



# 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, May 25, 2021

2:00 PM

Council Work Session Room

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#### **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 CLOSED MEETING IN THE COUNCIL WORK SESSION ROOM**

Note: Mayor Gerard Hudspeth, Mayor Pro Tem Paul Meltzer, and Council Members Vicki Byrd, Brian Beck, Jesse Davis, Alison Maguire, and Deb Armintor 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 May 25, 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 May 21, 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, May 25, 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 21-926](#) Receive a report, hold a discussion, and give staff direction regarding a summary of prior and current federal funding related to COVID-19, an overview of the federal American Rescue Plan (ARP) Act of 2021, and a discussion for recommended goals and proposed uses for ARP funds received by the City of Denton.

**Attachments:**

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Staff Presentation - Revised](#)

[Exhibit 3 - ARP State and Local Fiscal Recovery Funds Information Sheet](#)

[Exhibit 4 - Coronavirus State and Local Fiscal Relief Fund Interim Final Guidanc](#)

- B. [ID 21-866](#) Receive a report, hold a discussion, and give staff direction regarding the role of City Council Committees, membership to subcommittees and other internal/external groups, and their associated nomination/appointment processes.

**Attachments:**

[Exhibit 1 - AIS MCC Committees](#)

[Exhibit 2 - ISR No 2021-028 - Council Committees](#)

[Exhibit 3 - Council Committees Narrative](#)

[Exhibit 4 - Roster - Existing Assignments, Vacancies, COI & Proposed Assignm](#)

[Exhibit 5 - Presentation - Upated 5-25-2021](#)

- C. [ID 21-442](#) Receive a report, hold a discussion, and give staff direction on a policy regarding qualifying expenses for tax exemption of historic sites.

**Attachments:**[Exhibit 1 - Agenda Information Sheet](#)[Exhibit 2 - Texas Tax Code Section 11.24](#)[Exhibit 3 - Denton Code of Ordinances Articles VI and VII Historic Tax Exemptic](#)[Exhibit 4 - Application for Historic Landmark Tax Exemption Authorization](#)[Exhibit 5 - Presentation](#)[Exhibit 6 - Preliminary Public Input](#)

- D. [ID 21-437](#)** Receive a report, hold a discussion, and give staff direction on pending City Council requests for:
- (1) Work session regarding the one-minute pitch process.
  - (2) Work session to discuss using ranked-choice voting for officers of Council, Committee, Commissions, and Boards.
  - (3) A work session on a City initiative to increase COVID vaccine access.

**Attachments:**[Exhibit 1 - Agenda Information Sheet](#)[Exhibit 2 - Ordinance19-2026 - City Council Request Process](#)[Exhibit 3 - 2021-032 Fire Department COVID Vaccinations](#)[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 21-1046](#)** 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 risks of wholesale energy supply and risk management plans, hedge plans, and strategies as each relates to the DME electric power and gas portfolio; discuss, deliberate, and provide direction to staff regarding the same. Consultation with the City's attorneys regarding legal issues associated with the above matters 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.

- B. [ID 21-1047](#)** 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.

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 – F). 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 21-974](#) Consider approval of the minutes of May 11, 2021.

Attachments:      [Exhibit 1 - AIS](#)  
                             [Exhibit 2 - May 11, 2021 Minutes Draft](#)

- B. [ID 21-792](#) Consider adoption of an ordinance of the City of Denton granting the Denton Juneteenth Celebration Committee a noise exception pursuant to Section 17-20 of the City of Denton Code of Ordinances for the Denton Juneteenth Celebration, which will be held on Friday, June 18 through Saturday, June 19, 2021, at Fred Moore Park; granting an increase in sound levels from 70 to 75 dba and a variance in hours of operation for

amplified sound levels for an outdoor event; and providing an effective date.

**Attachments:**      [Exhibit 1 – Agenda Information Sheet](#)  
                                 [Exhibit 2 – Ordinance](#)

- C.    [ID 21-812](#)      Consider adoption of an ordinance of the City of Denton approving a City co-sponsorship to the Denton Juneteenth Celebration Committee in an amount not to exceed \$26,525.00 of in-kind services and resources for the Denton Juneteenth Celebration, which will be held on Friday, June 18 through Saturday, June 19, 2021, at the Fred Moore Park; and providing an effective date.

**Attachments:**      [Exhibit 1 – Agenda Information Sheet](#)  
                                 [Exhibit 2 – Ordinance](#)

- D.    [ID 21-956](#)      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 Change Healthcare Technology Enabled Services, LLC, for the preparation and submittal of the Texas Ambulance Supplemental Payment Program reimbursement for the Fire Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7521 - awarded to Change Healthcare Technology Enabled Services, LLC, for a three (3) year, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$180,000.00).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - LLC Members](#)  
                                 [Exhibit 3 - Ordinance and Contract](#)

- E.    [ID 21-957](#)      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 Hart Halsey, LLC dba Extra Duty Solutions, for Public Safety Off-Duty Management Software for the Police Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7597 - awarded to Hart Halsey, LLC dba Extra Duty Solutions, for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year term).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Pricing Evaluation](#)  
                                 [Exhibit 3 - LLC Members](#)  
                                 [Exhibit 4 - Ordinance and Contract](#)

- F.    [ID 21-968](#)      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 Russ Bassett Corporation, through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program Contract Number EC07-20 - 9-1-1 Equipment & Services, for the purchase and installation of eighteen (18) 9-1-1 Public Safety Answering Point (PSAP) Consoles for Public Safety Communications/Technology Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 7685 - awarded to Russ Basset Corporation, in the not-to-exceed

amount of \$403,022.55).

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

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

- A.    [ID 21-765](#)      Consider adoption of an ordinance of the City Council of the City of Denton repealing Ordinance No. 20-420; approving the 2021 Denton Municipal Electric - Energy Risk Management Policy; delegating authority as provided in the 2021 ERMP; authorizing and approving the subsequent execution of such other ancillary and related documents, including, without limitation, contracts, nominations, certificates, assignments, licenses, directions, instruments, confirmations, orders, and statements as are authorized by the 2021 ERMP, which are incident to or related thereto; confirming that the City of Denton, its Mayor, its City Council members, its City Manager, or designees, its City Attorney, or designees, and its City Secretary, or designees, are authorized to perform such acts and obligations as are reasonably required to consummate those future transactions which are provided for and authorized by the 2021 ERMP; finding that the purchase of electricity, natural gas, and related commodities and instruments are exempt from the requirements of competitive bidding; finding that the purchase of electric energy, natural gas and related commodities and instruments made by the city under the terms of the 2021 ERMP are in the public welfare of the citizens and electric ratepayers of the city; authorizing the expenditure of funds therefor; and, providing an effective date.

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

- B.    [ID 21-953](#)      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 public works contract with Mountain Cascade of Texas, LLC, for the construction of the Hickory Creek Interceptor, Phase I and II Project; providing for the expenditure of funds therefor; and providing an effective date (IFB 7252 - awarded to Mountain Cascade of Texas, LLC, in the not-to-exceed amount of \$7,534,784.25).

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Bid Tabulation](#)  
                              [Exhibit 3 - ISR 2021-013](#)  
                              [Exhibit 4 - LLC Members](#)  
                              [Exhibit 5 - Presentation](#)  
                              [Exhibit 6 - Ordinance and Contract](#)

- C.    [ID 21-955](#)      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 Viking Construction, Inc., for Micro Surfacing Services for the Streets Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7619 - awarded to Viking Construction, Inc., for one (1) year, with the option for three

(3) additional one (1) year extensions, in the total four (4) year not-to-exceed amount of \$4,400,000.00).

**Attachments:**      [Exhibit 1- Agenda Information Sheet](#)  
                                 [Exhibit 2 - Pricing Evaluation](#)  
                                 [Exhibit 3 - Presentation](#)  
                                 [Exhibit 4 - Ordinance and Contract](#)

- D.    [ID 21-970](#)      Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to authorize the spend for an insurance binder to Archer Contingent Energy Risk, LLC, for forced outage insurance of the Denton Energy Center for the Summer of 2021; providing for the expenditure of funds therefor; and providing an effective date (RFP 7686 - authorizing the spend for Power Plant Forced Outage Insurance Coverage or Products and awarding such insurance binder to Archer Contingent Energy Risk, LLC, in the Summer 2021 not-to-exceed amount of \$975,000.00).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Evaluation](#)  
                                 [Exhibit 3 - LLC Members](#)  
                                 [Exhibit 4 - Ordinance](#)  
                                 [Exhibit 5 - Presentation](#)

- E.    [HL21-0001a](#)      Consider approval of a resolution of the City of Denton, Texas approving an application for a partial tax exemption of designated historic sites, in accordance with Chapter 10, Article VI, Sections 10-126 through 10-129 of the Denton Municipal Code of Ordinances, for a Local Historic Landmark, located at 1003 West Oak Street in the Oak-Hickory Historic District (OHH), generally located on the south side of West Oak Street, between Denton Street and Welch Street; providing for severability; and providing an effective date. (HL21-0001a, 1003 W Oak Street - Tax Exemption, Cameron Robertson)

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Site Location Map](#)  
                                 [Exhibit 3 - Oak-Hickory Historic District Map](#)  
                                 [Exhibit 4 - Chapter 10, Article VI, Sections 10-126 through 10-129](#)  
                                 [Exhibit 5 - Application](#)  
                                 [Exhibit 6 - Photos](#)  
                                 [Exhibit 7 - May 10, 2021 Draft HLC Meeting Minutes](#)  
                                 [Exhibit 8 - Draft Resolution](#)  
                                 [Exhibit 9 - Presentation](#)

- F.    [ID 21-1055](#)      Consider approval of a resolution confirming City Council's prior policy direction on public meetings strategy and transition back to in-person meetings.



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

[Exhibit 2 - Resolution](#)

[Exhibit 3 - Presentation](#)

- G. [ID 21-1022](#) Consider adoption of an ordinance of the City of Denton repealing and replacing City of Denton Code of Ordinances Section 2-29 (City Council Rules of Procedure); providing for a severability clause; providing for codification; and providing for an effective date.

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

[Exhibit 2 - Ordinance](#)

[Exhibit 3 - Presentation](#)

[Exhibit 4 - Rules of Procedure \(Redline\)](#)

[Exhibit 5 - March 31, 2020 Temporary Amendments.pdf](#)

- H. [ID 21-975](#) Consider nominations/appointments to the City's Boards, Commissions, and Committees: Planning & Zoning Commission.

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

[Exhibit 2 - Nominations Sheet](#)

- I. [ID 21-1009](#) Consider appointments to City Council Committees, Development Code Review Committee, Dallas Regional Mobility Coalition, Discover Denton Advisory Board, Lake Ray Roberts P&Z Commission, and Denton County Leadership Teams (Behavioral Health, Homelessness, and Workforce Success).

Attachments: [Exhibit 1 - AIS MCC Committees](#)

[Exhibit 3 - Council Committees Narrative](#)

### **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 May 21, 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.