

CITY OF DENTON CITY COUNCIL MINUTES
August 10, 2021

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Closed Meeting on Tuesday, August 10, 2021, at 2:03 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT IN PERSON: Mayor Gerard Hudspeth, and Council Members Vicki Byrd, Brian Beck, Jesse Davis, Alison Maguire, and Deb Armintor

PRESENT VIRTUALLY: Mayor Pro Tem Paul Meltzer

ABSENT: None

Also present were Interim City Manager Sara Hensley and Interim City Attorney Catherine Clifton.

CLOSED MEETING

1. The City Council convened into a Closed Meeting at 2:03 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows.

A. ID 21-1252 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.

DELIBERATED

B. ID 21-1251 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 City Auditor.

DELIBERATED

The closed meeting started at 2:03 p.m., was recessed at 3:25 p.m., and set to continue following the work session as posted on the agenda. No votes or actions were taken during the closed meeting.

WORK SESSION

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, August 10, 2021, at 3:48 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT IN PERSON: Mayor Gerard Hudspeth, and Council Members Vicki Byrd, Brian Beck, Jesse Davis, Alison Maguire, and Deb Armintor

PRESENT VIRTUALLY: Mayor Pro Tem Paul Meltzer

ABSENT: None

Also present were Interim City Manager Sara Hensley and Interim City Attorney Catherine Clifton.

The posted agenda noted the registration process for public participation at this virtual meeting. However, there were no online registrations or call ins on any items on the agenda.

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 was pulled for Individual Consideration:
 - Council Member Maguire: Item 3.C (21-1287)
 - Council Member Armintor: Item 3.C (21-1287)

3. Work Session Reports

- A. ID 21-1321 Receive a report, hold a discussion, and give staff direction regarding a COVID-19 update and potential options and considerations for the City of Denton to support vaccination and testing efforts.

The item was presented and discussion followed.

Following discussion, City Council consensus was for Staff to further investigate the following proposed options and research issues regarding mandating masks for citizens and employees with the results to be provided via a Legal Status Report:

- Option 1 - Communication Efforts;
- Option 2 - Mobile Provider;
- Option 3 - Door to Door canvassing;
- Option 4 - Testing machine;
- Option 5 - Incentive for vaccinations;

The work session was recessed for a short break at 5:40 p.m. and reconvened at 6:09 p.m.

- B. ID 21-458 Receive a report, hold a discussion, and give staff direction regarding the General Fund preliminary FY 2021-22 Proposed Budget, Tax Rate, Capital Improvement Program, and Five-Year Financial Forecast.

The item was presented and discussion followed.

Following discussion, City Council consensus was for the item to return for further discussion during the August 17th meeting.

- C. ID 21-1686 Receive a report, hold a discussion, and give staff direction regarding funding and use options for the development of a Sustainability Fund.

The item was presented and discussion followed.

Following discussion, City Council consensus was to proceed with the sustainability portion of the item and link it to the Tenaska deal at an amount of no less than \$2,000,000.

- D. ID 21-1268 Receive a report, hold a discussion, and give staff direction regarding the scope and connectivity options for the Westgate Roadway Improvement Project.

The item was presented and discussion followed.

Following discussion, City Council consensus was to move forward with Staff recommendations.

- E. ID 21-1089 Receive a report, hold a discussion, and give staff direction on pending City Council requests for:
- 1) Complete a comprehensive Environmentally Sensitive Area (ESA) inventory
 - Item 21-1089 (1) Complete a comprehensive Environmentally Sensitive Area (ESA) inventory.
 - Consensus for a future work session.

The work session ended at 8:39 p.m.

CLOSED MEETING - CONTINUED

1. The City Council reconvened into a Closed Meeting at 8:51 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows.

- C. ID 21-1671 Deliberations Regarding Certain Public Power Utilities Competitive Matters - Under Texas Government Code Section 551.086. Receive a presentation from staff regarding public power competitive and financial matters pertaining to the purchase of renewable energy; discuss and deliberate renewable energy strategies.

DELIBERATED

The closed meeting reconvened at 8:51 p.m. and ended at 9:27 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, August 10, 2021, at 9:34 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT IN PERSON: Mayor Gerard Hudspeth, and Council Members Vicki Byrd, Brian Beck, Jesse Davis, Alison Maguire, and Deb Armintor

PRESENT VIRTUALLY: Mayor Pro Tem Paul Meltzer

ABSENT: None

Also present were Interim City Manager Sara Hensley and Interim City Attorney Catherine Clifton.

The posted agenda noted the registration process for public participation at this virtual meeting. However, there were no online registrations or call ins on any items on the agenda.

1. CONSENT AGENDA

The Consent Agenda consisted of Items 1.A-I. During the Work Session held earlier in the day, Item 3.C (21-1287) was pulled for Individual Consideration by Council Members Maguire and Armintor.

Council Member Davis moved to approve the Consent Agenda now consisting of Items 1.A-B and D-I. Motion seconded by Council Member Beck. Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Byrd, Beck, Davis, Maguire, and Armintor

NAYS (0): None

- A. ID 21-1355 Consider the approval of the minutes for July 27 and August 2, 2021.

APPROVED

- B. ID 21-1349 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Animal Shelter Advisory Committee, Committee on Persons with Disabilities, Planning & Zoning Commission, Public Art Committee, and Zoning Board of Adjustment.
APPROVED

Appointments listed on Exhibit A.

- D. ID 21-1555 Consider adoption of an ordinance of the City of Denton authorizing the transfer of funds from the Downtown Tax Increment Reinvestment Zone (TIRZ) Sidewalk and Lighting Project to the Downtown Storm Drain Phase 1 Project in the amount of \$102,451.25 to facilitate the construction of the McKinney Street segment (Bell Place to Frame Street) of the 2018 Sidewalk Improvements Project. The Downtown Denton Tax Increment Financing Zone No. One Board recommends approval (4-0).

ASSIGNED ORDINANCE NO. 21-1555

- E. ID 21-1587 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 4 to the contract between the City of Denton and Quality Excavation LTD, for construction of the McKinney Street sidewalk segment for the Downtown Storm Sewer Trunk Line PH I Project; providing for the expenditure of funds therefor; and providing an effective date (IFB 7086 - Change Order No. 4 in the not-to-exceed amount of \$102,451.25, for a total contract award aggregated to \$1,218,908.25).

ASSIGNED ORDINANCE NO. 21-1587

- F. ID 21-1557 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the expenditure of funds in the amount of \$70,553.00 to the Texas Department of Transportation (TxDOT) in addition to the previously authorized amount of \$29,562.00, for the improvement of traffic signals and pedestrian facilities at the intersections of Loop 288 at Kings Row, Loop 288 at US 380, and Loop 288 at E. McKinney Street.

ASSIGNED ORDINANCE NO. 21-1557

- G. ID 21-1580 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a contract between the City of Denton and RSVP Services, Inc., amending the contract approved by City Council on April 3, 2018, in the not-to-exceed amount of \$1,180,000.00, said first amendment to provide additional veterinary staffing services for the Animal Services Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 6624 - providing for an additional first amendment expenditure amount not-to-exceed \$150,000.00, with the total contract amount not-to-exceed \$1,330,000.00).

ASSIGNED ORDINANCE NO. 21-1580

- H. ID 21-1588 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 New Waste Concepts, Inc., for the purchase of a spray on cover material for the City of Denton Landfill, which is the sole provider of this commodity, in accordance with Texas Local Government Code 252.022, which provides that procurement of commodities and services that are available from one source are exempt from competitive bidding, and if over \$50,000, shall be awarded by the governing body; providing for the expenditure of funds therefor; and providing an effective date (File 7763 - awarded to New Waste Concepts, Inc., 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 \$1,455,000.00).

ASSIGNED ORDINANCE NO. 21-1588

- I. ID 21-1592 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 New Waste Concepts, Inc., for one (1) new CAPS F Series Hydro-Mulch Machine for the Solid Waste Landfill Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 7745 - awarded to New Waste Concepts, Inc., in the not-to-exceed amount of \$164,530.00).

ASSIGNED ORDINANCE NO. 21-1592

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

- C. ID 21-1287 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute and deliver to the University of North Texas an electric easement containing approximately 1,344 square feet (0.031 acres) and a temporary construction easement containing approximately 1,874 square feet (0.043 acres), each situated in the E. Puchalski Survey, Abstract No. 996, City and County of Denton, Texas and being a portion of South Welch Street and West Sycamore Street; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-1287

Pulled for Individual Consideration by Council Members Maguire and Council Member Armintor.

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

Council Members Maguire and Armintor had a conflict of interest and left the Council Chambers.

The item was not presented or discussed.

Council Member Davis moved to adopt the item as presented. Motion seconded by Council Member Beck. Motion carried.

AYES (5): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Byrd, Beck, and Davis.

NAYS (0): None

ABSTAIN (2): Council Members Maguire and Armintor

2. ITEM FOR INDIVIDUAL CONSIDERATION

- A. ID 21-1698 Consider approval of a resolution of the City Council of the City of Denton, Texas placing a proposal on the September 21, 2021, City Council public meeting agenda to adopt a 2021 Tax Rate that will exceed the lower of the no-new-revenue tax rate or the voter-approval tax rate; calling a public hearing on a tax rate to be held on September 14, 2021, and calling a budget public hearing on the Fiscal Year 2021-2022 Annual Program of Services of the City of Denton to be held on September 14, 2021; requiring publication of notices of the public hearings and meetings in accordance with the law; requiring the posting of the notices of the public hearings on the City's Internet website; requiring the posting of the notices on the City's public access channel; and providing an effective date.

ASSIGNED RESOLUTION NO. 21-1698

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

The item was presented and no discussion followed.


Council Member Davis moved to adopt the item as presented. Motion seconded by Council Member Maguire. Motion carried.


AYES (7): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Byrd, Beck, Davis, Maguire and Armintor
NAYS (0): None

3. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 9:44 p.m.


GERARD HUDSPETH
MAYOR
CITY OF DENTON, TEXAS


ZOLAINA PARKER
DEPUTY CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: August 24, 2021

EXHIBIT A
BOARDS & COMMISSIONS - NOMINATIONS LIST
August 10, 2021

Agenda item 1.B (ID 21-1349)

BOARD/COMMITTEE/COMMISSION	COUNCIL PLACE	NOMINATING CCM	MEMBER FIRST NAME	PRESENT TERM	NEW TERM	STATUS & QUALIFICATION OR PREFERENCE, IF ANY
Animal Shelter Advisory Committee	7	Hudspeth-7	Sarah Kuechler	2019-2021 - UN	September 1, 2021 through August 31, 2023	Reappointment Currently Qualif. 2 - City Official
Committee on Persons with Disabilities	ALL - 2	Arminton-5	Marcus Parks	N/A	September 1, 2021 through August 31, 2023	New
Planning and Zoning Commission	2	Beck-2	Eric Pruett	2019-2021 - UN	September 1, 2021 through August 31, 2023	Reappointment
Planning and Zoning Commission	7	Hudspeth-7	Tim Smith	2019-2021	September 1, 2021 Through August 31, 2023	Reappointment
Public Art Committee	6	Meltzer-6	Ed Steele	2019-2021	September 1, 2021 through August 31, 2023	Reappointment
Zoning Board of Adjustment	6	Meltzer-6	Candi Harris	N/A	September 1, 2021 through August 31, 2023	New