

CITY OF DENTON CITY COUNCIL MINUTES

December 14, 2021

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, December 14, 2021, at 2:00 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Gerard Hudspeth, Mayor Pro Tem Paul Meltzer and Council Members Vicki Byrd, Brian Beck, Jesse Davis, Alison Maguire, and Deb Armintor

ABSENT: None

Also present were Interim City Manager Sara Hensley and City Attorney Mack Reinwand.

The posted agenda noted the registration process for both in-person, call-in, and virtual public participation at this meeting. While citizen commentary received via the online registration process was not read, each member for the City Council received each online commentary as it was submitted. Both in-person, call-in, and online comments received are reflected in the exhibit to the minutes of this meeting.

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) were/was pulled for Individual Consideration:
 - Council Member Davis: Items 1.J (21-2647), 1.K (21-2648) and 1.S (21-2532)
 - Council Member Armintor: Item 1.S (21-2532)

3. Work Session Reports

- A. ID 21-1803 Receive a report, hold a discussion, and give staff direction regarding Audit Project 004 - Police Property Room Procedures: Follow-Up Review.
[Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

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

- B. ID 21-2406 Receive a report, hold a discussion, and give staff direction regarding implementation of programs and policies proposed in the Affordable Housing Strategic Plan.
*[Council Priority; Estimated Presentation/Discussion Time: 1 hour]

The item was presented and discussion followed.

Following discussion, City Council consensus was to move forward with:

- Resolution accepting the City of Denton's Affordable Housing Strategic Toolkit to be presented for consideration at a future meeting;
 - Start the process for Year 1 Action Items in early 2022:
 - Budget Amendment (FY21-22) to procure consultant for Affordable Overlay District(s) and software for GIS Mapping Tool (with potential for an alternate in-house Plan option);
 - Build out the Landlord Maintenance Grant Program and pilot program;
 - Funding requests for future years to be considered as supplemental budget requests through the budget process, requests for CDBG/HOME through Community Services Advisory Committee process, and seeking other funding tools where applicable; and
 - Move forward with the RFI process for Tiny Home projects.
- C. ID 21-2466 Receive a report, hold a discussion, and give staff direction regarding updates to the City Criteria Manuals. (ID 21-2466, City Criteria Manuals, Ron Menguita)
[Estimated Presentation/Discussion Time: 45 minutes]

The item was presented and discussion followed.

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

- D. ID 21-2569 Receive a report and hold a discussion regarding Comprehensive Plan components and receive an update related to the Denton 2040 Comprehensive Plan process including next steps.
[Estimated Presentation/Discussion Time: 1 hour]

The item was presented and discussion followed.

Following discussion, there was no direction provided as the item was for presentation/discussion purposes. Future discussion on this item will follow.

The work session ended at 4:49 p.m.

CLOSED MEETING

1. The City Council convened into a Closed Meeting at 4:49 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows.
 - A. ID 21-2778 Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071. Receive information from staff, consult with the City's attorneys, and provide direction pertaining to the status, strategy, and possible resolution of condemnation case styled City of Denton v. R. Eric Fullerton and Marla R. Fullerton, Cause Number PR-2021-001158, pending in the Probate Court of Denton 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

- B. ID 21-2803 Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071. Receive information from staff, discuss, deliberate, and provide staff with direction pertaining to the potential acquisition of real property interests in the N. Wade Survey, Abstract No. 1407 Denton County, Texas, and located generally on the west side of N. Bonnie Brae Road, between Windsor Drive and Riney Road, within the City of Denton. Consultation with the City's attorneys regarding legal issues associated with the potential acquisition or condemnation of the real property interests described above 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, negotiation, or potential litigation.

DELIBERATED

The closed meeting started at 5:15 p.m. and ended at 5:38 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, December 14, 2021, at 6:30 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Gerard Hudspeth, Mayor Pro Tem Paul Meltzer and Council Members Vicki Byrd, Brian Beck, Jesse Davis, Alison Maguire, and Deb Armintor

ABSENT: None

Also present were Interim City Manager Sara Hensley and City Attorney Mack Reinwand.

The posted agenda noted the registration process for both in-person, call-in, and virtual public participation at this meeting. While citizen commentary received via the online registration process was not read, each member for the City Council received each online commentary as it was submitted. Both in-person, call-in, and online comments received are reflected in the exhibit to the minutes of this meeting.

1. CONSENT AGENDA

The Consent Agenda consisted of Items 1. A-BA. During the Work Session held earlier in the day, Items 1.J (21-2647), 1.K (21-2648), and 1.S (21-2532) were pulled for Individual Consideration by Council Member Davis and Item 1.S (21-2532) was pulled for Individual Consideration by Council Member Armintor.

Council Member Davis moved to adopt the Consent Agenda, now consisting of Items 1.A-I, L-R and T-BA. 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 21-2378 Consider approval of the minutes of December 6, 2021.

APPROVED

- B. ID 21-2375 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Health & Building Standards Commission.

APPROVED

Appointments listed on Exhibit B.

- C. ID 21-2568 Consider adoption of an ordinance approving a Pipeline Crossing Agreement by and between the City of Denton and the Union Pacific Railroad Company relating to the location of a City wastewater pipeline within the railroad right-of-way located at Mile Post 722.69, Choctaw Subdivision, within the County and City of Denton, Texas; authorizing the City Manager to execute the Agreement and pay the \$7,600.00 license fee; authorizing the expenditure of funds; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-2568

- D. ID 21-2574 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an Agreement for Street Lighting Service between Oncor Electric Delivery Company LLC and the City; authorizing the expenditure of funds; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-2574

- E. ID 21-2570 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a Supplement to the Agreement for Street Lighting Service between Oncor Electric Delivery Company LLC and the City of Denton for Country Club Terrace Phases 1 and 2; authorizing the expenditure of funds; and providing for an effective date.
ASSIGNED ORDINANCE NO. 21-2570
- F. ID 21-2632 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing a new Line Extension Policy for Denton Municipal Electric (DME) to govern customer aid-in-construction contributions for new or revised electric service; authorizing the expenditure of funds; providing for a repealer; and providing an effective date.
ASSIGNED ORDINANCE NO. 21-2632
- G. ID 21-2747 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the city manager to enter into reimbursement agreements, joint use agreements, and crossing permits with the Texas Department of Transportation (TXDOT) for Denton Municipal Electric work on TXDOT relocation and road widening projects referenced as ROW CSJ 0196-01-114, ROW CSJ 0195-03-091, and ROW CCSJ 0195-03-074; authorizing the expenditure of funds; and declaring an effective date.
ASSIGNED ORDINANCE NO. 21-2747
- H. ID 21-2626 Consider the adoption of an ordinance of the City of Denton adopting an updated Downtown Reinvestment Grant Program Policy for the Downtown Reinvestment Grant Program; providing a repealer; and providing an effective date. The Downtown Denton Tax Increment Financing Reinvestment Zone No. 1 Board recommends approval (4-0).
ASSIGNED ORDINANCE NO. 21-2626
- I. ID 21-2484 Consider approval of a resolution approving and adopting Administrative Policy No 403.06 "Investment Policy"; and providing for an effective date.
ASSIGNED RESOLUTION NO. 21-2484
- L. ID 21-2475 Consider approval of a resolution of the City of Denton authorizing the support and adoption of the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet approving the allocation of any and all opioid settlement funds within the State of Texas; and providing for an effective date.
ASSIGNED RESOLUTION NO. 21-2475
- M. ID 21-2525 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Day of the Dead Festival, Inc. for the payment and use of hotel tax revenue in support of the Denton Day of the Dead Festival; and providing an effective date. (\$17,340 - Community Partnership Committee recommends approval 3-0)
ASSIGNED ORDINANCE NO. 21-2525

- N. ID 21-2526 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Black Chamber of Commerce, Inc. for the payment and use of hotel tax revenue in support of the Denton Blues Festival; and providing an effective date. (\$40,000 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2526

- O. ID 21-2527 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Black Film Festival Institute, Inc. for the payment and use of hotel tax revenue in support of the Denton Black Film Festival; and providing an effective date. (\$40,750 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2527

- P. ID 21-2528 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Kiwanis Club of Denton, Breakfast, Denton, Texas for the payment and use of hotel tax revenue in support of the Turkey Roll Bicycle Rally; and providing an effective date. (\$6,120 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2528

- Q. ID 21-2529 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Chamber of Commerce, Inc. (Discover Denton) for the payment and use of hotel tax revenue in support of Discover Denton; and providing an effective date. (\$1,396,655 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2529

- R. ID 21-2531 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Community Market, Inc. for the payment and use of hotel tax revenue in support of the Denton Community Market; and providing an effective date. (\$60,000 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2531

- T. ID 21-2533 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Festival Foundation, Inc. for the payment and use of hotel tax revenue in support of the Denton Arts and Jazz Festival; and providing an effective date. (\$120,000 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2533

- U. ID 21-2534 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Holiday Festival Association, Inc. for the payment and use of hotel tax revenue in support of the Denton Holiday Lighting Festival; and providing an effective date. (\$23,500 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2534

- V. ID 21-2535 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Central Business District Association, Inc. for the payment and use of hotel tax revenue in support of the Denton Main Street Association; and providing an effective date. (\$35,700 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2535

- W. ID 21-2537 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Denton Parks Foundation, Inc. for the payment and use of hotel tax revenue in support of Juneteenth, Dog Days, and Splish Splash Doggie Bash; and providing an effective date. (\$75,000 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2537

- X. ID 21-2539 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Greater Denton Arts Council, Inc. for the payment and use of hotel tax revenue in support of art exhibitions and programming; and providing an effective date. (\$150,026 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2539

- Y. ID 21-2541 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Historic Denton, Inc. for the payment and use of hotel tax revenue in support of historical and cultural tourism; and providing an effective date. (\$5,000 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2541

- Z. ID 21-2543 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the North Texas State Fair Association, Inc. for the payment and use of hotel tax revenue in support of the North Texas Fair and Rodeo; and providing an effective date. (\$195,486 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2543

- AA. ID 21-2545 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Real Waves Radio Network, Inc. for the payment and use of hotel tax revenue in support of KUZU Presents artist showcase; and providing an effective date. (\$6,400 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2545

- AB. ID 21-2546 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Tejas Storytelling Association for the payment and use of hotel tax revenue in support of the City of Denton Texas Storytelling Festival; and providing an effective date. (\$57,079 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2546

- AC. ID 21-2547 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Texas Filmmakers' Corporation for the payment and use of hotel tax revenue in support of the Thin Line Fest; and providing an effective date. (\$19,340 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2547

- AD. ID 21-2548 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and the Texas Veterans Hall of Fame Foundation for the payment and use of hotel tax revenue in support of programming and ceremonies; and providing an effective date. (\$14,000 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2548

- AE. ID 21-2550 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Theater Denton, Inc. for the payment and use of hotel tax revenue in support of the 2022 Performance Season; and providing an effective date. (\$20,430 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2550

- AF. ID 21-2678 Consider approval of a resolution of the City of Denton authorizing the submission of an application to the Texas Department of Transportation (TXDOT) for the 2023 General Traffic Safety Grant Program in the amount of \$149,000 to provide blood draw services on Driving While Intoxicated arrests; and providing for an effective date.

ASSIGNED ORDINANCE NO. 21-2678

- AG. ID 21-2680 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 Professional Services Agreement between the City of Denton and Freese and Nichols, Inc., amending the contract approved by City Council on September 22, 2020, in the not-to-exceed amount of \$1,472,700.00; said first amendment to provide additional design services for the Ray

Roberts Water Treatment Plant Upgrading and Performance Improvements project; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-093 - providing for an additional first amendment expenditure amount not-to-exceed \$663,310.00, with the total contract amount not-to-exceed \$2,136,010.00).

ASSIGNED ORDINANCE NO. 21-2680

- AH. ID 21-2681 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Gupta & Associates, Inc., to provide project management, data collection, contract reviews, contract matrix development, and post-analysis services support for the Hobson Lift Station Upgrade Project for the Water Utilities Division; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7574-001 - Professional Services Agreement for project services awarded to Gupta & Associates, Inc., in the not-to-exceed amount of \$60,543.00).

ASSIGNED ORDINANCE NO. 21-2681

- AI. ID 21-2682 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Kimley-Horn and Associates, Inc., to provide project management, data collection, contract reviews, contract matrix development, and post-analysis services support for the Water Resource Management Analysis Project for the Water Utilities Division; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7574-007 - Professional Services Agreement for analysis services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of \$95,000.00).

ASSIGNED ORDINANCE NO. 21-2682

- AJ. ID 21-2683 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with AdComp Systems, Inc., for payment and self-service kiosk solutions and professional services for the Customer Service Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7709 - awarded to AdComp Systems, Inc., for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$460,000.00).

ASSIGNED ORDINANCE NO. 21-2683

- AK. ID 21-2684 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Raba Kistner, Inc., for construction material testing and geotechnical investigation services for the Streets, Utilities, and Engineering Departments; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7742 - awarded to Raba Kistner, 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 \$2,640,000).

ASSIGNED ORDINANCE NO. 21-2684

- AL. ID 21-2685 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Pro Tech Services LLC, for the design, removal of existing equipment, installation, and completion of replacement equipment of the vehicle wash retrofit-rebuild for the Solid Waste and Recycling Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7820 - awarded to Pro Tech Services LLC, for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$635,400.00).

ASSIGNED ORDINANCE NO. 21-2685

- AM. ID 21-2686 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Construction Manager At Risk contract with McCarthy Building Companies, Inc., for pre-construction services of Southeast Denton Package - B Improvements for the Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7714 - CMAR awarded to McCarthy Building Companies, Inc., in the not-to-exceed amount of \$174,955.00 for pre-construction services).

ASSIGNED ORDINANCE NO. 21-2686

- AN. ID 21-2687 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 of various types of engineers for Denton Municipal Electric; and providing an effective date (RFQ 7804 - for a two (2) year, with the option for one (1) additional one (1) year extension, in the total three (3) year term).

ASSIGNED ORDINANCE NO. 21-2687

- AO. ID 21-2688 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Mabak Directional Drilling, Inc., for dry auger bore directional drilling for Denton Municipal Electric, Water, and Wastewater Departments; providing for the expenditure of funds therefor; and providing an effective date (CSP 7651 - awarded to Mabak Directional Drilling, Inc., in the not-to-exceed amount of \$5,000,000.00).

ASSIGNED ORDINANCE NO. 21-2688

- AP. ID 21-2689 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Wells Fargo Merchant Services, LLC, for debit/credit card processing for all City departments; providing for the expenditure of funds therefor; and providing an effective date (RFP 7436 - awarded to Wells Fargo Merchant Services, LLC, in the five (5) year not-to-exceed amount of \$5,000,000.00).

ASSIGNED ORDINANCE NO. 21-2689

AQ. ID 21-2690 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Pavecon Public Works LP, for the construction of the 2020 Street Bundle - Sector I Project with geographical limits as follows: Thunderbird Drive from Colonial Drive to Crestmeadow Street, Greenway from Windsor Farms to the southern dead end, Brook Hollow Drive from Greenway to Carriage Hill, Carriage Hill from Brook Hollow to Thunderbird, Lakewood Drive from Greenway to Carriage Hill, and Augusta from Colonial Drive to 2900 Augusta Drive; providing for the expenditure of funds therefor; and providing an effective date (CSP 7803 - awarded to Pavecon Public Works LP, in the not-to-exceed amount of \$3,780,075.23).

ASSIGNED ORDINANCE NO. 21-2690

AR. ID 21-2691 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Burns & McDonnell, Engineering Company Inc., to provide engineering and professional services to the DME Electric Engineering Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7740 - Professional Services Agreement for engineering and professional services awarded to Burns & McDonnell, Engineering Company Inc., in the three (3) year not-to-exceed amount of \$1,500,000.00).

ASSIGNED ORDINANCE NO. 21-2691

AS. ID 21-2692 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Teague Nall and Perkins, Inc., for design services for Neighborhood 7A Improvements for the Capital Projects/Engineering Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7599-003 - Professional Services Agreement for design services awarded to Teague Nall and Perkins, Inc., in the not-to-exceed amount of \$726,610.00).

ASSIGNED ORDINANCE NO. 21-2692

AT. ID 21-2693 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to an Administrative Services Agreement between the City of Denton and United Behavioral Health dba Optum, amending the contract approved by purchasing on February 1, 2021; said first amendment for Employee Assistance Program services for the City of Denton employees; providing for the expenditure of funds therefor; and providing an effective date (RFP 7776 - Employee Assistance Program (EAP)) - awarded to United Behavioral Health dba Optum, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year (\$1.53 per employee per month (pepm)) not-to-exceed amount of \$172,000.00).

ASSIGNED ORDINANCE NO. 21-2693

AU. ID 21-2696 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with HDR Engineering, Inc., for design services for Neighborhood 4

Improvements for the Capital Projects/Engineering Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7599-004 - Professional Services Agreement for design services awarded to HDR Engineering, Inc., in the not-to-exceed amount of \$714,448.81).

ASSIGNED ORDINANCE NO. 21-2696

- AV. ID 21-2698 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Osmose Utilities Services, Inc., for pole inspection services for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 7796 - awarded to Osmose Utilities Services, Inc., in the two (2) year not-to-exceed amount of \$300,000.00).

ASSIGNED ORDINANCE NO. 21-2698

- AW. ID 21-2699 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Touchphrase Development LLC dba Julota, for Mental Health Division Software for the Denton Police Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7805 - awarded to Touchphrase Development LLC dba Julota, for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$165,417.00).

ASSIGNED ORDINANCE NO. 21-2699

- AX. ID 21-2756 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager 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 Winter of 2021-2022; providing for the expenditure of funds therefor; and providing an effective date (RFP 7871 - authorizing the spend for power plant forced outage insurance coverage or products and awarding such insurance binder to Archer Contingent Energy Risk, LLC, for the Winter of 2021-2022, in the not-to-exceed amount of \$575,000.00).

ASSIGNED ORDINANCE NO. 21-2756

- AY. ID 21-2536 Consider adoption of an ordinance of the City of Denton ratifying and approving a City co-sponsorship to the Denton Holiday Lighting Festival Association, Inc., in an amount not to exceed \$43,222.00 of in-kind services and resources for the annual Denton Holiday Lighting Festival, which was held on Friday, December 3, 2021; at the Historic Downtown Square; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-2536

- AZ. ID 21-2611 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to allow the Cross Country Park Rental Agreement to be used as an agreement between the City of Denton Parks and Recreation Department and potential park rental groups for cross country events in the parks; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-2611

- BA. ID 21-2734 Consider adoption of an ordinance of the City of Denton adopting and approving a Chapter 284 Wireless Service Pole Collocation Attachment License Agreement ("Agreement") with Cellco Partnership D/B/A Verizon Wireless; authorizing the City Manager to execute the Agreement; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-2734

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

- J. ID 21-2647 Consider adoption of an ordinance of the City of Denton approving and authorizing the City Manager to execute an Interlocal Cooperation Agreement between the City of Denton and Denton County for Ambulance Services; and declaring an effective date.

ASSIGNED ORDINANCE NO. 21-2647

The item was pulled for Individual Consideration by Council Member Davis.

Council Member Davis had a conflict of interest and left the Council Chambers.

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

The item was not presented or discussed.

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

AYES (6): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Byrd, Beck, Maguire, and Armintor

NAYS (0): None

ABSTAIN (1): Council Member Davis

- K. ID 21-2648 Consider adoption of an ordinance of the City of Denton approving and authorizing the City Manager to execute an Interlocal Cooperation Agreement between the City of Denton and Denton County for Fire Protection Services; and declaring an effective date.

ASSIGNED ORDINANCE NO. 21-2648

The item was pulled for Individual Consideration by Council Member Davis.

Council Member Davis had a conflict of interest and left the Council Chambers.

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

The item was not presented or discussed.

Council Member Maguire moved to adopt the item as presented. Motion seconded by Mayor Pro Tem Meltzer. Motion carried.

AYES (6): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Byrd, Beck, Maguire, and Armintor

NAYS (0): None

ABSTAIN (1): Council Member Davis

- S. ID 21-2532 Consider adoption of an ordinance authorizing the City Manager to execute an agreement between the City of Denton and Denton County for the payment and use of hotel tax revenue in support of the Denton County Museums; and providing an effective date. (\$235,500 - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 21-2532

The item was pulled for Individual Consideration by Council Members Davis and Armintor.

Council Member Davis had a conflict of interest and left the Council Chambers.

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

The item was not presented or discussed.

Following commentary, Mayor Hudspeth moved to adopt the item as presented. Motion seconded by Council Member Byrd. Motion carried.

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

NAYS (1): Council Member Armintor

ABSTAIN (1): Council Member Davis

2. PUBLIC HEARINGS

- A. ID 21-2556 Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Solid Waste and Recycling Criteria Manual; and providing for severability, a savings clause and an effective date. (ID 21-2556, Ron Menguita)

ASSIGNED ORDINANCE NO. 21-2556

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

The item was not presented or discussed.

The public hearing was opened and with no speakers in the queue, the public hearing was closed.

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

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

- B. ID 21-2557 Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Stormwater Criteria Manual; and providing for severability, a savings clause and an effective date. (ID 21-2557, Ron Menguita)

ASSIGNED ORDINANCE NO. 21-2557

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

The item was not presented or discussed.

The public hearing was opened and with no speakers in the queue, the public hearing was closed.

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

- C. ID 21-2558 Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Transportation Criteria Manual; and providing for severability, a savings clause and an effective date. (ID 21-2558, Ron Menguita)

ASSIGNED ORDINANCE NO. 21-2558

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

The item was not presented or discussed.

The public hearing was opened and with no speakers in the queue, the public hearing was closed.

Following commentary, Council Member Davis moved to adopt the item as presented. 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

- D. ID 21-2559 Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Water and Wastewater Criteria Manual; and providing for severability, a savings clause and an effective date. (ID 21-2559, Ron Menguita)

ASSIGNED ORDINANCE NO. 21-2559

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

The item was presented and discussion followed.

The public hearing was opened and with no speakers in the queue, the public hearing was closed.

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. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 21-2801 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, extending the effective period of the declared state of local disaster related to the COVID-19 emergency as provided in ordinance no. 21-1825 to March 31, 2022; superseding and replacing the seventeenth order of council of the City of Denton issued November 16, 2021 approved by ordinance no. 21-2432; providing a repealer clause, and providing an effective date.

ASSIGNED ORDINANCE NO. 21-2801

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

The item was presented and discussion followed.

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

AYES (4): Mayor Pro Tem Meltzer and Council Members Beck, Maguire, and Armintor

NAYS (3): Mayor Hudspeth and Council Members Byrd and Davis

- B. ID 21-2808 Consider adoption of an ordinance of the City Council of the City of Denton approving the redistricting of the city's single-member council districts and establishing new district boundary lines based on 2020 census data for Denton City Council elections; and providing for an effective date.

ASSIGNED ORDINANCE NO. 21-2808

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.

Citizen comments received are noted in Exhibit A.

Mayor Hudspeth noted the number of comment cards submitted from those who did not wish to speak but simply state their position on the item; see Exhibit A.

Council Member Byrd called a Point of Order seeking clarification on where the Council was on the item (discussion or taking a motion/second. Mayor Hudspeth ruled the item was at the point for discussion.

Following discussion, Mayor Hudspeth moved to deny the item as presented (Plan B). Motion seconded by Council Member Davis. Motion to deny failed.

AYES (2): Mayor Hudspeth and Council Member Davis

NAYS (5): Mayor Pro Tem Meltzer and Council Members Byrd, Beck, Maguire, and Armintor

Following further discussion, Council Member Beck moved to adopt the item as presented (Plan B). Motion seconded by Council Member Maguire. Motion carried.

AYES (5): Mayor Pro Tem Meltzer and Council Members Byrd, Beck, Maguire, and Armintor

NAYS (2): Mayor Hudspeth and Council Member Davis

- C. ID 21-2787 Consider a resolution of the City of Denton consenting to the creation of Denton County Municipal Utility District No. 12, encompassing approximately 1018 acres of land, located within the extraterritorial jurisdiction of the City of Denton, Texas or the addition of 1018 acres of land, located within the extraterritorial jurisdiction of the City of Denton, Texas into La La Ranch Municipal Utility District of Denton County; and providing an effective date. (ID 21-2787, La La Ranch, Tina Firgens)

ITEM POSTPONED AT STAFF'S REQUEST

The item was postponed at Staff's request.

- D. ID 21-2634 Consider adoption of an ordinance of the City of Denton amending the provisions of Chapter 6 of the Code of Ordinances by amending Section 6-2 "definitions" by providing definitions for key terms and removing the definition of "dangerous animal" to replace it with the definition of "dangerous dog"; by amending article II of Chapter 6 of the Code of

Ordinances regarding dangerous dogs by changing the title of article II to "dangerous dogs"; amending the complaint filing process, outlining ramifications for failure to comply, and outlining and implementing a dangerous dog registry; providing for a severability clause; providing for a savings clause; providing for a penalty; providing for codification; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-2634

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

The item was presented and discussion followed.

Following discussion, Council Member Armintor moved to adopt the item as presented. 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

- E. ID 21-2701 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a design-build agreement with Beta Engineering, LLC, for the design and construction of the Hickory Gas Insulated Substation (GIS) for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7670 - awarded to Beta Engineering, LLC, in the not-to-exceed amount of \$40,469,000.00).

ASSIGNED ORDINANCE NO. 21-2701

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

The item was presented and discussion followed.

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

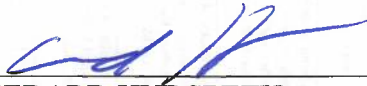
AYES (6): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Byrd, Beck, Davis, and Maguire

NAYS (1): Council Member Armintor

4. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 8:24 p.m.



GERARD HUDSPETH
MAYOR
CITY OF DENTON, TEXAS



CATHY WELBORN
ASSISTANT CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON:

January 11, 2022

December 14, 2021 City Council Special Called Meeting - EXHIBIT A

**Speaker Commentaries/Registrations
Online, Email, Phone**

Name	Last	Address	City	Agenda Item	Position	Method	Comments
Willie	Hudspeth	623 Newton Street	Denton	21-2808	Opposed	In Person	The Beck plan is basically for Council Member Beck, not for me, not for my community; it's for Beck. Now what it is going to get is removal from City Council. Will work as hard Doesn't understand why the other people are supporting the plan. But every Tuesday I'm calling it political day and will start raising up some of these issues.
Nathanial	Johnson	6109 Thoroughbred Trail	Denton	21-2808	Support	In Person	Standing in proxy for his mother. There was a lot of confusion with the redistricting; people did not understand it. Contacted to understand the redistricting process; many people thought it was effecting the neighborhood. Spoke with his mother and that having the Council Member for District 1 be in control of the landfill. Should support the redistricting for those in south east Denton.
Juliane	Remski	11904 Glenbrook	Denton	21-2808	Opposed	In Person	Appreciates the additional time to speak with Council again. Issue all along has not been weather to redistrict or not redistrict but the process. Questioned Council if at anytime since the plan was done privately the four or five Council Members have any discussion among themselves as a group to reinforce each other's stance for plan B to help provide rationale to each other; are they willing to go on record they did not.
Don	Hicks	Not Provided	Denton	21-2808	Opposed	In Person	Realtor in Robson Ranch; people he works with and for do not want to moved from District 3 to District 4. There are a lot of interesting things the Council needs to be reminded of: 1. Residents of Robson ranch pay school taxes but we don't have any kids in school; 2. Not forget roads are maintained by them. The important thing is there is suppose to be representation on the Council for Robson Ranch. Requested Council to remember whom they represent as a City; true colors are coming out when you are obviously trying to push through a political agenda.
Barbara	Rodman	2102 Azalea Street	Denton	21-2808	Support	Telephone	Reiterated the support she has expressed in letters to the City for the redistricting plan submitted by Council Member Beck. Not only does she support plan B because it reunites her neighborhood (Denia) with other areas which share culture and demographic values, but because it is the best plan for Denton as a whole. Brings communities together that are similar and that were divided 10 years ago. Believes the Council has done what it is required to do which is to act on behalf of the majority of the residents of the City of Denton by developing a plan that meets the ethical and legal obligations of any redistricting plan.
Emily	Deacon	2105 Carriage Hill	Denton	21-2808	Support	In Person	Fully supports Brian Beck's proposal because he and his community know they are not represented by Robson Ranch. Robson Ranch is a community that is 55+ which is not representative of his community. So if they could be moved that would be awesome.
Zachary	Cathcart	2105 Carriage Hill	Denton	21-2808	Support	In Person	As a resident of District 3, wants to put his support behind the redistricting proposal of Council Member Beck. As someone who lives far north, does not feel there is a lot in common with those that live as far south of Denton as you can get. Does not feel like a match; Council Member Davis has an easy job bridging the gap between all the various interest groups. Plan B feels like a more natural fit and what we want for the future of the City.
Brett	Davis	1014 Mack Drive	Denton	21-2808	Support	In Person	UNT Graduate speaking in favor of Council Member Beck's redistricting map. Showed views of Robson Ranch Golf Course and of Fry Street; clearly these two areas are completely different; why do they belong together unless to dilute voices.
Mat	Pruneda	1225 Tulane Drive	Denton	21-2808	Support	Telephone	Voiced support for the redistricting. As a person that follows local politics, understands the consulting team opted to do nothing for redistricting. Knowing how Denton is going to grow in the next few years, thinks either one of the plans does allow for growth and won't imbalance the City of Denton in the next five years. Having looked at Council Member Beck's plan, does keep communities of interest together and that is the primary goal of any redistricting.
Ryan	Simgrin	1014 Mack Place	Denton	21-2808	Support	In Person	A UNT sculpture student, here to say in favor of Council Member Beck's plan removing Robson Ranch from District 3. Does not have many of the same similarities as those who live in Robson Ranch and believes neighborhoods closer to UNT campus stay together with Robson Ranch. Like many students and people his age who are already discouraged with local politics, will feel like the people that represent them don't have their best interest at heart.
Liam	Gaume-Wakefield	411 Ponder Avenue	Denton	21-2808	Support	In Person	In favor of Council Member Beck's proposal as it would align the districts with communities of interest. It would allow for the area around the landfill access to their City Council Member and to have someone that knows how it is to live by the landfill. Does not see how Council Member Beck's plan is gerrymandering.

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.

EXHIBIT B
December 14, 2021

Agenda Item 4.B (ID 21-2375)

BOARD/COMMITTEE/COMMISSION	COUNCIL PLACE	NOMINATING CCM	MEMBER FIRST NAME	NEW TERM	STATUS & QUALIFICATION OR PREFERENCE, IF ANY
Health & Building Standards Commission	ALL - ALT - 1	Arminton	Cyndell Addison	UNEXPIRED July 1, 2020 through June 30, 2022	New Qualif. 6: Other