



City of Denton

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

Meeting Agenda

City Council

Tuesday, January 26, 2021

2:00 PM

Council Work Session Room

Special Called Meeting

WORK SESSION BEGINS AT 2:00 P.M. IN THE COUNCIL WORK SESSION ROOM

CITY COUNCIL CONSIDERATION OF THE CONSENT AGENDA AND ITEMS FOR INDIVIDUAL CONSIDERATION WILL BEGIN IMMEDIATELY FOLLOWING THE WORK SESSION IN THE COUNCIL WORK SESSION ROOM

Note: Mayor Gerard Hudspeth and Council Members Birdia Johnson, Connie Baker, Jesse Davis, John Ryan, Deb Armintor and Paul Meltzer will be participating in the work session, closed meeting and the meeting via video/teleconference.

REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL

Due to COVID-19 precautions, members of the public will not be able to attend the January 26, 2021, City Council meeting in-person. To accommodate and receive input on agenda items, citizens will be able to participate in one of the following ways (NOTE: Other than public hearings, citizens are only able to comment one time per agenda item; citizens cannot use both methods to comment on a single agenda item. Public comments are not held for work session reports.):

- Virtual White Card – On January 22, the agenda was posted online at www.cityofdenton.com/publicmeetings. Once the agenda is posted, a link to the Virtual White Card, an online form, will be made available under the main heading on the webpage. Within this form, citizens may indicate support or opposition and submit a brief comment about a specific agenda item. Comments may be submitted up until the start of the meeting, at which time, the Virtual White Card form will be closed. Similar to when a citizen submits a white card to indicate their position on the item, these comment forms will be sent directly to City Council members and recorded by the City Secretary.

City Council Members review comments received in advance of the meeting and take that public input into consideration prior to voting on an agenda item. The Mayor will announce the number of Comment Cards submitted in support or opposition to an item during the public comment period. Comments will not be read during the meeting. The City Secretary will reflect the number of comments submitted in favor/opposition to an item, the registrant's name, address, and (summary of) comments within the Minutes of the Meeting, as applicable.

OR

- By phone – Citizens wishing to speak over the phone during this Council meeting, may call (940) 349-7800 beginning 30 minutes prior to the meeting start time. Comments by phone will be accepted until the item is opened for discussion by the Council. When the call is initially received, a staff member will receive the caller's information and either: 1) offer to call the citizen back when it is time for them to speak, or 2) record the caller's information, support or opposition, and comment. If the caller chooses to record their support or opposition, rather than speaking during the meeting, the Mayor will announce the number of comments submitted in support or opposition to the item. If the caller wishes to receive a call back, the voice of each caller will be broadcast into the meeting during the public commenting time of their desired agenda item. Individuals will be able to comment once per agenda item, no matter the method.
- At regular meetings only, citizens can speak on any topic that is not on the agenda (Open Microphone). Alert the call taker if you wish to speak under the Open Microphone category. If you would like to give a public report, see the information below.

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, January 26, 2021, at 2:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

WORK SESSION

1. Citizen Comments on Consent Agenda Items

This section of the agenda allows citizens to speak on any item listed on the Consent Agenda prior to its consideration. Each speaker will be given a total of three (3) minutes to address any item(s). Any person who wishes to address the City Council regarding these items may do so by utilizing the "By Phone" registration process as referenced under the REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL detailed at the beginning of this agenda. Registration is required prior to the time the City Council considers this item. Registrants may call in and remain on hold or receive a call back at the time the Work Session is called to Order and are encouraged to ensure they remain accessible to accept the call.

2. Requests for clarification of agenda items listed on this agenda.

3. Work Session Reports

- A. [ID 20-2117](#) Receive a report, hold a discussion, and give staff direction regarding an update to the City of Denton's COVID-19 response.
- Attachments:* [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Work Session A - COVID Update 01 26 21.pdf](#)
- B. [ID 20-1668](#) Receive a report, hold a discussion, and give staff direction on the City's Extraterritorial Jurisdiction (ETJ) and possible updates to the Interlocal Agreement with Denton County.
- Attachments:* [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Presentation](#)
[Exhibit 3 - Existing Interlocal Agreement](#)
- C. [ID 20-2399](#) Receive a report, hold a discussion, and give staff direction regarding the May 1, 2021 General Election, and any runoff election if applicable, including locations, dates, and times.

Attachments:[Exhibit 1 - Agenda Information Sheet](#)[Exhibit 2 - May & June 2021 Polling Locations - Updated](#)

- D. [ID 21-122](#) Receive a report, hold a discussion, and give staff direction regarding a proposed plan for the annual City Council retreat.

Attachments:[Exhibit 1 - Agenda Information Sheet](#)[Exhibit 2 - FY 19-20 Council Priorities](#)[Exhibit 3 - 2021 Major Projects-Areas](#)[Exhibit 4 - Presentation](#)

Following the completion of the Work Session, the City Council will convene in a Closed Meeting to consider specific item(s) 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 21-006](#) Deliberations regarding Real Property - Under Texas Government Code, Section 551.072; and Consultation with Attorneys Under Texas Government Code, Section 551.071.

Receive information from staff, discuss, deliberate, and provide staff with direction pertaining to the potential disposal, exchange, sale, or acquisition of certain real property interests located in the David Hough Survey, Abstract Number 646, generally located in the 2100 block of South Mayhill Road, in the City of Denton, Denton County, Texas. Consultation with the City's attorneys regarding legal issues associated with the potential disposal, exchange, sale, or acquisition involving the real property described above where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any negotiation, administrative proceeding, or potential litigation.

- B. [ID 21-108](#) Deliberations regarding Personnel Matters - Under Texas Government Code Section 551.074.

Deliberate and discuss the evaluation, duties, discipline, dismissal, compensation, and/or contract of the 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 decision, or vote is taken in the Closed Meeting in accordance with the provisions of Section 551.086 of the Texas Government Code (the 'Public Power Exception'). The City Council reserves the right to adjourn into a Closed Meeting or Executive Session as authorized by Texas Government Code, Section 551.001, et seq. (The Texas Open Meetings Act) on any item on its open meeting agenda or to reconvene in a continuation of the Closed Meeting on the Closed Meeting items noted above, in accordance with the Texas Open Meetings Act, including, without limitation Sections 551.071-551.086 of the Texas Open Meetings Act.

NOTE: Any item for which a formal action at the Special Called Meeting has been taken by Council may be subject to a request for a motion for reconsideration at any time during the meeting, at the Concluding Items Section, or after the meeting. In order to comply with the Texas Open Meetings Act, a request for a motion for reconsideration made during, at the end of, or after a Council meeting will be placed on the agenda and considered at the next official meeting of the City Council.

Following the completion of the Closed Meeting, the City Council will convene in a Special Called Meeting to consider the following items:

1. CONSENT AGENDA

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

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

- A. [ID 21-101](#) Consider approval of the minutes of January 4, January 5, and January 12, 2021.

Attachments: [Exhibit 1 - January 4, 2021 Minutes](#)
 [Exhibit 2 - January 5, 2021 Minutes](#)
 [Exhibit 3 - January 12, 2021 Minutes](#)

- B. [ID 21-009](#) Consider adoption of an ordinance of the City of Denton releasing, abandoning, and vacating a 715.20 square foot Electric Utility Easement granted to the City of Denton by James H. Jones, H.M. Burgess, Billy R. Jones, and J. Dan Harvey, recorded as Instrument No. 1978-2348 in the Deed Records of Denton County, Texas; providing for severability and an effective date. (Park 7 Addition, electric easement abandonment - Mark Laird)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Location map](#)
 [Exhibit 3 - Site map](#)
 [Exhibit 4 - Project narrative](#)
 [Exhibit 5 - Subject easement requested for abandonment](#)
 [Exhibit 6 - Property owners deed](#)
 [Exhibit 7 - LLC.. members](#)
 [Exhibit 8 - Ordinance](#)

- C. [ID 21-011](#) Consider adoption of an ordinance approving an encroachment on easement agreement between the City of Denton and the Oncor Electric Delivery Company, LLC, relating to the construction, operation, and maintenance of public facilities ("Taylor Park Boulevard" crossing including a ten (10) foot wide sidewalk crossing, four (4) by two (2) foot RCB

crossing, twenty-one (21) inch RCP crossing, eighteen (18) inch RCP crossing, eight (8) inch waterline crossing, eight (8) inch sanitary sewer crossing, and a Denton Municipal Electric line bore crossing) within Oncor's Easement; authorizing the City Manager to execute the agreement; authorizing the expenditure of funds; and providing an effective date. "Cambridge Brook Oncor Encroachment Agreement - Mark Laird"

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 3 - Site Map](#)
[Exhibit 4 - Final Plat](#)
[Exhibit 5 - Oncor Encroachment Agreement](#)
[Exhibit 6 - Vesting Deed](#)
[Exhibit 7- Ordinance](#)

- D. [ID 21-091](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute an Interlocal Cooperative Purchasing Agreement with the City of Midlothian, under the Texas Government Code, Section 791.001, to authorize City of Denton contracts for the purchase of various goods and services; authorizing the expenditure of funds therefor; and declaring an effective date (File 7590 - award an Interlocal Cooperative Purchasing Agreement with the City of Midlothian).

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

- E. [ID 21-092](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to accept the TSLAC CARES Grant Program-Cycle 2 (Grant CAR2-21007) for State Fiscal Year 2021 (Federal Award Identification #LS-246561-OLS-20) from the Texas State Library and Archives Commission through the Institute of Museum and Library Services, in the amount of \$20,929.00, for the period of April 1, 2020, through August 31, 2021; authorizing the City Manager to carry out all duties of the City pursuant to the grant; providing a savings clause; and providing an effective date.

Attachments: [Agenda Information Sheet](#)
[TSLAC Ordinance and Agreement](#)

- F. [ID 21-119](#) Consider approval of a resolution of the City Council of the City of Denton revising the City's Cash Disbursements policy; and providing an effective date.

Attachments: [Exhibit 1- Agenda Information Sheet.pdf](#)
[Exhibit 2- Cash Disbursements Policy 400.01.pdf](#)
[Exhibit 3- Accounts Payable Audit Management Response Matrix.pdf](#)
[Exhibit 4- Resolution.pdf](#)

- G. [ID 21-141](#) Consider adoption of an ordinance approving a Settlement Agreement and Release implementing the terms of the settlement in litigation styled "Stonetown Country View, LLC v. City of Denton, Texas and Board of Adjustment for City of Denton, Texas," Cause No. 19-10653-442, pending in the 442nd Judicial District Court, Denton County,

Texas, as discussed in closed session; and directing the City Manager, or his designee, and the City's attorneys to effectuate as necessary and appropriate the terms of a Settlement Agreement and Release to effectuate this approval; and declaring an effective date.

Attachments: [Exhibit 1 - AIS](#)
 [Exhibit 2 - Ordinance](#)
 [Exhibit 3 - Settlement Agreement and Release](#)

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 20-2507](#) Consider adoption of an ordinance adopted concurrently with the cities of Garland, Greenville, Bryan and Denton, approving the execution by the Texas Municipal Power Agency ("Agency") of an asset purchase agreement for the sale of the Agency's Gibbons Creek Steam Electric Station and related assets in Grimes County, Texas; approving an associated generation budget amendment; and providing an effective date.

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

- B. [ID 20-1898](#) Consider nominations and appointments to the Downtown Denton Tax Increment Financing Reinvestment Zone No. One Board (Downtown TIRZ), including appointment of a Board Chair.

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

- C. [ID 20-2550](#) Consider nominations/appointments to the City's Economic Development Partnership Board.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance No. 2017-203](#)
 [Exhibit 3 - Presentation](#)

- D. [ID 21-029](#) Consider nominations/appointments to the City's Boards, Commissions, and Committees: Airport Advisory Board, Animal Shelter Advisory Committee, Board of Ethics, Committee on Persons with Disabilities, Community Development Advisory Committee, Health & Building Standards Commission, Human Services Advisory Committee, Library Board, Parks, Recreation & Beautification Board, Planning & Zoning Commission, Public Art Committee, Public Utilities Board, Traffic Safety Commission, and Zoning Board of Adjustment.

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

3. CONCLUDING ITEMS

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the City Council or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

B. Possible Continuation of Closed Meeting topics, above posted.

C E R T I F I C A T E

I certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Denton, Texas, on the 23rd day of January, 2021 at 11:45 a.m.

CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.