is shown and granted by the majority of the Board members present.

18. Witness Testimony

Parties may proffer testimony of their witnesses if the witness is present and available for further examination, if needed. Testimony of witnesses at hearing shall be in question and answer format. ~~Witnesses for each party shall also submit to questions from the members of Board.~~ Opposing parties shall be permitted to cross-examine the witnesses. Members of the Board may question witnesses, subject to reasonable time limits imposed by the Chair. Questioning by the Board shall not count against a party's allotted time.

19. Legal Representation

The parties may be accompanied or represented by legal counsel or another representative. A party's representative may present evidence and conduct examination of witnesses. A party's representative may not testify on behalf of a party. If a party designates a representative to present evidence on the party's behalf, then only the representative may present evidence at the hearing (i.e., the party cannot also present evidence) (e.g., A witness offered by the Complainant can be questioned by the Complainant, or the Complainant's representative, but not both). Nothing herein relieves the Complainant of the obligation to testify.

~~The parties may be accompanied by, or represented by legal counsel. Legal counsel to the parties may present evidence and conduct direct examination of witnesses. Legal counsel may not testify on behalf of a party. If a party designates legal counsel to present evidence on the party's behalf, then only the legal counsel may present evidence at the hearing (i.e., the party cannot also present evidence) (e.g., A witness offered by the Complainant can be questioned by the Complainant, or the Complainant's lawyer, but not both). Nothing herein relieves the Complainant of the obligation to testify.~~

Code of Ethics §2-281(c)(5).

20. Time Limitations

The parties shall be permitted thirty (30) minutes per side to present all their witness testimony, cross-examine opposing witnesses, and present documentary evidence unless otherwise modified by the Board.

21. Closing Statements

Each party shall be permitted five (5) minutes to make a closing statement summarizing what they believe the evidence at the final hearing proved, or failed to prove. Complainant shall go first. Of the five (5) minutes allotted for closing, the Complainant may reserve a portion of that time to provide a rebuttal.

22. Closing of Hearing

Upon expiration of the timelines allotted and being satisfied that the record is complete, the Chairperson shall declare the hearing closed. If additional evidence is required, the Chairperson may seek to continue the hearing.

23. Executive Session

The Board can go into executive session (i.e., conduct a closed door meeting) at any point during a meeting or hearing in accordance with the Texas Open Meetings Act, pursuant to Texas Government Code § 551.071 (Consultation with Attorney), and/or § 551.074 (Personnel Matters). However, all decisions must be made in open session.

24. Deliberations

Upon the closing of a public hearing, the Board shall conduct deliberations. During deliberations, the Board may discuss the Complaint, any evidence and testimony that was submitted, and the opinions of the Board members about the credibility of the information before the Board, and the applicability of the Code of Ethics. Deliberations may be in open or closed session, but all decisions must be made in open session.

25. Reliability of Evidence

The Board shall rely on evidence of which a reasonably prudent person commonly relies in the conduct of the person's affairs. The amount of weight given to any evidence or testimony shall solely be at the discretion of the Board.

26. Burden of Proof

Because the burden of showing that a violation of the Code of Ethics occurred is placed on the Complainant, it is the Complainant that has the obligation to put forth evidence, including testimony, supporting the Complaint. The Complainant is required to testify at the hearing. A Complainant's failure to testify at a hearing shall be grounds for dismissal of a Complaint.

Code of Ethics §2-281(c)(4).

27. Determinations

Upon conclusion of deliberations, the Chairperson shall call for a motion. All votes will be voice vote, with the option for any member to request a roll call vote at any time.

If at any point during any proceeding or hearing of the Board, the Board determines that the complaint was erroneously accepted because it was filed more than two (2) years after the date of the act or omission (unless tolled pursuant to the ordinance), the Board shall dismiss the complaint and the Chairperson shall issue a Letter of Dismissal.

The Board is obligated to render its decision (i.e., imposing or recommending a sanction) within ten (10) business days after the conclusion of a hearing at which the Board determined that a violation occurred.

The dismissal of a Complaint for any other reason must be communicated by the Chairperson in a Letter of Dismissal which sets forth the reasons for the dismissal.

Code of Ethics § 2-282(b).

28. Reconsideration

Requests for reconsideration shall follow the procedure established in City of Denton Code of Ordinances, Chapter 2, Article XI, Section 2-283.

298. Alternate Members

Alternate members of the Board of Ethics shall attend meetings only upon request by the City Auditor's Office. The role of an alternate is to participate in meetings of the Board of Ethics as a replacement for a regular member who is absent or abstaining.

Upon receipt of an agenda for meeting or hearing, each member of the Board shall immediately (within twenty-four (24) hours) inform the City Auditor if the member is planning to: (a) not attend; or (b) abstain from participation. The matter of determining which alternate shall be designated to attend a hearing shall be at the discretion of the Chairperson.

Code of Ethics §2-277(g).

30. Amendments

The Board of Ethics may recommend amendments to City of Denton Code of Ordinances, Chapter 2, Article XI, or to its own Rules of Procedure to the City Council a simple majority vote.

**INFORMAL STAFF REPORT
TO MAYOR AND CITY COUNCIL**

SUBJECT:

Qualified Voter Requirement for Appointed Board Members

DISCUSSION:

We were recently asked to review whether or not individual board and commission members appointed by City Council must be “qualified voters” of the City of Denton. Currently, the Denton City Code (“Code”) has a general requirements ordinance which states that any individual appointed to a City board or commission must be a “qualified voter” of the City of Denton.¹ Under our Code the word “board” means any “...managerial, administrative, or quasi-judicial body of persons which has an advisory or deliberative character and whose members are appointed by or serve at the pleasure of the city council.”² It is important to note that the requirement that individuals be a “qualified voter” generally does not apply to bodies of a limited duration or purpose, such as ad hoc committees and task forces unless specified in the bodies’ specific enabling ordinance.³

After reviewing current Federal, State, and local laws we found that there is not a legal requirement that individuals appointed to local boards and commissions be qualified voters. Our ordinance requiring board and commission members be qualified voters was passed in 1966 and is a self-imposed limitation. In light of current law we are recommending our ordinances be updated and amended to reflect the current qualification recommendations as determined by City Council.

If City Council prefers to remove the qualified voter requirement for individuals appointed to boards and commissions (with the exception of PUB) then an amendment to the general requirements ordinance would be necessary. Also, since some boards have specific qualifications such as profession type or being a resident of the city, board specific ordinances would need to be reviewed and possibly amended to ensure they are consistent with any amendments to the general ordinance.⁴ This would be a relatively simple and straightforward process that could be dealt with through the consent agenda.

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¹ Denton City Code, Sec. 2-61.

² Denton City Code, Sec. 2-81.

³ Denton City Code, Sec. 2-64.

⁴ For examples of boards with specific requirements see: Denton City Code, Sec. 35-236 Historic Landmark Commission; Denton City Code, Sec. 2-251 Economic Development Partnership Board; Denton City Code, Sec. 2-260 Health Building Standards Commission.

INFORMAL STAFF REPORT TO MAYOR AND CITY COUNCIL

SUBJECT:

Overview of single room occupancy (SRO) and collegiate housing.

EXECUTIVE SUMMARY:

On October 9, 2018, the City Council requested information comparing single room occupancy (SRO) developments and multi-family developments in the City of Denton. A survey was completed in 2017 of six (6) cities with a collegiate presence regarding how these types of developments were being addressed. The cities polled regulate SRO and multi-family developments through overlay districts, conditional use permits, and restricting the maximum number of unrelated occupants per dwelling. Collegiate housing will be addressed in the upcoming Denton Development Code (DDC) update as well as part of the Oak Gateway Area Plan.

BACKGROUND:

As Denton's universities continue to grow, issues related to the impact that collegiate housing and SRO developments have on surrounding neighborhoods have become more prevalent. In response to increasing concern from residents, a [work session presentation](#) was made February 21, 2017, regarding multi-family development standards for collegiate housing.

Following the February 2017 presentation, staff surveyed other communities with similar proximity to major universities to find out the strategies they use to address resident concerns while also ensuring adequate housing availability for students. From their research, staff identified two consistent collegiate housing issues that other college and university towns seek to address: 1) the impact of large complexes on surrounding neighborhoods; and 2) an increase in the number of single-family SROs, which are by-the-room occupancy of single-family homes in established neighborhoods.

SUMMARY OF FINDINGS:

Below is an overview of the planning tools that surveyed cities used in order to resolve issues related to collegiate housing and single-family SROs:

- **Conditional Use Permit (CUP) for development type** – The City of San Marcos established a CUP requirement for purpose-built student housing. In San Marcos, purpose-built student housing is defined as “one or more buildings containing two or more living units that are designed, marketed, or used for the primary purpose of housing college students.” This allows the City of San Marcos to review development plans and ensure that they fit the character of the neighborhoods in which they are proposing to build. More information on San Marcos' CUP requirement can be found in [Section 5.1.4.9 of the San Marcos Development Code](#).
- **Overlay District** – An overlay district is another tool used by the cities that were surveyed to provide additional requirements for collegiate housing developments in areas surrounding universities. Overlay districts can either be established by the municipality (which was done in the City of Bryan), or through a neighborhood petition created overly

district (which was done in the City of College Station). In College Station, neighborhoods must submit a petition with 51 percent of properties in supporting the establishment of an overlay district. Overlay districts apply additional restrictions on the structure (building height, offset, parking, etc.). Overlay districts are used to resolve issues with both large collegiate housing complexes as well as single-family SROs.

- **Regulation of Unrelated Occupants** – Surveyed cities also restrict the maximum number of unrelated occupants. The City of Lubbock’s maximum number of unrelated occupants is two and the Borough of State College, Pennsylvania’s maximum number of unrelated occupants is three. By restricting the number of unrelated occupants, municipalities are able to effectively prevent single-family SROs.
- **Neighborhood Conservation District** – The City of Bryan allows neighborhood residents to submit a signed petition of 58 percent of the properties in that neighborhood to create a residential neighborhood conservation (R-NC) district. A R-NC district limits the maximum number of unrelated occupants to two whereas the rest of the city is restricted to four. According to City of Bryan staff, this has been Bryan’s most effective tool in preventing single family SROs in established residential neighborhoods.

RECENT CHANGES:

As a part of the DDC update, staff is analyzing tools to address the specific issues that arise from collegiate housing developments. One of the primary considerations is establishing a “Collegiate Housing” designation in the Table of Allowed Uses which would be permitted by right through either a Specific Use Permit (SUP) or with use specific standards. Use of specific standards could include off-street parking requirements. A consolidated draft of the DDC update is currently being prepared based on comments from the public, direction from the Development Review Committee, and input from staff. The consolidated draft is preliminarily scheduled to be published online in November 2018.

Staff is also in the process of preparing the Oak Gateway Area Plan. This area plan will include recommendations and an implementation strategy on how to address mobility, parking, and land use compatibility in the area surrounding the University of North Texas. As part of this effort, the Oak Gateway Area Plan Steering Committee has divided the area plan into three sub-areas and drafted a vision, goals and recommendations for each sub-area. The recommendations have not yet been finalized, but the committee has discussed applying appropriate zoning districts and/or special purpose overlay districts in strategic locations. These districts would have specific design standards that could be used as a solution to address issues related to collegiate housing.

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**INFORMAL STAFF REPORT
TO MAYOR AND CITY COUNCIL**

SUBJECT:

Economic Development Project Names and Non-Disclosure Agreements (NDAs)

EXECUTIVE SUMMARY:

This Informal Staff Report was prepared in response to a request for information from Councilmember Armintor on project names used in economic development recruitment. Information on non-disclosure agreements also is included, as they are sometimes a part of recruitment.

One of the key functions of Economic Development is to attract new businesses to Denton. The site location process is competitive and often involves sensitive or proprietary information, the release of which can take Denton out of the running for a project.

Project names and NDAs are two widely-used tools for protecting confidentiality during the location process. Denton's competitor cities around the state and nation use these tools. If Denton wants to compete for and win projects, we must be able to use them, too.

Staff understands the need to balance confidentiality with the City's core value of transparency. To put the issue in context: since 2015, only three of the 18 incentive items that went before Council used a project name at any point in the process.

DISCUSSION:

Project Names and NDAs in Economic Development

The use of project names is a well-established practice in the field of economic development in Texas and nationally. Private sector business and industry operate in a global marketplace, and there are many reasons why confidentiality is important during the recruitment process. Disclosure of a company's name too early in the process could affect: real estate transactions by increasing the costs of property; work force; profits and stock value (if the company is publically traded); giving a competitive advantage to another business or bidder; local negotiations; and relationships with vendors, suppliers and other third parties. Some companies may also have sensitive or proprietary information relating to a particular technology or intellectual property, which could harm the business if it were to be released.

During the recruitment process, cities may be asked to sign an NDA. NDAs also are a routine part of economic development activities across Texas and around the country, and may be required to receive preliminary information about a project, such as the company's actual name instead of a project name. NDAs are not just related to the negotiation of incentives – they allow staff both to provide and to seek information from the company. This allows for cost/benefit analysis of the project to help determine whether the project is a good fit for Denton. Often, the types of projects that require NDAs are desirable – headquarters relocations, publicly traded companies, or technology or tech-enabled companies.

Staff researched the use of project names and NDAs in 10 Texas cities, Economic Development Corporations (EDCs), and Chambers. The entities that were contacted are included in Exhibit 1. All 10 use project names, and 8 of 10 use NDAs.

Leads and Project Names in Denton

The City of Denton receives leads in the form of Requests for Proposals (RFPs) from the Office of the Governor's Economic Development and Tourism Division, the Dallas Regional Chamber of Commerce, the Fort Worth Chamber of Commerce, and directly from site location consultants.

It is important to note that when City staff receives an RFP, a project name has already been assigned by the state or regional economic development entity or consultant. Local economic development staff only knows the project name, not the actual company name, at the point of RFP response.

On rare occasions, City staff receives a lead directly from a company. In this case, staff may assign a name to the project if the company requests confidentiality.

Incentives and Project Names in Denton

The table below provides a summary of the incentives awarded from 2015 to 2018. 2015 was one of the most active years of incentive investment. Of the 18 incentives and amendments listed, project names were used for only three of the projects, all of which were new locations to Denton. WinCo Foods was named Project Ranger One/Denton-Tarrant PRW, LLC; Buc-ee's Travel Center was named Project Cartoon, and Unites States Cold Storage (USCS) was named Project Rail Load.

Retention and expansion of current Denton companies is another critical function of the City's economic development program. Five of the incentives in the table below were awarded for expansion projects for local businesses, which helped to expand the tax base and retain industry and their suppliers in Denton. Project names were not used for these retention and expansion projects.

Incentive Activity 2015-2018

Agreement/Amendment/Lease	Ordinance	Date Approved
2015		
Peterbilt Motors Expansion I	2015-049	2/17/2015
Business Air Expansion Terminated*	2015-096	4/7/2015
West Gate 380	2015-097	4/7/2015
WinCo Foods**	2015-170	6/16/2015
Victor/MOHR Expansion Terminated*	2015-251	8/18/2015
Railyard Agmt and Commercial Lease	2015-300	9/15/2015
Railyard DEC Management Agmt.	2015-328	10/30/2015
O'Reilly 380	2015-330	11/10/2015
Allegiance/Red Development-Rayzor Ranch 3rd Amd.	2015-331	11/10/2015
O'Reilly Management Agmt.	2015-332	11/10/2015

Buc-ee's Travel Center**	2015-374	12/1/2015
USAG Expansion Terminated *	2015-377	12/15/2015
2016		
Peterbilt Motors Amd. Expansion II	2016-144	5/3/2016
Sally Beauty Co. Morse St. Expansion	2016-341	11/1/2016
West Gate 380 Amd.	2016-342	11/1/2016
West Gate TAA	2016-343	11/1/2016
2017		
Allegiance/Red Development-Rayzor Ranch 4th Amd.	2017-113	4/4/2017
BAM Lease Assignment to USAG/Sykes-Vaughan	2017-177	6/20/2017
2018		
US Cold Storage**	2018-1065	7/17/2018

*Agreements were terminated due to the grantee not meeting contract thresholds or for the purchase of the company by another entity.

**Project name used at some stage of the recruitment/incentive approval process

Confidentiality, Transparency, and Process Improvements

As economic developers within a city government, we must balance confidentiality with transparency. Departmental practices to promote transparency currently include:

- Informing incentive applicants at the outset that transparency is a core value of the City and advising them to disclose their company identity as early as possible in the process.
- Minimizing the use of closed sessions related to economic development matters; only two economic development closed sessions have been held since October 2016.

Since October 2016, staff also has made the following improvements to the incentive process:

- Updated incentive application requiring more complete project data
- Fiscal analysis presented to both the Economic Development Partnership Board and City Council in public meetings
- Council work session a minimum of two weeks before a vote on an incentive application, allowing time for Council to receive feedback from citizens prior to a vote
- All agreements will have caps on both the dollar amount and the term length of the incentive

Going forward, incentive request analyses will be presented on a 10-year time frame, even if the incentive term is shorter than 10 years. This is a best practice that allows for “apples to apples” comparison of the costs/benefits of different types of economic development projects over a consistent time frame.

CONCLUSION:

Denton's use of project names and NDAs is well within the norm of economic development industry standards and the practices of other cities around Texas and the nation. If Denton cannot ensure confidentiality when necessary, we will not be able to compete to locate new companies here.

Staff recommends continued use of project names and NDAs when confidentiality is required. To receive Council direction on the topic, staff will schedule a work session this fall to present the following options:

1. Do not use project names or NDAs under any circumstances
2. Allow use of project names and NDAs with parameters, such as the disclosure of a company's identity before a public vote is taken on an incentive request, and a minimum of two weeks between disclosure of a company's identity and a vote on an incentive request.
3. Allow use of project names and permit the City Manager or his designee to sign NDAs if needed, any negotiated deals then are shared with Council following an Economic Development Partnership Board recommendation and vetted in public similar to a zoning case.

STAFF CONTACT:

Caroline Booth, Director
Department of Economic Development
940-349-7751 or Caroline.Booth@cityofdenton.com

Exhibit 1: Project Name Comparison by City/EDC/Chamber

Entity		Project Names Used			Primary Role	Incentive Process	Project Name Released	Comments
City/EDC/ Chamber	State or Local Partner Assigned	City/EDC/ Chamber Assigned	NDA Used					
Arlington	X	X	X	City	Internal Committee (Council, Ed and Legal staff); City Council	Project name until City Council level, unless business allows disclosure	Were a Type A and B in the past, NDA's mainly for larger projects	
Austin	X	X	X	Chamber initiates, City follows	Tier I: approved administratively through CM, Tier II, single Council item, Tier III public hearing Council	Chamber led initially, Chamber typically signs NDAs, public at Council level	Ch. 380 grants only, allow time for public comment	
Carrollton	X	X	X	City	Staff review & recommend to City Council for approval	Project Name released as requested to City Council prior to incentive process. If recommended by staff for incentive, name released publicly.		
Dallas	X	X		City	Incentive application includes TIRZ, there is a design panel that reviews the TIRZ projects and implements guidelines	Project names used for executive session meetings, names not disclosed until formal action with Ordinance	Dallas Regional Chamber typically signs NDAs; TIRZ is gap focused and requires bank commitments; National Development Council (NDC) does their underwriting	
Fort Worth	X	X	X	Chamber initiates, City follows	Staff review & recommend to City Council for approval	Project name until City Council level, unless business allows disclosure	Legal department prepared an NDA template	
Frisco	X	X	X	EDC Leads	Approval through Executive Board, utilize Sales Force CRM	Project name until approval level, unless business allows disclosure		
Lewisville	X	X	X	City	Approval through City Council	Project name until City Council level, unless business allows disclosure, or if project pulls out	Provides a confidential report to Council on a quarterly basis	
McKinney	X	X	X	EDC Leads	Approval through Executive Board appointed by Council	Project name until approval level, unless business allows disclosure	EDC is Type A and Community Development Corp. is Type B, have a standard NDA that they use for all agreements	
North Richland Hills	X			City	Advisory Board; Council		Park & Recreation Facilities Corp. Type B, 10% of the 0.5 sales tax allocated for Economic Development	
City of Plano	X		X	City		Project name until approval level, unless business allows disclosure		

Council Requests for Information

Revision Date
10/12/2018

	Request	Request Date	Staff Responsible	Status	Requested By
1	Information on implementing a similar program to Southlake's SPIN program in Denton.	6/26/2018	McDonald/Birdseye	ISR on Southlake's program was distributed on June 22. ISR regarding ways to achieve intended results in Denton will be distributed with the October 19 Friday Report.	Armintor
2	Work session on permitting options to incentivize affordable housing including a survey of practices from other municipalities.	6/26/2018	Kuechler	A work session is planned for December 18.	Armintor
3	Information regarding the use of project names used in conjunction with economic development projects.	6/26/2018	Booth	ISR is included in the October 12 Friday report.	Armintor
4	Develop a strategic plan for homeless shelters in Denton (current environment, capacity, need, emergency circumstances, best practices, family shelter options).	7/17/2018	Kuechler	A work session is planned for December 11.	Armintor/Briggs/Meltzer
5	Review and possible revisions to the Council Rules of Procedure to clarify the Mayor's ability to second a motion.	7/17/2018	Leal	Legal Status Report is being prepared for distribution.	Watts
6	Overview of the Homestead Exemption process.	7/17/2018	Puente/Langley	A work session is scheduled for December 4.	Armintor
7	Information on Code Enforcement including overview of purpose, enforcement, and complaint response practices.	7/24/2018	Lahart/Wood	ISR is included in the October 12 Friday report.	Armintor
8	Work Session on DCTA, including the City's role in the current agreement and the services received.	7/24/2018	Canizares/Nelson	A work session is planned for November 27.	Watts
9	Update on marketing/advertising policy and naming opportunities at City facilities.	8/2/2018	Langley/Packan	A work session is planned for November 27.	Hudspeth
10	Information from Police on drug use trends across the community.	8/21/2018	Smith/Mayo	Information will be provided in the October 19 Friday report.	Briggs
11	Board of Ethics Rules of Procedure.	8/28/2018	Langley/Rosendahl/Lansford	A work session is scheduled for October 23.	Watts
12	ISR on voter registration requirements for appointees City to boards and commissions.	9/11/2018	Leal	ISR is included in the October 12 Friday report.	Armintor
13	ISR on enhancing planned fence, monument and other facility upgrades at the IOOF cemetery.	9/18/2018	Packan	ISR will be provided in a future Friday report.	Watts
14	acre tract that was purchased for Bonnie Brae widening project and the potential incorporation of property into McKenna Park upon construction completion.	9/25/2018	Estes/Packan	ISR will be provided in a future Friday report.	Meltzer
15	Three year history on all instances where developer commitments made to the City Council have been broken.	9/25/2018	McDonald/Cannone	Information is included in the October 12 Friday report.	Hudspeth

Council Requests for Information

Revision Date
10/12/2018

	Request	Request Date	Staff Responsible	Status	Requested By
16	ISR on what other municipalities do to require City contractors to pay their employees a living wage.	9/25/2018	Ogden	Information will be provided in a future Friday report.	Arminton
17	ISR on permitting requirements to prohibit service vehicles and large equipment from blocking roadways and major intersections.	9/25/2018	McDonald	Information will be provided in a future Friday report.	Briggs
18	Information on providing additional options for broadband service aside from current service providers.	9/25/2018	Rosendahl/Kuechler/Collister	ISR will be provided in a future Friday report.	Briggs
19	Information on potential ways to use Tree Mitigation Funds to purchase small, wooded parcels to preserve the current tree canopy.	9/25/2018	McDonald/Packan	Information will be provided with the November 13 Tree Canopy/Tree Code Discussion work session presentation.	Briggs
20	Develop recommended Code of Conduct for Council Members to use when engaging with developers	10/9/2018	Wood/Langley	Recommendations will be presented during the October 23 work session.	Meltzer/Watts
21	Information on New Market Tax Credits including which capital projects meet eligibility criteria.	10/9/2018	Langley/Puente/Booth	Information will be provided in a future Friday report.	Meltzer/Hudspeth
22	Information and recommendations on Denton's Smart City initiatives.	10/9/2018	Kraft/Wood	Information will be provided in a future Friday report.	Briggs/Meltzer
23	Public Meeting for Oak Street/Normal Street/Scripture residents to express concerns. Potentially invite the developer.	10/9/2018	Menguita/Cannone	Staff has included an update on the Park7 Development and an ISR on collegiate housing zoning designations in the October 12 Friday report.	Arminton
24	Provide an update on the tree and landscape code in the Friday Report.	10/9/2018	McDonald/Cannone	ISR is included in the October 12 Friday report.	Briggs
25	Resolution expressing opposition to CISF license requests.	10/9/2018	Banks	Resolution will be prepared for the October 16 Council meeting.	Ryan
26	Provide a report to the Committee on the Environment (COE) regarding future impact of recycling nuclear waste.	10/9/2018	Banks	Information is being prepared for a future COE meeting.	Ryan
27	Information comparing Single Room Occupancy code designation to Multi-Family developments.	10/9/2018	McDonald/Cannone	ISR is included in the October 12 Friday report.	Duff



City of Denton

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

Meeting Agenda

City Council

Tuesday, October 23, 2018

1:00 PM

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, October 23, 2018 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 October 23, 2018.

3. Work Session Reports

- A. **ID 18-1524** Receive a report, hold a discussion, and give staff direction regarding a Fleet Services facility expansion to add additional services bays to the north side of the current maintenance shop at the Service Center.
- B. **ID 18-1737** Receive a report from Board of Ethics Chair Jesse Davis, hold a discussion and give staff direction regarding the Board of Ethics' Rules of Procedure.
- C. **ID 18-1742** Receive a report, hold a discussion, and provide staff direction regarding City Council priorities for upcoming work session report topics.

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 18-1390** Deliberations regarding Personnel Matters - Under Texas Government Code Section 551.074.

Deliberate and discuss the evaluation, duties, discipline, procedures, and contracts of the City Attorney and City Manager.
- B. **ID 18-1768** Deliberations regarding Personnel Matters - Under Texas Government Code Section 551.074.

Deliberate and discuss the evaluation, duties, and appointment of an interim Municipal Judge.

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, the City Council will convene in a Special Called Meeting to consider the following:

1. PROCLAMATIONS/PRESENTATIONS

- A. ID 18-1724** Resolution of Appreciation for Judge Robin Ramsay

2. 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 – N). 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 – N 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 18-1123** Consider adoption of an ordinance of the City of Denton, Texas, amending Section 22-31(13) and 22-31.1, Article II-Park Rules, Chapter 22- Parks and Recreation, Code of Ordinances of the City of Denton, Texas, to provide for clarification of smoking related to parks and parks facilities within the City of Denton; providing for a severability clause; providing for a savings clause; providing for publication; and, declaring an effective date.
- B. ID 18-1672** Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Delta Dental Insurance Company for the supply of Voluntary Dental Insurance and United Healthcare for the supply of Voluntary Vision Insurance for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 6826-awarded to Delta Dental Insurance Company in the five (5) year not-to-exceed amount of \$6,509,000 and United Healthcare in the five (5) year not to exceed amount of \$625,600). The actual cost will be determined by the number of employees and retirees electing coverage and the level of coverage selected. This is a pass through cost that is

paid 100% by the employee/retiree.

- C. ID 18-1676** Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract for the implementation of CodeRED Emergency Notification System and CodeRED Weather Warning Service with OnSolve, LLC, which is the sole provider of this software. In accordance with Texas Local Government Code 252.022, 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 (File 6912 - awarded to OnSolve, LLC, for a three (3) year not-to-exceed amount of \$134,000).
- D. ID 18-1680** Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract through the Buy Board Cooperative Purchasing Network Contract Number 515-16 for Holt Caterpillar (CAT) equipment repair services for the City of Denton Fleet Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 6878 - awarded to Holt CAT of Texas, for one (1) year, with the option for two (2) additional one (1) year extensions, in a total not-to-exceed amount of \$375,000 for all years).
- E. ID 18-1682** Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to approve a contract for the annual supply of police patrol and supervisor vehicles for the City of Denton Police Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 6863-awarded to James Wood Autopark, Inc., in the three (3) year not-to-exceed amount of \$2,100,000).
- F. ID 18-1684** Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract through the Department of Information Resources (DIR) Cooperative Purchasing Network Contract Number DIR-TSO-3041 with Ricoh-USA, Inc. for production printing equipment for the City of Denton Reprographics division; providing for the expenditure of funds therefor; and providing an effective date (File 6889 - awarded to Ricoh USA, Inc. in the amount of \$81,293.04).
- G. ID 18-1709** Consider approval of a resolution repealing the city of Denton's multiple departmental sponsorship policies, reference numbers 17-050, 18-095 and 18-224; replacing the repealed sponsorship policies with one consolidated city sponsorship policy; and providing an effective date.
- H. ID 18-1710** Consider approval of a resolution re-establishing a standing committee of the City Council of the city of Denton, Texas to be known as the Hotel Occupancy Tax (HOT) and Sponsorship Committee and assigning it additional duties; and providing an effective date.
- I. ID 18-1713** Consider adoption of an ordinance of the City of Denton, Texas, approving a City sponsorship in an amount not to exceed \$X,XXX of in-kind services and resources for the Denton County Veterans Coalition Stand Down event on Wednesday, October 24 and Thursday, October 25, 2018, at Denton Civic Center; and providing an effective

date.

- J. ID 18-1714** Consider adoption of an ordinance of the City of Denton, Texas, granting the Denton's Day of the Dead Festival, pursuant to Section 17-20 of the Code of Ordinances, a noise exception on Saturday, October 27, from 11 a.m. to 9 p.m. at the corner of Mulberry Street and Industrial Street; granting a variance in amplified sound levels from 70 to 75 dba for an outdoor music festival; and providing an effective date.
- K. ID 18-1715** Consider adoption of an ordinance of the City of Denton, Texas, granting the Singing Oaks Church of Christ, pursuant to Section 17-20 of the Code of Ordinances, a noise exception on Sunday, October 28, from 2 p.m. to 5 p.m. at South Lakes Park; granting a variance in hours of operation for amplified sound levels for an outdoor event; and providing an effective date.
- L. ID 18-1719** Consider approval of a resolution repealing the City of Denton's Use of the City Hall Meeting Spaces Policy Reference Number 500.01, and repealing the Use of Conference Rooms Policy Reference Number 500.02; incorporating a Use of City Facilities and Meeting Rooms Policy Reference Number 500.06, of the City's current policies and procedures; and providing an effective date.
- M. ID 18-1726** Consider approval of a resolution allowing Campus Theatre Concessions, LLC to sell alcoholic beverages for Denton's Day of the Dead Festival, on Saturday, October 27 at the Williams Trade Square parking lot upon certain conditions; authorizing the City Manager or his designee to execute an agreement in conformity with this resolution; and providing for an effective date.
- N. ID 18-1774** Consider approval of the minutes of September 25, October 1, and October 9, 2018.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 18-1482** Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a professional services agreement between the City of Denton and HR Green, Inc., for Engineering Development Services related to the review of Development Construction Projects for the City of Denton, as set forth in the agreement; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6818- Professional Services Agreement for Engineering Development Services awarded to HR Green, Inc. in the not-to-exceed amount of \$486,392).
- B. ID 18-1741** Consider approval of a resolution repealing Resolution 2007-030 and creating an advisory committee on persons with disabilities; and providing an effective date.

4. 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 salutory 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 _____, 2018 at _____ o'clock (a.m.) (p.m.)

CITY SECRETARY

NOTE: THE CITY OF DENTON CITY COUNCIL WORK SESSION ROOM 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.

October 2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 11:30 am Joint Council/DISD Luncheon 11:00am Committee on the Environment Cancelled 5:30pm Traffic Safety Commission Park Board 6 pm	2 No Council Meeting <i>National Night Out</i>	3	4 4 p.m. Public Art Committee	5	6
7	8 9:00am Public Utilities Board 5:30pm HLC	9 10:30am Committee on Citizen Engagement 11:00am Mobility Committee- Cancelled 2:00 pm 2nd Tuesday Session	10 11:00am EDP Board Cancelled 4:30pm P&Z Work Session 6:30pm P&Z Regular Session	11	12	13
14	15	16 2:00 pm CC Work Session 6:30 pm CC Regular Session	17	18 HaBSCo Meeting 4pm	19 11:00 Development Code Review	20
21	22 6:00pm Public Utilities Board	23 2:00 pm 4th Tuesday Session	24 5:00pm P&Z Work Session 6:30pm P&Z Regular Session	25	26	27
28	29 4:00 pm ZBA	30 No Council Meeting	31			

November 2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 4 p.m. Public Art Committee	2	3
4	5 9:00am Committee on the Environment 11:30 am Council Luncheon 5:30pm Traffic Safety Commission Park Board 6 pm	6 2:00 pm CC Work Session 6:30 pm CC Regular Session	7	8	9	10
11	12 9:00am Public Utilities Board 5:30pm HLC	13 11:00am Mobility Committee 2:00 pm 2nd Tuesday Session	14 11:00am EDP Board 5:00pm P&Z Work Session 6:30pm P&Z Regular Session	15 HaBSCo Meeting	16	17
18	19	20 No Council Meeting	21	22 Thanksgiving Day - City Holiday	23 Day After Thanksgiving - City Holiday	24
25	26 6:00pm Public Utilities Board-tentative 4:00 pm ZBA	27 2:00 pm 4th Tuesday Session	28 12:00 DT TIF 5:00pm P&Z Work Session 6:30pm P&Z Regular Session	29	30	

Future Work Session Items

Meeting Date	Currently Slated Work Session Items				
16-Oct	Fire Pension Plan for Dispatchers	Stoke Annual Report	Park Capital Project Update		
23-Oct	Work Session Strategy Session	Fleet Services Expansion	Board of Ethics Rules of Procedure	Council Developer Code of Conduct	
5-Nov Lunch	Future Process for Council Appointee Reviews	Airport Strategic Plan Update	State Legislative Update		
6-Nov	Community Development and Human Advisory Committee Application Process	UNT Athletic Facility Master Plan	Historic Preservation Master Plan	Work Session on SROs	
13-Nov	Tree Code Discussion/ Tree Canopy	Employ 2 Empower Program Update	North Lakes Dog Park	Work Session Strategy Session	City Hall West
27-Nov	Downtown Design Standards	Update on Marketing/ Naming Policy	Patrick Park	DCTA Overview	
3-Dec Lunch	Library Annual Report	Strategic Plan Update			
4-Dec	Homestead Exemption Options	Employee Ethics Policy Update	City Hall East Facility Plan for PD	Tennis Center Update	
11-Dec	BMR/Rubble Processing Business Case Analysis	Strategic Plan for Homeless Shelters	Airport Leasing Analysis	Special Event Ordinance Update	
18-Dec	Denton Development Code	Recycling Business Case Analysis	Work Session Strategy Session	Affordable housing incentives	
1-Jan Lunch					
8-Jan	Impact Fees	Floodplain CRS	DME Risk Management Policy		
15-Jan	Purchasing Manual Update	Work Session Strategy Session			
4-Feb Lunch					
5-Feb	Solid Waste Mid-Year Budget Review	Housing Tax Credit Applications	Mews Streets		
12-Feb	Yard Waste Collection Business Case Analysis	Home Chemical Collection Business Case Analysis			
19-Feb	Median Design Standards	Enhanced Leachate Recirculation Business Case Analysis	Solid Waste Rate Discussion	Work Session Strategy Session	



Construction Projects Report

Week of October 15-21, 2018

For general inquiries and questions, please contact the Project Management Office at (940) 349-7227



Street/Intersection	From	To	Proposed Date of Construction	Proposed Date of Completion	Brief Description of Construction	Department	Letters	Other Communication	Department Contact:	Updated Information / Notes
CURRENT PROJECTS See Yellow Highlighted for Major Closures										
Ave. A	Maple	Eagle	3/19/18	10/30/18	UNT 2018 Residence Hall Project (Both SB Lanes Closed)	Engineering	N/A	Coordinate with UNT	(940) 349-8910	
Ave. C	Hickory	Mulberry	9/24/18	1/2/19	UNT Monument Wall (Road Closure)	Public Works Inspections	UNT Project		(940) 349-8905	
Bell Ave.	Roberston	Sycamore	10/8/18	11/2/18	Panel Replacement (Temporary Lane Closures)	Streets	9/26/18	Contacted Surrounding Businesses	(940) 349-7160	
Bell Ave.	Sycamore	Hickory	10/8/18	11/2/18	Panel Replacement (Temporary Lane Closures)	Streets	9/26/18	Contacted Surrounding Businesses	(940) 349-7160	
Bonnie Brae St.	Roselawn	North of Vintage	7/1/2017	7/1/2019	Street Widening (Phase 1)	Engineering	6/14/18		(940) 349-8910	
Camden Ct.	Londonderry	Dead End	10/1/18	1/18/19	Londonderry Street Improvements Phase II of III (Street Closure)	Streets	9/24/18		(940) 349-7160	
Coronado Dr.	Locust	Bell	10/1/18	10/19/18	Curb and Gutter Replacement, Basefailure Repair (Temporary Lane Closures)	Streets	Contacted property managers		(940) 349-7160	
Dakota Ln.	Airport	Shelby	10/8/18	11/9/18	Panel Replacement (Temporary Lane Closures)	Streets	N/A	Contacted Businesses affected	(940) 349-7160	
Elm St.	Eagle	Maple	10/16/18	12/11/18	Box Culvert Installation (Temporary Lane Closures)	Engineering	10/11/18	Part of Eagle Communications, visited businesses on 10/11	(940) 349-8910	New Project
FM 2181	City of Denton/Corinth City limits	Lillian Miller	7/11/17	2/1/20	Street Widening	TxDOT	TxDOT		(940)-387-1414	

Street/Intersection	From	To	Proposed Date of Construction	Proposed Date of Completion	Brief Description of Construction	Department	Letters	Other Communication	Department Contact:	Updated Information / Notes
Fulton St.	Oak	Broadway	6/7/18	11/16/18	Water Main Construction (Street Closure)	Water	6/5/18		(940) 349-7167	
Hickory St.	Ave C	Ave B	9/24/18	1/2/19	Phase III Street Reconstruction (Street Closure)	Streets	9/12/18		(940) 349-7160	
Jim Christal Rd.	Western Blvd	Scripture	7/3/18	10/15/18	Utility Line Construction (Road Closure)	Water/WW	N/A	Contacted Businesses affected	(940) 349-8463	
Joyce Ln.	N. Elm	Gardenview	9/5/18	10/26/18	Street Reconstruction (Temporary Lane Closures)	Streets	8/21/18		(940) 349-7160	
Kendolph Ln.	Intersection of	Whippoorwill	10/5/18	10/19/18	Wastewater Manhole Failure (Temporary Lane Closures)	Wastewater	N/A	Nextdoor Notification, Door Hanger	(940) 349-7300	
Kingswood Ct.	Londonderry	Dead End	10/1/18	1/18/19	Londonderry Street Improvements Phase II of III (Street Closure)	Streets	9/24/18		(940) 349-7160	
Londonderry Ln.	Westminster	Hollyhill	10/17/18	11/21/18	Water/Wastewater Improvements (Street Closure)	Water	9/25/18		(940) 349-7167	New Project
Mayhill Rd.	US 380	Edwards	9/1/17	2/1/20	Street Widening (Temporary Lane Closures)	Engineering	1/3/18, 1/24/18	Door Hangers	(940) 349-8910	
Mistywood Ln.	Woodhaven	Jamestown	9/13/18	12/21/18	Wastewater Main Reconstruction (Temporary Lane Closures)	Wastewater	8/23/18		(940) 349-7300	
Myrtle St.	Eagle	200' North	9/4/18	5/1/19	Eagle Drainage Improvements (Street Closure)	Engineering	8/21/18	Contacted DCTA	(940) 349-8910	
Paisley St.	Frame	Ruddell	10/15/18	1/25/19	Street Reconstruction (Temporary Lane Closures)	Streets	10/3/18		(940) 349-7160	New Project
Prominence Pkwy.	Mayhill	Atlanta	1/31/18	11/14/18	Water and Wastewater Crossing (Road Closure)	Engineering	1/24/18	Door Hangers	(940) 349-8910	
Riney Rd.	N. Elm	Solana	9/29/17	11/2/18	Road Removal and Replacement (Road Closure)	Engineering	Yes	Electronic Signs	(940) 349-8910	
Saint Clair Dr.	Loon Lake	Lamprey	10/1/18	11/2/18	Street Panel Replacement/ Sidewalk Repair (Temporary Lane Closures)	Streets	Door Hangers		(940) 349-7160	
Shadow Trl.	Plum Hollow	Windbrook	8/6/18	10/19/18	Street Reconstruction (Street Closure)	Streets	8/2/18		(940) 349-7160	

Street/Intersection	From	To	Proposed Date of Construction	Proposed Date of Completion	Brief Description of Construction	Department	Letters	Other Communication	Department Contact:	Updated Information / Notes
Spencer Rd.	Mayhill	Lowe's Driveway	4/2/18	11/28/18	Water, Drainage, Road Construction <i>(Road Closure)</i>	Water	3/16/2018, 9/14	Contacted departments affected	(940) 349-8910	
Swan Park Dr.	Montecito	Glen Falls	10/1/18	10/26/18	Sidewalk Repair <i>(Temporary Lane Closures)</i>	Streets	Door Hangers		(940) 349-7160	
Sycamore St.	Bell	Industrial	10/1/18	10/15/18	Storm Sewer Installation <i>(Street Closure)</i>	Public Works Inspection	9/24/18		(940) 349 8908	
Teasley Ln.	Robinsone	N.E. Corner Teasley	10/8/18	10/19/18	Wastewater Reconstruction <i>(Temporary Lane Closures)</i>		N/A	Construction outside of roadway	(940) 349-7300	
Thomas St.	Scripture	Oak	9/3/18	10/15/18	Water Main Construction <i>(Temporary Lane Closure)</i>	Water	8/1/18		(940) 349-7167	
Thomas St.			TBD	TBD	Streets Construction					
Thoroughbred Tr.	Salon	Butler	10/1/18	11/2/18	Street Panel Replacement/ Sidewalk Repair <i>(Temporary Lane Closures)</i>	Streets	Door Hangers		(940) 349-7160	
Wayne St.	Boyd	Mozingo	8/29/18	10/20/18	Wastewater Reconstruction <i>(Temporary Lane Closures)</i>	Wastewater	8/20/18		(940) 349-7300	
Welch St.	Mulberry	Chestnut	10/8/18	11/2/18	Inlet Improvements, ADA Ramp Installation, Box Culvert Replacement <i>(Road Closure)</i>	Drainage	10/4/18	Communicated with UNT, DCTA	(940) 349-8488	
Welch St.	Mulberry	Chestnut	4/11/18	10/24/18	UNT 2018 CVAD Project Drive approach/Sidewalk <i>(Southbound Temporary Lane Closures)</i>	Engineering	3/19/18	3/30/2018, 9/12	(940) 349-8910	
Wellington Dr.	Heather	Stratford	9/26/18	11/1/18	Streets Construction <i>(Temporary Street Closure)</i>	Streets	9/20/18		(940) 349-7160	

Street/Intersection	From	To	Proposed Date of Construction	Proposed Date of Completion	Brief Description of Construction	Department	Letters	Other Communication	Department Contact:	Updated Information / Notes
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COMPLETED PROJECTS

Eagle Dr.	East of Carroll	Elm	9/17/18	10/16/18	Sanitary Sewer Construction (Street Closure)	Engineering	9/10/18		(940) 349-8910	New Completion
Edwards Rd.	Camino Real	Swisher	6/4/18	9/28/18	Street Reconstruction (Temporary Lane Closures)	Streets	5/17/2018, 9/10	HOA Contacted	(940) 349-7160	
Emery St.	Alice	Coit	6/25/18	10/12/18	Street Resurfacing (Temporary Lane Closures)	Streets	6/11/2018, 9/10	Door Hangers	(940) 349-7160	
Locust St.	3rd	Gary	9/24/18	9/28/18	Fire Line Installation (Temporary Lane Closures)	Water	Door Hangers		(940) 349-7167	
Sun Valley Dr.	Stuart	Dead End West	5/14/18	10/12/18	Street Resurfacing, Curb and Gutter (Temporary Lane Closures)	Streets	5/1/2018, 9/10	Door Hangers	(940) 349-7160	
Valley View Rd.	Kings Row	Sun Valley	5/14/18	9/28/18	Street Resurfacing, Curb and Gutter (Temporary Lane Closures)	Streets	5/1/2018, 9/10	Door Hangers	(940) 349-7160	

UPCOMING PROJECTS

Atlas Dr.	Redstone	Hercules	10/22/18	12/21/18	Wastewater Main Reconstruction (Temporary Lane Closures)	Wastewater			(940) 349-7300	
Bonnie Brae St.	Roselawn	I35E	1/15/19	1/15/20	North South Water Main Phase 2 (Temporary Lane Closures)	Water			(940) 349-8910	
Bowling Green St.	Georgetown	Auburn	11/19/18	12/31/18	Water Improvements (Daily Street Closure will re-open end of each day)	Water			(940) 349-7167	New Project
Fulton St.	Congress	Gregg	12/26/18	2/7/19	Wastewater Main Reconstruction Pase I of II (Temporary Lane Closures)	Wastewater			(940) 349-7300	
Fulton St.			Summer 2019	TBD	Streets	Streets			(940) 349-7160	
Hettie St.	Paisley	Davis	5/1/19	TBD	Water, Wastewater, and Streets	Multiple				
Hickory Creek Rd.	Teasley	Riverpass	1/1/19	6/1/20	Street Widening (Temporary Lane Closures)	Engineering			(940) 349-8910	

Street/Intersection	From	To	Proposed Date of Construction	Proposed Date of Completion	Brief Description of Construction	Department	Letters	Other Communication	Department Contact:	Updated Information / Notes
Hinkle Dr.	University	Windsor	1/1/19	1/1/20	Phase I- Storm Water Improvements (Magnolia Drainage Ph II Temporary Lane Closures)	Engineering			(940) 349-8910	
Kerley St.	Shady Oaks	Duncan	11/26/18	2/28/19	Water Improvements (Daily Street Closure will re-open end of each day)	Water			(940) 349-7167	New Project
Londonderry Ln.	Teasley	Hollyhill	11/12/18	1/18/19	Londonderry Street Improvements Phase III of III (Street Closure)	Streets			(940) 349-7160	
Panhandle St.	Carroll	Bolivar	TBD	TBD	Street Resurfacing, Curb and Gutter (Temporary Lane Closures)	Streets	4/9/18	Door Hangers	(940) 349-7160	
PEC 4 - Engineering			In Design		Installing Underground Box Culvert	Engineering			(940) 349-8910	
Roselawn Dr.	Bonnie Brae	Kansas City Southern RR	TBD	TBD	Drainage and Roadway Construction (Bonnie Brae Phase 1 One Lane traffic control)	Engineering	N/A		(940) 349-8910	
Stuart Rd.	Windsor	Kings Row	TBD	TBD	Concrete Curb and Gutter Repair (Temporary Lane Closures)	Streets			(940) 349-7160	
US 377 (Ft. Worth Dr.)	IH 35E	0.26 mi south of FM 1830	11/15/18	TBD	Street Widening	TxDOT	9/25/18	Public Meeting 10/8	(940) 387-1414	Start date extended from 10/17/18
Vintage Blvd.	US 377	I35W	3/1/2019	2021	Street Widening (Bonnie Brae Phase 2)	Engineering			(940) 349-8910	
Walnut St.	Locust	Austin	10/29/18	12/30/18	Atmos Service Connection (Street Closure)	Engineering			(940) 349-8914	New Project