

CITY OF DENTON CITY COUNCIL MINUTES  
March 22, 2022

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, March 22, 2022, at 3:05 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT IN PERSON: 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. In-person, call-in, and/or online comments received will be reflected in the exhibit to the minutes of this meeting, if/as applicable.**

**WORK SESSION**

**1. Citizen Comments on Consent Agenda Items**

Citizen comments received are noted in Exhibit A.

**2. Requests for clarification of agenda items listed on this agenda.**

- Clarification was requested on the following items:
  - Council Member Byrd: Item 3.AA (22-529)
- The following item was pulled for Individual Consideration:
  - Council Member Armintor: Item 3.AB (22-568)

**3. Work Session Reports**

- A. ID 22-475 Receive a report, hold a discussion, and give staff direction regarding Audit Project 025 - Energy Portfolio Management: Renewable Energy Offset Goal. [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 22-355 Receive a report, hold a discussion, and give staff direction regarding the City of Denton's policies for tax abatement and incentives. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus for Staff to proceed with the Workplan as presented.

- Add North American Industry Classification System (NAICS) 711: Performing Arts and 512: Music Production/Publication to the Creative Strategic Growth Area (SGA); and
- Add an additional consideration to encourage minimum and/or living wage for all employees.
- Present at a later date additional data on the average and median wages in the County; livable wage and childcare information from Texas Workforce Solutions; and the U.S. Department of Housing and Urban Development (HUD) data on living wage and low to moderate income limits.

The work session was recessed for a short break at 4:34 p.m. and reconvened at 5:00 p.m.

- C. ID 22-161 Receive a report, hold a discussion, and give staff direction regarding the Sustainability Framework Fund Workplan for FY21-22. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was to move forward with the Workplan as presented.

- D. ID 22-179 Receive a report, hold a discussion, and give staff direction regarding an overview of paid and unpaid leave policies for City of Denton employees and an analysis and options for paid parental leave. \* [Council Priority; Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was to follow Staff's recommendations for changes to the Vacation and Death in the Family Leave and to present at a later date a proposed policy and additional potential financial impacts for additional increments of paid leave time (e.g., 8, 10, 12 weeks).

- E. ID 22-156 Receive a report, hold a discussion, and give staff direction on pending City Council requests for:
- (1) A work session to discuss an agenda item to consider repeal of the redistricting ordinance passed in December.
  - (2) A work session on:
    - a. How to bring awareness to the importance of citizen involvement on Boards & Commissions, including the selection and retention of board members.
    - b. The addition of an alternate Board seat to serve in the absence of a regularly appointed member.
- [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was as follows:

- ID 22-156 (1) A work session to discuss an agenda item to consider repeal of the redistricting ordinance passed in December.
  - No consensus for a work session.
- ID 22-156 (2) A work session on:
  - How to bring awareness to the importance of citizen involvement on Boards & Commissions, including the selection and retention of board members.
  - The addition of an alternate Board seat to serve in the absence of a regularly appointed member.
    - No consensus for a work session. Staff to review possibility of providing an Informal Staff Report.

The work session ended at 6:00 p.m.

### **CLOSED MEETING**

1. The City Council convened into a Closed Meeting at 6:00 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows.
  - A. ID 22-502 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 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 Audit Project 025 - Energy Portfolio Management: Renewable Energy Offset Goal; discuss, deliberate, and provide direction to staff regarding the same.  
**NOT DELIBERATED**

- B. ID 22-692 Consultation with Attorneys - Under Texas Government Code Section 551.071. Consultation, discussion, deliberation, and receipt of information from the City's attorneys to review and discuss litigation related to Winter Storm Uri, where the City's Attorneys' duties to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with Chapter 551 of the Texas Open Meetings Act.  
**DELIBERATED**

The closed meeting started at 6:03 p.m. and ended at 6:16 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, March 22, 2022, at 6:30 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT IN PERSON: 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. PLEDGE OF ALLEGIANCE**

- A. U.S. Flag and B. Texas Flag

### **2. PROCLAMATIONS/PRESENTATIONS**

- A. ID 22-562 Proclamation: Delta Sigma Theta Sorority, Inc.  
**PRESENTED**

### **3. CONSENT AGENDA**

The Consent Agenda consisted of Items 3.A-AB. During the Work Session held earlier in the day, Item 3.AB (22-268) was pulled for Individual Consideration by Council Member Armintor.

Council Member Beck moved to adopt the Consent Agenda, now consisting of Items 3.A-AA. Motion seconded by Council Member Davis. Motion carried.

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

NAYS (0): None

- A. ID 22-506 Consider approval of the minutes of March 1, 2022.

**APPROVED**

- B. ID 22-507 Consider nomination/appointment to the City's Boards, Commissions, and Committees: Library Board.

Appointments listed on Exhibit B.

- C. ID 22-557 Consider approval of a resolution of the City of Denton excusing the February 28, 2022 meeting absence of a Public Utilities Board member; and declaring an effective date.

**ASSIGNED RESOLUTION NO. 22-557**

- D. ID 22-571 Consider approval of a resolution of the City of Denton excusing the February 28, 2022 meeting absence of a Public Utilities Board member; and declaring an effective date.

**ASSIGNED RESOLUTION NO. 22-571**

- E. ID 22-060 Consider adoption of an ordinance of the City of Denton, Texas approving an Air Traffic Control Tower Operations Agreement between the Federal Aviation Administration and the Airport Sponsor at the Denton Enterprise Airport; authorizing the City Manager to execute the Air Traffic Control Tower Operations Agreement; and providing an effective date. Airport Advisory Board recommends approval (4-0)

**ASSIGNED ORDINANCE NO. 22-060**

- F. ID 22-286 Consider adoption of an ordinance of the City of Denton amending Chapter 2 of the Code of Ordinances by adding Article XII. Historic Landmark Commission, Section 2-287; Section 2-288; Section 2-289; and Section 2-290; and providing for an effective date.

**AMENDED; ASSIGNED ORDINANCE NO. 22-286**

NOTE: Prior to adoption City Council was presented an amended ordinance which was subsequently adopted.

- G. ID 22-319 Consider adoption of an ordinance of the City of Denton amending Chapter 26 of the Code of Ordinances to Section 26-128 to change the title and define expectations for a water and sewer billing leak adjustment program; providing a severability clause; providing a savings clause; providing for codification; and declaring an effective date.

**ASSIGNED ORDINANCE NO. 22-319**

- H. ID 22-340 Consider adoption of an ordinance of the City of Denton, Texas approving an Off Airport Land Lease Agreement between the United States of America Department of Transportation Federal Aviation Administration and City of Denton, at the Denton Enterprise Airport; authorizing the City Manager to execute the Off Airport Land Lease Agreement; and providing an effective date. Airport Advisory Board recommends approval (4-0)  
**ASSIGNED ORDINANCE NO. 22-340**

- I. ID 22-622 Consider adoption of an ordinance of the City of Denton approving the use of resolutions for adoption of policies; clarifying adoption of policy statement only; and declaring an effective date.  
**ASSIGNED ORDINANCE NO. 22-622**

- J. ID 22-406 Consider approval of a resolution of the City of Denton repealing Policies No. 1.00 - 7.00 of the City of Denton Personnel Policies and Procedures; adopting Policy No. 1.00 "Policies, Procedures, and Administrative Directives"; and declaring an effective date.  
**ASSIGNED RESOLUTION NO. 22-406**

- K. ID 22-437 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute Amendment 1 to Agreement with United Way of Denton County, Inc. to extend to September 30, 2022 the term of an Agreement for working capital to be used in support of City of Denton residents and to be repaid during the agreement's term; and providing an effective date.  
**ASSIGNED ORDINANCE NO. 22-437**

- L. ID 22-518 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 HACH Company, amending the contract approved by City Council on February 4, 2020, in the not-to-exceed amount of \$300,000.00, said first amendment to provide for the additional purchase of various items for the Municipal Laboratory, Water Production, Water Reclamation, and Wastewater Collection Departments; providing for the expenditure of funds therefor; and providing an effective date (File 6898 - providing for an additional first amendment expenditure amount not-to-exceed \$175,000.00, with the total contract amount not-to-exceed \$475,000.00). The Public Utilities Board recommends approval (4 - 0).  
**ASSIGNED ORDINANCE NO. 22-518**

- M. ID 22-519 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 Brink's U.S., a division of Brink's Incorporated, for armored car delivery services to the Customer Service, Solid Waste, and Aquatics Departments; providing for the expenditure of funds therefor; and providing an effective date (RFP 7692 - awarded to Brink's U.S., a division of Brink's Incorporated, 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 \$50,000.00). The Public Utilities Board recommends approval (4 - 0).  
**ASSIGNED ORDINANCE NO. 22-519**

- N. ID 22-521 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 Marathon Health, LLC, for clinical operations and management services for the City of Denton Employee Health Center; providing for the expenditure of funds therefor; and providing an effective date (RFP 7789 - awarded to Marathon Health, 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 \$6,466,075.01).

**ASSIGNED ORDINANCE NO. 22-521**

- O. ID 22-522 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 CaCo Architecture, LLC, for compiling a City-wide Facility Master Plan for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7818-003 - awarded to CaCo Architecture, LLC, in the not-to-exceed amount of \$854,500.00).

**ASSIGNED ORDINANCE NO. 22-522**

- P. ID 22-523 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, for the approval of a pre-qualified professional services list for construction inspection and construction management services for various Capital Investment Projects within the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7894 - for two (2) years, with the option for one (1) additional one (1) year extension, in the total three (3) year term).

**ASSIGNED ORDINANCE NO. 22-523**

- Q. ID 22-524 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 Elite Tree Service, LLC, for tree trimming and tree removal services for Parks and Recreation and other City of Denton departments; providing for the expenditure of funds therefor; and providing an effective date (RFP 7898 - awarded to Elite Tree Service, 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 \$605,000.00).

**ASSIGNED ORDINANCE NO. 22-524**

- R. ID 22-525 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 GG Contractors LLC dba G2 General Contractors, LLC, through the Sourcewell Cooperative Purchasing Network Contract Number TX-NT-P-101619-GGC, for the remodel of the DTV office suite for the Public Affairs Department; authorizing the expenditure of funds therefor; and declaring an effective date (File 7939 - awarded to GG Contractors LLC dba G2 General Contractors, LLC, in the not-to-exceed amount of \$164,236.17).

**ASSIGNED ORDINANCE NO. 22-525**

- S. ID 22-526 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 Team Marathon Fitness, Inc., through the Buy Board Cooperative Purchasing Network Contracts # 583-19 and 665-22, for commercial grade fitness equipment for the Parks, Fire, and Police Departments; providing for the expenditure of funds therefor; and providing an effective date (File 7943 - awarded to Team Marathon Fitness, Inc., in the not-to-exceed amount of \$275,000.00).

**ASSIGNED ORDINANCE NO. 22-526**

- T. ID 22-527 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 the authorized dealer Wilson Office Interiors, LLC, through the Omnia Partners Contract Number R191802 Allsteel, R191811 National, R191803 Exemplis & 2019.001896 Kimball Office, for procurement fulfillment of office furniture for the City of Denton, providing for the expenditure of funds therefor; and providing an effective date (File 7959 - awarded to Wilson Office Interiors, LLC, in the three (3) year not-to-exceed amount of \$845,000.00).

**ASSIGNED ORDINANCE NO. 22-527**

- U. ID 22-542 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 RSVP Services, Inc., for Veterinary Services for the Linda McNatt Animal Care and Adoption Center; providing for the expenditure of funds therefor; and providing an effective date (RFP 7895 - awarded to RSVP Services, 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 \$2,327,021.00).

**ASSIGNED ORDINANCE NO. 22-542**

- V. ID 22-543 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 W.W. Grainger, Inc., through the Omnia Partners Cooperative Purchasing Network Contract Number 192163, for the acquisition of maintenance, repair, operations (MRO) and industrial supplies including hand tools, personal safety equipment, and supplies used by field personnel for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (File 7949 - awarded to W.W. Grainger, Inc. in the three (3) year not-to-exceed amount of \$1,200,000.00).

**ASSIGNED ORDINANCE NO. 22-543**

- W. ID 22-547 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 Fifth Asset, Inc., for debt management software for the Finance Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7840 - awarded to Fifth Asset, 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 \$100,000.00).

**ASSIGNED ORDINANCE NO. 22-547**



- X. ID 22-548 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 Nelson Espinoza dba S.E.D. Referees, for the supply of certified adult and youth sports officiating services for the Parks and Recreation Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 7918 - awarded to Nelson Espinoza dba S.E.D. Referees, for one (1) year, with the option for two (2) additional one (1) year extensions, in the total three (3) year not-to-exceed amount of \$250,000.00).

**ASSIGNED ORDINANCE NO. 22-548**

- Y. ID 22-563 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 Mega Promotions, Inc., for food and beverage concession services for the Parks and Recreation Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7876-01 - awarded to Mega Promotions, Inc., for a one (1) year term, with the option for four (4) additional one (1) year extensions, in the total five (5) year term).

**ASSIGNED ORDINANCE NO. 22-563**

- Z. ID 22-564 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 Sawko and Burroughs, P.C., for delinquent tax collection services on behalf of the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 7907 - awarded to Sawko and Burroughs, P.C., for a three (3) year term).

**ASSIGNED ORDINANCE NO. 22-564**

- AA. ID 22-529 Consider approval of a resolution of the City of Denton supporting the Centers for Disease Control and Prevention (CDC) guidelines regarding the prevention of increased transmission of and severe disease from the COVID-19 virus; and declaring an effective date.

**ASSIGNED RESOLUTION NO. 22-529**

#### **ITEM PULLED FOR INDIVIDUAL CONSIDERATION**

- AB. ID 22-568 Consider adoption of an ordinance of the City of Denton providing for authorization and ratification of a Dark Fiber agreement between the City of Denton and Core Scientific Inc. regarding the use of the city's Dark Fiber Facilities; and providing for an effective date. The Public Utilities Board recommends approval (4 - 0).

**ASSIGNED ORDINANCE NO. 22-568**

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

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

Citizen comments received are noted in Exhibit A.

The item was presented and no discussion followed.

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

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

NAYS (2): Council Members Maguire and Armintor

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

#### **4. PUBLIC HEARINGS**

- A. ID 22-508 Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, adopting the update to the City of Denton's Comprehensive Plan; and providing an effective date. The Planning and Zoning Commission voted [7-0] to recommend approval of the Denton 2040 Comprehensive Plan Update.

##### **ASSIGNED ORDINANCE NO. 22-508**

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.

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

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

NAYS (0): None

- B. ID 22-513 Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, adopting the update to the City of Denton's 2022 Mobility Plan; and providing an effective date. The Planning and Zoning Commission voted [7-0] to recommend approval of the Denton 2022 Mobility Plan Update.

##### **ASSIGNED ORDINANCE NO. 22-513**

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.

Following discussion, Mayor Pro Tem Meltzer 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. DCA22-0001c Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Denton Development Code to provide for pathways and trails in Section 7.4.7A, permitted uses and activities in Riparian Buffer and Water-Related Habitat Environmentally Sensitive Areas (ESAs) and Section 7.4.8A, permitted uses and activities in Cross Timbers Upland Habitat ESAs; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; and providing a severability clause and an effective date. The Planning and Zoning Commission voted [7-0] to recommend approval of the proposed code amendments.

**ASSIGNED ORDINANCE NO. DCA22-0001c**

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.

Following discussion, Mayor Hudspeth 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

**5. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. ID 21-1608 Consider adoption of an ordinance of the City of Denton amending Chapter 18, Article V, "Motor Vehicles and Traffic," of the City of Denton Code of Ordinances, to permit the operation of golf carts or off-highway vehicles on City streets adjacent to the University of North Texas (UNT) and Texas Woman's University (TWU) campus; providing a repealer clause; providing a severability clause; providing a penalty clause; providing for publication; providing for codification; and providing an effective date.

**NOT ADOPTED**

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

Council Members Davis and Maguire had a conflict of interest on the item and left the Council Chambers.

The item was presented and discussion followed.

Citizen comments received are noted in Exhibit A.

Following discussion, Mayor Hudspeth moved to adopt the item as presented. Motion seconded by Council Member Byrd. With the vote resulting in 3 AYES, and 2 NAYS with 2 ABSTENTIONS, City Attorney Reinwand reported the motion to adopt the item carried.

AYES (3): Mayor Hudspeth and Council Members Byrd and Beck

NAYS (2): Mayor Pro Tem Meltzer and Council Member Armintor

ABSTAIN (2): Council Members Davis and Maguire

Later in the meeting, City Attorney Reinwand advised the following:

- The item received 3 AYES, 2 NAYS, and 2 ABSTENTIONS. The rules of procedure, Section 2-29(g)(5) states “... *An affirmative vote of four (4) members is necessary ... to take any official action in the name of the City...*” Based on the rule, the motion to approve failed as it did not receive the four (4) votes.
- Any member that voted against the approval had the opportunity to make a motion for reconsideration at the time or after the meeting but before the next scheduled meeting. Otherwise, the item would remain as not adopted.

NOTE: No reconsideration request was forthcoming during the meeting.

- B. ID 21-2143 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to enter into a development agreement between the City of Denton and First Texas Homes, Inc., for the dedication of park land for a City park, dedication of land for public use at the Parkside Development, and dedication of right of way on Hickory Creek Road; authorizing acceptance of land; and providing an effective date.

**ASSIGNED ORDINANCE NO. 21-2143**

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 Council Member Davis. Motion carried.

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

NAYS (0): None

- C. ID 22-407 Consider adoption of an ordinance of the City of Denton amending Chapter 14 of the Code of Ordinances (Health & Human Services) to add Article VIII, titled "Non-Discrimination in Public Accommodations, Employment Practices, and Housing;" repealing Chapter 15 of the Code of Ordinances (Housing), providing severability; providing a savings clause; providing for a penalty; providing for publication and codification; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-407**

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.

During public commentary, the meeting was recessed at 8:59 p.m. to allow call-in speakers to be queued to speak on the item and reconvened at 9:05 p.m.

Public commentary continued and ended.

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

During continued discussion, Council Member Davis moved to amend the item by adding the following as Section 14-203-4(c)(2): *It shall not be a violation of this Ordinance to deny the opposite sex access to facilities inside a public accommodation segregated on the basis of sex for privacy such as restrooms, shower facilities, locker rooms, dressing rooms or any similar facility.* Motion died for lack of a second.

At the end of discussion, Mayor Hudspeth republished Council Member Armintor's original motion to adopt the item as presented, seconded by Mayor Pro Tem Meltzer. Motion carried.

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

NAYS (2): Mayor Hudspeth and Council Member Davis

- D. ID 22-512 Consider adoption of an ordinance of the City of Denton amending the Fiscal Year 2021-22 Annual Internal Audit Plan; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-512**

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

NAYS (0): None

- E. ID 22-516 Consider adoption of an ordinance of the City of Denton, Texas, amending the Fiscal Year 2021-2022 Budget and Annual Program of Services of the City of Denton to allow for adjustments to the Recreation Fund of \$417,645; declaring a public purpose; providing a severability clause, an open meetings clause and an effective date.

**ASSIGNED ORDINANCE NO. 22-516**

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

Items 5.E (22-516 ) and 5.F (22-517) were collectively read into the record, presented, with no discussion following, but voted on individually.

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

- F. ID 22-517 Consider adoption of an ordinance of the City of Denton, Texas, amending the Fiscal Year 2021-2022 Budget and Annual Program of Services of the City of Denton to allow for adjustments to the General Fund of \$358,020; declaring a public purpose; providing a severability clause, an open meetings clause and an effective date.

**ASSIGNED ORDINANCE NO. 22-517**

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

Items 5.E (22-516 ) and 5.F (22-517) were collectively read into the record, presented, with no discussion following, but voted on individually.

Following commentary, Council Member Beck 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

- G. ID 22-520 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 Archer Western Construction, LLC, for the Effluent Filter, Aeration Diffuser, and Digester Improvements for the Pecan Creek Water Reclamation Plant for the Water Reclamation Department; providing for the expenditure of funds therefor; and providing an effective date (CSP 7855 - awarded to Archer Western Construction, LLC, in the not-to-exceed amount of \$13,509,221.00). The Public Utilities Board recommends approval (4 - 0).

**ASSIGNED ORDINANCE NO. 22-520**

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

The item was presented and commentary followed.

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

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


NAYS (0): None


**6. CONCLUDING ITEMS**

Council Members expressed items of interest.

Mayor Hudspeth announced an item would be placed on the next upcoming agenda to provide for discussion of ethics as related to boards and commissions. Council Beck called a Point of Order in that the request should follow the 2-minute pitch process. At Mayor Hudspeth's request, City Attorney Reinwand clarified the matter and advised the Mayor had the authority to place an item on any agenda.

With no further business, the meeting was adjourned at 9:57 p.m.

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

  
\_\_\_\_\_  
JESUS SALAZAR  
DEPUTY CITY SECRETARY  
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: 4/5/2022

# March 22, 2022 City Council Special Called Meeting - EXHIBIT A

## Speaker Commentaries/Registrations Online, Email, Phone

Name	Last	Address	City	Agenda Item	Position	Method	Comments
Jennifer	Bates	2400 Block of South I-35 E	Denton	22-407	Support	Phone	Believes Denton needs an NDO. The LGBTQ community needs protection in housing, employment and public accommodation. Grateful for Council and City Staff took the time to write this out, discuss it. For almost five years she has seen a swelling growth of care and desire for this to happen in our City. As a person of faith, believes trans people are loved by God. Trans people are created in the image of God and we should consider that when we talk about how we consider the needs of the people in our community. This is what is best for Denton and makes the City safer in a multitude of ways. People are worried about how the NDO will impact other marginalized people in our City but stressed this is just the beginning of the conversation.
Abbie	Beck	124 Mill Pond Rd.	Denton	22-407	Support	E-comment	I strongly support Denton adopting this non-discrimination ordinance. All LGBTQ people, indeed all people, need to be able to safely lead their lives and equally participate in society.
Donna	Bloom	2019 Crestwood Pl.	Denton	22-407	Support	In-Person	Is a lawyer since 2007 in Denton who works with victims of violence. Also a member of open worship at an affirming faith community. In February, people came forward from the faith community who are opposed to the NDO so she needed to come as a Christian believing in the dignity and worth of all people of every age, race, gender identity, ability and creed. It is important to design services around the most marginalized and those same services then encompasses everyone. Appreciates that the NDO is a commitment to protecting people.
Megan	Bradshaw	1212 Rio Grande	Denton	22-407	Support	Phone	Is a proud Denton resident; husband attended UNT; raising children here and owns a business. Support the NDO to better represent all her clients, friends and family. She is privileged to have represented a wonderfully diverse group of people in the 10 years she has been in realty. The lack of Federal protections for the LGBTQIA+ community is inexcusable and they have to work harder than needed to help find homes because existing laws do not protect. Denton needs to be safer for everyone and is glad to see so much support. Several other cities have already adopted such NDO's so it is the least we can do to provide accountability so that all citizens are valued.
Amber	Briggle	531 N. Elm St.	Denton	22-407	Support	In Person	White card submitted; did not wish to speak but only indicate position on the issue.
Adam	Briggle	None provided	Denton	22-407	Support	In Person	White card submitted; did not wish to speak but only indicate position on the issue.
Keely	Briggs	3108 Broken Bow St.	Denton	22-407	Support	E-comment	I am in favor of a Non Discrimination Ordinance
Brittni	Coe	2200 Kingston Trace	Denton	22-407	Support	Phone	Is a 15-year resident wants to address opposition to the NDO. Opposers believe there are already protections in place, i.e. Title VII, Civil Rights Act of 1965; but these and others don't provide protections in employment, housing and public accommodation. Of the 1,200 cities in Texas, only four have adopted NDO's. Please let Denton be #5. Investors buying homes more and more in Denton and not passing the NDO means people will not be able to love who they love, present how they present and live here. Passing the NDO will show Dentonites they are seen and respected and that the City cares about equity and inclusion. Wants Council to leave a legacy that means people can come here to live when they cannot live anywhere else.
Deborah	Cosimo	1107 Bolivar St.	Denton	22-407	Support	E-comment	I strongly support the adoption of the ordinance amending Chapter 14 to add Article VIII, "Non-Discrimination in Public Accommodations, Employment Practices, and Housing." This ordinance is long overdue in the City of Denton.
Brett	Davis	1014 Mack Pl.	Denton	22-407	Support	In-Person	The Mayor and Council Member Davis will not support the NDO based on a petition he feels does not adequately represent the voters of Denton. Reminded others on Council they ran on a platform that emphasized the NDO. The NDO is good for long-term growth, business. Some on Council are dividing the community.
Marty	Epsstein	1608 Oak Tree Dr.	Denton	22-407	Support	In-Person	Expressed his experience with the stress of losing a transgender family member who died recently.
Samuel	Escalante	None provided	Denton	22-407	Support	E-comment	I strongly support the Non-discrimination Ordinance.
George	Ferrie	None provided	Denton	22-407	Support	In-Person	Supported the NDO as his biggest platform issue when running for Council twice. The passage of the NDO would be a good moment, the work to get here was important and will continue but the fight has been hard when you put your whole heart/life into making things better in the world and in our own community.
Bonnie	Friedman	1914 West Oak St.	Denton	22-407	Support	E-comment	I support an anti-discrimination ordinance. Minorities need protection when it comes to housing, jobs, access to health care, and other necessities of life. Please pass the anti-discrimination ordinance.



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Alejandro	Galindo-Juarez	2325 North Way	Denton	22-407	Support	In Person	White card submitted; did not wish to speak but only indicate position on the issue.
Eva	Grecco	802 W Oak St., #5	Denton	21-1608	Oppose	In-Person	Increase in Atmos energy bill, 22-568 Dark fiber, cost to taxpayers.
Eva	Grecco	802 W Oak St., #5	Denton	22-407	Support	In-Person	In support of the policy, but is concerned the policy doesn't apply to public accommodations, social/fraternal and educational groups. The youth would not be protected in school which is unfair to the children who are our future. Expressed personal experiences, Respect is what is needed, to give respect in order to get respect.
Kathleen	Hobson	903 Cruise St.	Denton	22-407	Support	In-Person	Has been an activist in the community for eight years and staff member at UNT working to support Trans students, faculty and alumni who have experienced discrimination in housing and employment based on gender and sexuality. Some are afraid to work in the City of Denton as they have been fired, received unequal pay, had pay withheld and been denied housing. There is a valid fear of violence and UNT has had a policy for over eight years that gives protection on campus, but the same does not exist in the City. UNT is a major employer and source of revenue for the city and urged Council to support the NDO.
Bennett	Ivy	None provided	Denton	22-407	Support	E-comment	Support
James	Jackson	2007 Teasley Ln.	Denton	22-407	Support	In-Person	He had been discriminated against at a local business so the NDO, while too late for him, needs to pass for the sake of other LGBT citizens. Passing the NDO gives validation and holds those who discriminate accountable. Thanked other activists who have worked toward this long overdue NDO. Knows the Mayor does not support, but urged other Council Members to vote yes.
Gabriel	Kirkpatrick	None provided	Denton	22-407	Support	E-comment	I fully support the NDO for the city of Denton. It is essential that we ensure that all of our citizenry is treated fairly and equally.
JP	Magee	1510 Seminole	Denton	22-407	Support	E-comment	I support the NDO.
Corey	Marks	2026 Sauls Ln.	Denton	22-407	Support	E-comment	Strongly support
Lynn	McCreary	None provided	Denton	22-407	Support	E-comment	Please pass the nondiscrimination ordinance before the Council today. It is critical that the City of Denton support all of its citizens. Trans folks are in particular risk right now and it is important that their rights are formally recognized in this city.
Jim	McKinney	2019 Crestwood Pl.	Denton	22-407	Support	In-Person	Is a church member who attends open worship at an affirming faith community. The nexus between lawmakers and faith communities in terms of negative actions against LGBTQ citizens. It is important protect fellow citizens who are suffering attacks based on who they are and that these attacks are more pronounced now than ever. Everyone deserves to be protected.
Brooke	Moore	1512 Victoria Dr.	Denton	22-407	Support	E-comment	I fully support the adoption of the Non-Discrimination in Public Accommodations, Employment Practices, and Housing. Everyone has the right to work, live, and exist without the fear of discrimination or harassment. Not only is this change the right thing to do but it benefits our community as a whole and encourages economic growth. Please adopt this more inclusive policy to help ensure the health, safety, and well-being of all residents. Let's make it clear that hate has no home here in Denton.
Mariela	Nuñez-Janes	None provided	Denton	22-407	Support	E-comment	Now more than ever the NDO is urgently needed. I strongly support it. If the software being used to submit these comments electronically can't recognize the tilde and hyphen that are part of my name imagine the kinds of omissions, assumptions, and prejudices that Dentonites are subjected to.
Adrienne	Ortega	1913 Kingswood Ct.	Denton	22-407	Support	In-Person	In support of the NDO because it will effect all people that make up Denton, offering protection regardless of gender identity, race, ethnicity, age economic status, ability and religion. Those who have shared hateful views are why the ordinance needs to be in place, so people cannot blatantly discriminate against LGBTQ+ community members. All of Council should support the NDO.
Adrienne	Ortega	None provided	Denton	22-407	Support	E-comment	I strongly support passing a non-discrimination ordinance to provide protections for individuals of all identities. This is such an important and vital step for the LGBTQ+ community in Denton and I will be proud of Denton City Council for taking this step!
Erin	O'Toole	1831 Panhandle St.	Denton	22-407	Support	In Person	White card submitted; did not wish to speak but only indicate position on the issue.
Christina	Ramsey	501 Fox Creek Ct.	Denton	22-407	Support	E-comment	I fully support this ordinance. This is long overdue.
Barabara	Rodman	None provided	Denton	22-407	Support	E-comment	It is vitally important for the city of Denton to assure all residents that our city does not discriminate against anyone who lives, shops, studies, or visits us.
Raquel	S.	None provided	Denton	22-529	Support	E-comment	The CDC is very well educated when it comes to Covid-19, I wholeheartedly believe we all should follow the guidelines they put in place for our community. Covid is here to stay and we all have to learn to live with that in a safe way. If masks and vaccinations are the way to stay as safe as possible, then by all means necessary we should do it.
Enedelia	Sauceda	916 Cordell	Denton	22-407	Support	E-comment	I am in support of the NDO and believe it will have a positive impact on those who visit and those who have made their lives here in Denton.
Ryan	Semegran	1014 Mack Pl.	Denton	22-407	Support	In Person	White card submitted; did not wish to speak but only indicate position on the issue.

Name	Last	Address	City	Agenda Item	Position	Method	Comments
Ellen	Smith	3500 N. Bonnie Brae	Denton	22-407	Support	In-Person	Is a resident and UNT graduate who believes Denton is a vibrant, diverse and joyful community. Loves the eccentric things about Denton and that diversity is Denton's strength. Kids feel safe to come to Denton more than other cities in Texas and personally feels safe. The NDO is basic and should have happened years ago. It is a scary time nationally, and wants Denton to be a place where people can be themselves, come out, grow up and continue to feel safe.
Nicholas	Stevens	417 Amarillo St.	Denton	22-407	Support	In-Person	Is a 20-year resident and small business owner bringing \$3M in revenues to the City each year. Believes the NDO is good for businesses and residents. What he loves about government is that ordinances are moral documents that Council creates to demonstrate how they feel about the citizens. We have a wonderfully diverse Council that is about to have a parental leave policy for City staff which is incredible and now they can codify an NDO. There is a natural divinity in every single human being. Passing the NDO with a 7-0 vote would be great; please do not use politics or faith as an excuse to vote against the ordinance. Loves the City.
Ivy	Street	None provided	Denton	22-407	Support	E-comment	I strongly support this! No one should ever be discriminated against.
Anne	Sullivan	None provided	Denton	22-407	Support	E-comment	I fully support this.
Matt	Tatum	1819 Westminster St., Apt 201	Denton	22-407	Support	E-comment	Non-discrimination--it's the right thing to do. Let's protect Denton citizens from discrimination and become a mecca for businesses that want to land in communities that will protect their employees.
Amy	Taylor	2026 Sauls Ln.	Denton	22-407	Support	E-comment	Through comments and music regarding current events in women's sports involving transgender and straight youth, expressed feelings that the broader issue is advancing transgender rights while preserving women's sports.
J.V.	Tee	3210 Fallmeadow St.	Denton	22-407	Support	In-Person	Thanked City Council for considering the NDO. People come to Denton because of how welcoming, inclusive and vibrant it is and that the laws should reflect. Denton needs a comprehensive ordinance that protects every marginalized community and this change will accomplish that. Urges support and stated he is a seventh generation Texan, a Christian and in support of the NDO.
Jordan	Villarreal	5500 Del Rey Dr.	Denton	22-407	Support	In-Person	White card submitted; did not wish to speak but only indicate position on the issue.
Charles	Voellenger	1831 Panhandle St.	Denton	22-407	Support	In Person	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  
March 22, 2022

Agenda Item 3.B (ID 22-507)

BOARD/COMMITTEE/COMMISSION	COUNCIL PLACE	NOMINATING CCM	MEMBER FIRST NAME	NEW TERM	STATUS & QUALIFICATION OR PREFERENCE, IF ANY
Library Board	2	Beck-2	Dallas (James) Guill	UNEXPIRED September 1, 2021 through August 31, 2023	New