



# City of Denton

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

## Meeting Agenda

### City Council

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Tuesday, April 13, 2021

3:00 PM

Council Work Session Room

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#### **SPECIAL CALLED MEETING**

#### **WORK SESSION BEGINS AT 3:00 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 CLOSED MEETING IN THE COUNCIL WORK SESSION ROOM**

Note: Mayor Gerard Hudspeth, Mayor Pro Tem Jesse Davis and Council Members Birdia Johnson, Connie Baker, John Ryan, Deb Armintor and Paul Meltzer will be participating in the work session, closed meeting and 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 April 13, 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 April 9, the agenda was posted online at [www.cityofdenton.com/publicmeetings](http://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, April 13, 2021, at 3:00 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 20-2553](#) Receive a report, hold a discussion, and give staff direction regarding Audit Project 019 - Municipal Court Payments.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Audit Response Cover Letter](#)  
[Exhibit 3 - Audit of Municipal Court Payments](#)  
[Exhibit 4 - Presentation](#)
- B. [ID 21-384](#) Receive a report, hold a discussion and give staff direction regarding a mid-year update for the Denton Economic Development Partnership.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - 2nd Quarter Economic Development Partnership Report](#)  
[Exhibit 3 - Presentation](#)
- C. [ID 21-499](#) Receive a report, hold a discussion, and give staff direction regarding a request for a resolution of the City of Denton stating no objection to the JES Dev Co, Inc. 4% housing

tax credit application to Texas Department of Housing and Community Affairs for proposed new construction of Pebblebrook Parkside Apartments in Denton, Texas to provide affordable rental housing.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Application for a Resolution of No Objection](#)  
[Exhibit 3 - Presentation](#)

- D. [ID 21-662](#)      Receive a report, hold a discussion, and give staff direction regarding the rehabilitation and future use of City Hall West.

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

- E. [ID 21-190](#)      Receive a report, hold a discussion, and give staff direction on pending City Council requests for:

- (1) Put forward for council consideration of an ordinance that no one on a ballot is eligible to be added to a board or commission.
- (2) A work session to discuss directing to the Public Art Committee to establish a city-led public-private partnership which would fund and commission a signature public art installation at Rayzor Ranch Park.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Ordinance 19-2026 - City Council Request Process](#)  
[Exhibit 3 - Resolution R2006-003 - Ethics policy for elected and appointed offici](#)  
[Exhibit 4 - Boards and Commissions Affirmation of Qualifications](#)  
[Exhibit 5 - 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 21-723](#)      Consultation with Attorneys - Under Texas Government Code Section 551.071

Consult with the City's attorneys and provide direction pertaining to the legal status, legal analysis, legal strategy, and potential resolution of litigation in Cause No. D-1-GN-21-001227, styled "City of Denton, Texas v. Electric Reliability Council of Texas (ERCOT)," pending in the 353rd Judicial District Court, Travis County, Texas; where discussion of these legal matters in an open meeting 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 otherwise compromise the City's legal position in pending litigation.

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 – E). 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 21-650](#) Consider approval of the minutes of April 5, 2021 (Joint Meeting with Public Utilities Board) and the April 5, 2021.

Attachments: [Exhibit 1 - April 5, 2021 Minutes \(Joint Meeting with Public Utilities Board \)](#)  
[Exhibit 2 - April 5, 2021 Minutes](#)

- B. [ID 21-644](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation (“City”), approving the purchase and exchange of (1) a 2.960 acre fee simple tract; (2) a 1.550 acre fee simple tract; and (3) a drainage easement encumbering 0.029 acres, each located in the David Hough Survey, Abstract No. 646, Denton, Denton County, Texas and owned by Kevin Nelms and Richard Greb and wife, Nancy Greb (“Nelms-Greb”), for a 3.457 acre tract, also located in the David Hough Survey and owned by the City, plus the payment by City of \$248,793.00 (the “Purchase and Exchange”); authorizing the City Manager in accordance with Texas Local Government Code §272.001(b)(3) to execute a real estate Purchase and Exchange Agreement with Nelms-Greb, together with any other documents necessary to close the Purchase and Exchange; authorizing the expenditure of funds therefor; and providing an effective date.

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

[Exhibit 2 - Location Map](#)

[Exhibit 3 - Site Map](#)

[Exhibit 4 - Ordinance](#)

- C.    [ID 21-637](#)      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 contract with CivicPlus, LLC, for website design, hosting, and maintenance for the www.cityofdenton.com <http://www.cityofdenton.com> website for the Public Affairs and Customer Service Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7456 - awarded to CivicPlus, LLC, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$150,000.00).

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

[Exhibit 2 - Pricing Evaluation](#)

[Exhibit 3 - LLC Members](#)

[Exhibit 4 - Ordinance and Contract](#)

- D.    [ID 21-638](#)      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 contract with Universe Technical Translation, Inc., through the Buy Board Cooperative Purchasing Network Contract # 614-20, for the purchase of telephone interpreter services for Customer Service; providing for the expenditure of funds therefor; and providing an effective date (File 7524 - awarded to Universe Technical Translation, Inc., for one (1) year, with the option for two (2) additional one (1) year renewals, in the total three (3) year not-to-exceed amount of \$300,000.00).

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

[Exhibit 2 - Ordinance and Contract](#)

- E.    [ID 21-599](#)      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 contract with DBT Transportation Services LLC, for Airport tower equipment upgrades; providing for the expenditure of funds therefor; and providing an effective date (RFP 7627 - awarded to DBT Transportation Services LLC, in the not-to-exceed amount of \$188,205.00).

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

[Exhibit 2 - LLC Members](#)

[Exhibit 3 - Ordinance and Contract](#)

## **2. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A.    [ID 21-724](#)      Consider approval of a resolution of the City of Denton opposing the application for an air quality standard permit, Registration 163864, which would authorize the construction of concrete batch plant by Platas Concrete, Inc. approximately 0.37 miles west of the intersection of Farm-to-Market 428 and Wildcat Road, Aubrey, Denton County, Texas, directing said opposition be delivered to the Texas Commission on Environmental Quality

(TCEQ), and requesting denial of the application; and providing an effective date.

**Attachments:**      [Exhibit 1 Agenda Information Sheet](#)  
                              [Exhibit 2 Location Map](#)  
                              [Exhibit 3 TCEQ Public Meeting Notice](#)  
                              [Exhibit 4 Platas Concrete Permit Request](#)  
                              [Exhibit 5 Resolution](#)  
                              [Exhibit 6 Presentation](#)

### **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 official website (<https://www.cityofdenton.com/en-us/government/open/agendas-minutes>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on April 9, 2021, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

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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.