

CITY OF DENTON CITY COUNCIL MINUTES
March 23, 2021

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, March 23, 2021, at 3:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Hudspeth, Mayor Pro Tem Jesse Davis and Council Members Birdia Johnson, Connie Baker, John Ryan, Deb Armintor, and Paul Meltzer

ABSENT: None

Mayor Hudspeth arrived at 3:50 p.m.

Mayor Pro Tem Davis served as Presiding Officer during Mayor Hudspeth's temporary absence.

Also present were Interim City Manager Sara Hensley and City Attorney Aaron Leal.

Note: Mayor Gerard Hudspeth, Mayor Pro Tem Jesse Davis and Council Members Birdia Johnson, Connie Baker, John Ryan, Deb Armintor, and Paul Meltzer participated in the work session, and special meeting via video/teleconference under the provisions allowed by the Texas Government Code Section 551.127.

The posted agenda noted the registration process for public participation at this virtual meeting. While citizen commentary received via the online registration process was not read, each member of the City Council received each registration as it was submitted.

WORK SESSION

1. Citizen Comments on Consent Agenda Items

None

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

- Clarification was requested on the following items:
None
- The following item(s) was/were pulled for Individual Consideration:
None

3. Work Session Reports

- A. ID 21-485 Receive a report, hold a discussion, and give staff direction regarding the FY 2019-2020 Comprehensive Annual Financial Report and annual audit.

The item was presented by John DeBurro with Weaver [auditing services] and no discussion followed.

There was no direction provided as the item was for presentation/discussion purposes.

- B. ID 21-342 Receive a report, hold a discussion, and give staff direction regarding processes, impacts, and results of service delivery during the February 2021 inclement weather event by the following departments:
1. Parks and Recreation & Community Services - PRESENTED
 2. Finance/Purchasing/Warehouse/Compliance - PRESENTED
 3. Public Affairs/DTV - PRESENTED

The item was presented for the above-noted departments and discussion followed.

The work session was recessed at 3:50 p.m. and reconvened at 3:56 p.m. for a short break.

Mayor Hudspeth arrived and presided over the remainder of the work session.

Following discussion, there was no direction provided as the item was for presentation/discussion purposes.

- C. ID 20-2388 Receive a report, hold a discussion, and give staff direction on pending City Council requests for:
- 1) Inserting a mask requirement into municipal health codes

The item was presented and discussion followed.

Results were as follows:

- Item 20-2388 (1) Inserting a mask requirement into municipal health codes
 - No consensus for a work session.

The work session ended at 4:24 p.m.

CLOSED MEETING

1. The City Council convened into a Closed Meeting at 4:24 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows.
 - A. ID 21-604 Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086; Consultation with Attorneys - Under Texas Government Code, Section 551.071. Receive a presentation from staff regarding public power competitive and financial matters about the delivery of power, wholesale energy supply and risk management plans, hedge plans, and strategies as each relates to the DME electric power and gas portfolio and to the February winter storm; discuss, deliberate, and

provide direction to staff regarding the same. Consultation with the City's attorneys regarding legal issues, legal status, legal analysis, and legal strategy associated with the above matters and pending and potential litigation, including release of related confidential information, where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation.

DELIBERATED

The closed meeting started at 4:40 p.m. and ended at 6:00 p.m. No votes or actions were taken during the closed meeting.

SPECIAL CALLED MEETING

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Special Called Meeting on Tuesday, February 23, 2021, at 6:18 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Gerard Hudspeth, Mayor Pro Tem Jesse Davis and Council Members Birdia Johnson, Connie Baker, John Ryan, Deb Armintor, and Paul Meltzer

ABSENT: None

Also present were Interim City Manager Sara Hensley and City Attorney Aaron Leal.

Note: Mayor Gerard Hudspeth, Mayor Pro Tem Jesse Davis and Council Members Birdia Johnson, Connie Baker, John Ryan, Deb Armintor, and Paul Meltzer participated in the work session, and special meeting via video/teleconference under the provisions allowed by the Texas Government Code Section 551.127

The posted agenda noted the registration process for public participation at this virtual meeting. While citizen commentary received via the online registration process was not read, each member of the City Council received each registration as it was submitted.

1. CONSENT AGENDA

The Consent Agenda consisted of Items 1.A-I. No items were pulled for Individual Consideration.

Mayor Pro Tem Davis moved to adopt the Consent Agenda as presented. Motion seconded by Council Member Meltzer. Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Davis and Council Members Johnson, Baker, Ryan, Armintor, and Meltzer

NAYS (0): None

- A. ID 21-421 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a Professional Services Agreement with Kimley-Horn and Associates, Inc., for the Texas Woman's University (TWU) Area Capital Projects Program; Bell Avenue Temporary Roundabouts - Phase 1 for Capital Projects-Engineering Department, as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-107 - Professional Services Agreement for engineering services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of \$109,700.00).

ASSIGNED ORDINANCE NO. 21-421

- B. ID 21-492 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a Professional Services Agreement with Bridgefarmer & Associates, Inc., for the Texas Woman's University (TWU) Area Capital Projects Program - Phase 1 for Capital Projects-Engineering Department, as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-106 - Professional Services Agreement for engineering services awarded to Bridgefarmer & Associates, Inc., in the not-to-exceed amount of \$1,577,270.00).

ASSIGNED ORDINANCE NO. 21-492

- C. ID 21-450 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the Interim City Manager to execute Amendment 1 to Agreement with CASA of Denton County to extend to April 30, 2021 the term of an Agreement to construct certain improvements to facilities located at 604 and 610 North Bell Avenue; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-450

- D. ID 21-461 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the Interim City Manager to execute Amendment 1 to Agreement with Grace Like Rain, Inc. to extend to June 30, 2021 the term of an Agreement for reimbursement of pre-development costs in connection with the proposed construction of a community village at 4000 E. McKinney Street; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-461

- E. ID 21-488 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a Professional Services Agreement with Hazen and Sawyer, P.C. for reclamation solids handling for the Pecan Creek Water Reclamation Plant; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7350 - Professional Services Agreement for reclamation solids handling services awarded to Hazen and Sawyer, P.C., in the not-to-exceed amount of \$1,993,302.00).

ASSIGNED ORDINANCE NO. 21-488

- F. ID 21-490 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of the first amendment to the Professional Services Agreement between the City of Denton and Freese and Nichols, Inc., amending the contract approved by the City Council on June 21, 2016, in the not-to-exceed amount of \$654,135.00; said first amendment to provide additional design, archeological, and environmental services for the Hickory Creek Interceptor Phases I and II Project; providing for the expenditure of funds therefor; and providing an effective date (File 6137 - providing for an additional first amendment expenditure amount not-to-exceed \$310,420.00, with the total contract amount not-to-exceed \$964,555.00).

ASSIGNED ORDINANCE NO. 21-490

- G. ID 21-546 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, for approval of a pre-qualified professional services list for Planning, Modeling, Hydraulics, Permitting, Engineering Design for Treatment, Storage, Pumping, Distribution for Water Facilities, Engineering Design for Treatment, Detention, Lift Station and Collection for Wastewater Facilities; Electrical & Instrumentation Services; Easement and Right-of-Way Acquisition Services; Geotechnical Engineering and Testing Services; and Surveying and Sub-surface Utility Engineering Services for the Water and Wastewater Departments; and providing an effective date (RFQ 7574 - for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year term).

ASSIGNED ORDINANCE NO. 21-546

- H. ID 21-554 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, for the approval of a pre-qualified professional services list of state certified Transportation Engineers for various improvements and public safety-related projects within the City of Denton; and providing an effective date (RFQ 7292 - for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year term).

ASSIGNED ORDINANCE NO. 21-554

- I. ID 21-477 Consider adoption of an ordinance of the City of Denton authorizing the Interim City Manager or her designee to execute an underground sprinkler license and mowing agreement between the City of Denton and the Meadows at Hickory Creek Owners Association, regarding an underground sprinkler license and mowing agreement pertaining to land located within the right-of-way of Vintage Boulevard between Bonnie Brae Street and State Highway 377, City and County of Denton, Texas; authorizing the expenditure of funds therefor; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-477

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 21-310 Consider adoption of an ordinance of the City of Denton authorizing the Interim City Manager to execute a Master Agreement regarding property at and adjacent to 414 West Parkway Street with the Denton Chamber of Commerce, Inc.; authorizing the Interim City

Manager to carry out all duties pursuant thereto including the execution of a Ground Lease Termination; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-310

There were no online registrations or call-ins on the item.

Items 2.A (21-310) and 2.B (21-549) were collectively read into the record and presented but discussed and voted on individually.

Following discussion, Mayor Pro Tem Davis moved to adopt the item as presented. Motion seconded by Council Member Johnson. Motion carried.

AYES (6): Mayor Hudspeth, Mayor Pro Tem Davis and Council Members Johnson, Baker, Ryan, and Meltzer

NAYS (1): Council Member Armintor

- B. ID 21-549 Consider adoption of an ordinance of the City of Denton authorizing the Interim City Manager to execute a Listing Agreement with Axis Realty Group of Denton, Inc. and the Denton Chamber of Commerce for the sale of certain real property and improvements comprised of a 0.449 acre tract located at 414 West Parkway Street, Denton, Texas; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-549

There were no online registrations or call-ins on the item.

Items 2.A (21-310) and 2.B (21-549) were collectively read into the record and presented but discussed and voted on individually.

Following discussion, Mayor Hudspeth moved to adopt the item as presented. Motion seconded by Mayor Pro Tem Davis. Motion carried.

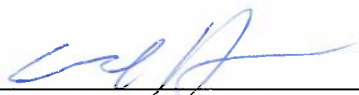
AYES (6): Mayor Hudspeth, Mayor Pro Tem Davis and Council Members Johnson, Baker, Ryan, and Meltzer


NAYS (1): Council Member Armintor

3. CONCLUDING ITEMS

Council Members expressed no items of interest.

With no further business, the meeting was adjourned at 6:43 p.m.


GERARD HUDSPETH
MAYOR
CITY OF DENTON, TEXAS


ZOLAINA PARKER
DEPUTY CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: April 6, 2021