



September 23, 2024

Chris Escoto
City of Denton
601 E. Hickory St.
Denton, TX 76205

Via Electronic Mail: chris.escoto@cityofdenton.com

Mr. Escoto,

On behalf of the between Denton Independent School District (“Denton ISD”), a Texas political subdivision, please except this letter to comply with the City’s requirements under Texas Parks and Wildlife Code Section 26.001.

As you know, Denton ISD and the City of Denton are working to accomplish a land swap agreement, in which a certain portion of land owned by the City of Denton will become the property of Denton ISD for the purpose of building a public school, while a portion of property of the Denton ISD will become the property of the City of Denton for the purpose of becoming a public park. Denton ISD is requesting the exchange of acreage of approximately 4.729 acres of property currently owned by Denton ISD in exchange for approximately 3.739 acres of property currently owned by the City of Denton.

The City of Denton has requested Denton ISD to include an additional 400 square feet in the new build Borman Elementary School for the City’s use. In addition, the City has asked for the building to be configured in a manner in which the City can better utilize the facility while not in use for school purposes. This City will use this to enhance their parks and recreation offering to our shared constituents. Accordingly, there was no other alternative considered because this cooperative project is specific to Borman Elementary and Denia Park.

Borman Elementary has long required significant upgrades, particularly in the Mechanical, Electrical, and Plumbing (MEP) systems, as well as enhancements to meet modern educational standards. After a thorough assessment, it became clear that upgrading the existing facility would be cost-prohibitive. Consequently, the decision was made to construct a new Borman Elementary School to better serve our students and meet the evolving educational requirements.

In our analysis, Denton ISD looked at numerous other sites, but determined that due to cost, location or the ability to partner with the City of Denton, such sites were not suitable for our purposes. Denton ISD also considered relocating students while rebuilding the Borman Elementary School. However, this alternative was not favorable due to the disruption to families and the negative educational impacts to student learning. Ultimately, it was decided that moving the students next door, over the summer, would be the most favorable outcome for students, parents, staff, and the District as a whole.

In evaluating potential sites for the new school, we encountered challenges in finding suitable properties without resorting to eminent domain. During this process, the city had previously expressed interest in partnering with us to improve community facilities. Notably, an adjacent city park presented a viable opportunity for collaboration.

We engaged in discussions with the city, exploring how we could align our needs to benefit both the school district and the community. It became evident that a collaborative approach would be mutually advantageous. The city's aging facility lacked the space required for its expanding programs, while the school district needed a new facility to meet educational demands.

Through our partnership, it was determined that constructing the new Borman Elementary School on the proposed site would not only address our educational needs but also provide the city with valuable recreational space within the new school. This collaboration ensures that the city gains programmatic space to support its goals, while the district secures the necessary upgrades for our students.

Denton ISD will take all possible steps including any required by the City to reduce the long-term impacts on the land. Denton ISD will provide land to be used as a park in exchange for existing park land as a method for mitigating negative impacts.

Please let this letter serve as notice that there is no feasible and prudent alternative to the use or taking of such land to accomplish the purposes of the land swap, and the project includes all reasonable planning to minimize harm to the land, as a park, recreation area, scientific area, wildlife refuge, or historic site, resulting in the use or taking.

Please let me know if anything further is needed for your purposes.

Sincerely,

A handwritten signature in black ink, appearing to read "Deron Robinson".

Dr. Deron Robinson, JD, EdD
General Counsel