

CITY OF DENTON CITY COUNCIL MINUTES  
April 13, 2021

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, April 13, 2021, at 3:01 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, closed meeting, and 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:
  - Mayor Pro Tem Davis: Item 21-637
- The following item(s) were/was pulled for Individual Consideration:
  - None

**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.

The item was presented and discussion followed.

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

- 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.

The item was presented and discussion followed.

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

- 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.

The item was presented and discussion followed.

Following discussion, City Council consensus was to have the item presented for consideration on April 27.

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

The item was presented and discussion followed.

Following discussion, City Council consensus was to proceed with staff recommendation to issue an RFI and subsequent RFQ and concurrently solicit architectural/construction firms for interior demolition.

- 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. **NOT PRESENTED**
  - 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. **PRESENTED**

The item was presented and discussion followed.

- Item 21-190 (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.
  - NOT PRESENTED; PULLED FROM PRESENTATION BY COUNCIL MEMBER RYAN
- Item 21-190 (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.
  - Consensus for a future work session.

The Work Session ended at 4:46 p.m.

### **CLOSED MEETING**

1. The City Council convened into a Closed Meeting at 4:46 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows.
  - 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.

### **DELIBERATED**

The closed meeting started at 5:23 p.m. and ended at 6:04 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, April 13, 2021, at 6:16 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

**PRESENT:** Mayor Hudspeth, Mayor Pro Tem 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, closed meeting and regular 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 is 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-E. No items were pulled for Individual Consideration.

Council Member Meltzer moved to approve the Consent Agenda as presented. Motion seconded by Council Member Ryan. Motion carried.

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

NAYS (0): None

- A. ID 21-650 Consider approval of the minutes of April 5, 2021 (Joint Meeting with Public Utilities Board) and the April 5, 2021.

**APPROVED**

- 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.

**ASSIGNED ORDINANCE NO. 21-644**

- 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 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).

**ASSIGNED ORDINANCE NO. 21-637**

All members of the City Council received the comments as submitted and had the opportunity to review all submissions prior to the start of the meeting and consider such comments when voting on the item. The summary of public commentary/registrations are noted in Exhibit A.

- 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).

**ASSIGNED ORDINANCE NO. 21-638**

- 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).

**ASSIGNED ORDINANCE NO. 21-599**

All members of the City Council received the comments as submitted and had the opportunity to review all submissions prior to the start of the meeting and consider such comments when voting on the item. The summary of public commentary/registrations are noted in Exhibit A.

**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.

**ASSIGNED RESOLUTION NO. 21-724**

All members of the City Council received the comments as submitted and had the opportunity to review all submissions prior to the start of the meeting and consider such comments when voting on the item. The summary of public commentary/registrations are noted in Exhibit A.

The item was presented and discussion followed.


Following discussion, Council Member Meltzer moved to adopt the item as presented. Motion seconded by Council Member Armintor. Motion carried.

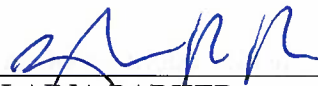
AYES (7): Mayor Hudspeth, Mayor Pro Tem Davis and Council Members Johnson, Baker, Ryan, Armintor, and Meltzer  
NAYS (0): None

**3. CONCLUDING ITEMS**

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 6:25 p.m.

  
\_\_\_\_\_  
GERARD HUDSPETH  
MAYOR  
CITY OF DENTON, TEXAS

  
\_\_\_\_\_  
ZOLAINA PARKER  
DEPUTY CITY SECRETARY  
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: April 27, 2021

April 13, 2021 City Council Regular Meeting - EXHIBIT A

Speaker Commentaries/Registrations  
Online, Email, Phone

Name	Last	Address	City	Agenda Item	Position	Method	Comments
Sherry	Darby	425 Magnolia Street	Denton	21-599	Opposed	Online	Sorry is this the agenda item for more apartments. Can't tell. Virtually means you don't care since I would drive down to city hall look at planning department documents and make educated judgement. No more apartments according to your construction update multifamily permits exceeded single family permits. Virtually means you must really like out of town/state developers since they are all watching you perform on cameras.
Sherry	Darby	425 Magnolia Street	Denton	21-637	Opposed	Online	Maintained rec pass and unable to use this software since denied access to senior citizens center. Can someone just collect a dollar every time someone walks in the door? Waiting for senior citizens newsletter to arrive in the mail. All this 'product development' is stupid. Keep it no tech please. Flower Mound library staff print off monthly calendar and give to patrons. How much does a ream of paper cost? You don't care.
Ralph	DePalma	6140 Wildcat Road	Aubrey	21-724	Support	Online	New Platus concrete batch plant threatens the Treasured Greenbelt recreation area, Lake Dallas recreation area and North Texas drinking water. I vehemently oppose the construction of this plant. Those in opposition to this plant are: The Greenbelt Alliance, Aubrey City Council and Mayor, Aubrey City Manager, Rep. Jared Patterson, Rep. Dr. Lynn Stucky, Texas Parks & Wildlife, Army Core of Engineers, LORTTA-Equestrian Trails, and 1000's of local residents.
Carol	Nichols	12070 Bell Road	Pilot Point	21-724	Support	Online	I agree with this proposal - I OPPOSE the concrete batch plant. It will damage the beautiful recreation area of the Greenbelt. I am a property owner at 12070 Bell Road in Pilot Point and on the boards of the Greenbelt Alliance of Denton Co and the Lake Ray Roberts Equestrian Trails Association. Our volunteers and the Park Rangers have invested time and money to provide a unique recreational experience along the Greenbelt for hikers, bikers and equestrians. No to the plant.

NOTE: Comments for those citizens addressing the City Council are an abbreviated summary. Information contained within this exhibit includes only commentary for Open Microphone, Consent, Individual Consideration and Public Hearing items.

