

CITY OF DENTON CITY COUNCIL MINUTES  
September 27, 2022

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, September 27, 2022 at 2:01 p.m. in the Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Gerard Hudspeth, Mayor Pro Tem Brian Beck and Council Members Vicki Byrd, Jesse Davis, Alison Maguire, Brandon Chase McGee, and Chris Watts

ABSENT: None

Also present were Deputy City Manager David Gaines and City Attorney Mack Reinwand.

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

**WORK SESSION**

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

None

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

- Clarification was requested on the following items:
  - Mayor Pro Tem Beck: Item 4.Y (22-1925)
  - Council Member Council Member Byrd: Item 4.F (22-1832)
- The following item was pulled for Individual Consideration:
  - Council Member Maguire: Item 4.AG (22-1821)

**3. Work Session Reports**

- A. ID 22-1164 Receive a report, hold a discussion, and give staff direction regarding the One Water Master Plan Overview. [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.

- B. ID 22-1412 Receive a report, hold a discussion, and give staff direction regarding the Citywide Speed Study. [Estimated Presentation/Discussion Time: 1 hour]

The item was presented and discussion followed.

Following discussion, City Council consensus was to conduct a follow-up Work Session if needed in October, return for direction on City streets during the November/December timeframe, and coordinate with Texas Department of Transportation to return for City Council action in the future.

- C. ID 22-1640 Receive a report, hold a discussion, and give staff direction regarding the Economic Development Partnership and the contract between the City of Denton and the Denton Chamber of Commerce. [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.

- D. ID 22-1840 Receive a report, hold a discussion, and give staff direction regarding amending the Mobility Plan connecting Windsor Drive and Masch Branch Road. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was to stay with the original alignment of the Windsor Drive extension to follow existing Hampton Road, as negotiated with the neighboring residents to the south (Ranch Estates) during the RM Squared rezoning (June 2022).

- E. ID 22-883 Receive a report, hold a discussion, and give staff direction on pending City Council requests for:
- (1) A Work Session to discuss updates to Ethics Ordinance Section 2-272C, including adding financial payment for any financial engagement and adding the City Secretary to notice requirements.
  - (2) A Work Session to discuss and review the status of TXDOT roads the City intends to take back, and amendment of the Mobility Plan to include a roundabout at the intersection of Eagle, Bell, Dallas, and Locust. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was follows:

- ID 22-883 (1) A Work Session to discuss updates to Ethics Ordinance Section 2-272C, including adding financial payment for any financial engagement and adding the City Secretary to notice requirements.
  - Consensus for a future work session.
- ID 22-883 (2) A Work Session to discuss and review the status of TXDOT roads the City intends to take back, and amendment of the Mobility Plan to include a roundabout at the intersection of Eagle, Bell, Dallas, and Locust.
  - Consensus for a future work session.

The work session ended at 5:33 p.m.

### **CLOSED MEETING**

1. The City Council convened into a Closed Meeting at 5:33 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows.

NOTE: Items are listed in the order considered.

- D. ID 22-1995 Consultation with Attorneys - Under Texas Government Code Section 551.071. Consult with the City's attorneys on the legal status, expenses, strategy and options for resolution of litigation in Cause No. 22-4543-431, styled "Alison Maguire, Keri Caruthers, Tracy Runnels, and Emily Meisner v. Rosa Rios, in her Official Capacity as City Secretary of the City of Denton, Texas, the City of Denton, Texas, Donald Duff, in his Official Capacity as Representative of a Committee of Electors in the City of Denton, Texas; and, Frank Phillips, in his Official Capacity as Denton County Elections Administrator" pending in the 431st District Court, Denton County, Texas; where 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 otherwise compromise the City's legal position in pending litigation.

#### **DELIBERATED**

NOTE: Council Member Maguire had a conflict of interest on the item and did not participate in its deliberation.

- B. ID 22-1928 Consultation with Attorneys - Under Texas Government Code Section 551.071. Consult with the City's attorneys regarding a legal update on the Delilah Project, where 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 otherwise compromise the City's legal position.

#### **DELIBERATED**

- C. ID 22-1961 Consultation with Attorneys - Under Texas Government Code Section 551.071. Consult with the City's attorneys and discuss status, strategy, and potential resolution of litigation in Cause No. 21-6356-431, styled "Opala, LLC v. City of Denton" pending in the

431st Judicial District Court, 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**

The item related to Consent Agenda Item 4.H (22-1962) scheduled for consideration at the Regular Meeting to follow.

- A. ID 22-1711 Consultation with Attorneys under Texas Government Code Section 551.071 and Deliberations Involving Medical or Psychiatric Records of Individuals under Texas Government Code Chapter 551.0785. Receive information from staff, discuss, and provide staff with direction related to a police officer's plan benefits related to an injury in the line of duty. Consultation with the City's attorney regarding legal issues associated with benefits where a public discussions 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; to consider information in the medical or psychiatric records related to a police officer's injury in the line of duty.

**NOT DELIBERATED**

The closed meeting started at 5:51 p.m. and ended at 7:34 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, September 27, 2022, at 7:44 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Gerard Hudspeth, Mayor Pro Tem Brian Beck and Council Members Vicki Byrd, Jesse Davis, Alison Maguire, Brandon Chase McGee, and Chris Watts

ABSENT: None

Also present were Deputy City Manager David Gaines and City Attorney Mack Reinwand.

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

#### **4. CONSENT AGENDA**

The Consent Agenda consisted of Items 4.A-AH. During the Work Session held earlier in the day, Item 4.AG (22-1821) was pulled for Individual Consideration by Council Member Maguire.

Mayor Pro Tem Beck moved to adopt the Consent Agenda, now consisting of Items 4.A-AF and AH. Motion seconded by Council Member Maguire. Motion carried.

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

NAYS (0): None

- A. ID 22-822 Consider approval of the minutes of September 13, 2022 Meeting.

**APPROVED**

- B. ID 22-1390 Consider a nomination/appointment to the City's Boards, Commissions, and Committees: Historic Landmark Commission.

**APPROVED**

#### **APPOINTMENTS LISTED ON EXHIBIT B**

- C. ID 22-1974 Consider approval of a resolution of the City of Denton providing the September 15, 2022 meeting absence of a Committee on Persons with Disabilities member be excused; and providing an effective date.

**ASSIGNED RESOLUTION NO. 22-1974**

- D. ID 22-1975 Consider approval of a resolution of the City of Denton providing the September 14, 2022 meeting absence of a Planning and Zoning Commission member be excused; and providing an effective date.

**ASSIGNED RESOLUTION NO. 22-1975**

- E. ID 22-1637 Consider approval of a resolution of the City of Denton approving an updated Infrastructure Financing Policy for Water and Sewer Development Planned Lines; repealing R91-008; and providing for an effective date.

**ASSIGNED RESOLUTION NO. 22-1637**

- F. ID 22-1832 Consider adoption of an ordinance of the City of Denton approving the Meet and Confer agreement between the City of Denton and the Denton Police Officers Association; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1832**

- G. ID 22-1701 Consider adoption of an ordinance of the City of Denton authorizing a service agreement between the City of Denton and Life Works Community; authorizing the City Manager to execute said agreement; providing for the expenditure of council contingency funds in an amount not to exceed two hundred dollars (\$200); and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1701**

- H. ID 22-1962 Consider adoption of an ordinance approving a Settlement Agreement and Release implementing the terms of the settlement in litigation styled "Opala, LLC v. City of Denton," Cause No. 21-6356-431, pending in the 431st Judicial District Court, Denton County, Texas; and directing the City Manager or designee and the City's attorneys to effectuate as necessary and appropriate the terms of a Settlement Agreement and Release to effectuate this approval; and declaring an effective date.

**ASSIGNED ORDINANCE NO. 22-1962**

The item related to Closed Meeting Item 1.C (22-1961) deliberated earlier in the day.

- I. ID 22-1905 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an agreement between the City of Denton and the Children's Advocacy Center for Denton County, providing for client and clinical services to victims of child abuse and non-offending family members; and providing for the expenditure of funds in the amount of \$189,975.00; and providing for an effective date.

**ASSIGNED ORDINANCE NO. 22-1905**

- J. ID 22-1560 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and CASA of Denton County to provide General Fund dollars for the Court Advocacy Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$36,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1560**

- K. ID 22-1561 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Chisholm Trail RSVP to provide General Fund Dollars for a program to match seniors with volunteer opportunities in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$9,250.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1561**

- L. ID 22-1562 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Communities in Schools of North Texas, Inc. to provide General Fund Dollars for the Case Management Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$34,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1562**

- M. ID 22-1563 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Denton Christian Preschool to provide General Fund Dollars for the Preschool Education in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$30,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1563**

- N. ID 22-1564 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and the Denton County MHMR Center to provide General Fund Dollars for the Local Outreach to Suicide Survivors (LOSS) Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$28,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1564**

- O. ID 22-1565 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Grace Like Rain, Inc. DBA Giving Grace to provide General Fund Dollars for the Housing Focused Case Management Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$75,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1565**

- P. ID 22-1566 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and North Texas Solutions for Recovery, Inc. to provide General Fund Dollars for the Residential Treatment Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$100,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1566**

- Q. ID 22-1567 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Opening Doors International Services, Inc. to provide General Fund Dollars for Immigration Services in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$12,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1567**

- R. ID 22-1568 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and PediPlace to provide General Fund Dollars for the Child Healthcare Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$25,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1568**

- S. ID 22-1579 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an agreement by and between the United Way of Denton County, Inc. and the City of Denton and providing for the expenditure of funds for Homelessness

Initiatives in the amount of \$80,000.00 for partial funding for staffing of the program in furtherance of the coordinated system of homeless assistance programs; authorizing the expenditure of funds therefore; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1579**

- T. ID 22-1580 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an agreement by and between the City of Denton and United Way of Denton County, Inc. providing for the expenditure of funds in the amount of \$15,000.00 for a grant to fund homeless management information system (HMIS) licenses in furtherance of the coordinated system of homeless assistance programs; authorizing the expenditure of funds therefore; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1580**

- U. ID 22-1581 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an agreement by and between the City of Denton and United Way of Denton County, Inc., providing for the expenditure of funds in the amount of \$80,000.00 for a partial matching grant to fund the Barriers Fund for the prevention and diversion of homelessness in furtherance of the coordinated system of homeless assistance programs; authorizing the expenditure of funds therefore; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1581**

- V. ID 22-1839 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a service agreement with Grace Like Rain, INC. DBA Giving Grace, providing for Street Outreach program services in furtherance of the coordinated system of homelessness assistance programs; authorizing the expenditure of funds in an amount not to exceed \$128,450.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1839**

- W. ID 22-1911 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute Amendment 2 to an Agreement with United Way of Denton County, Inc. for working capital to be used in support of City of Denton residents and to be repaid during the agreement's term, extending the term of the Agreement to December 31, 2022; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1911**

- X. ID 22-1921 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 Signature Automation, LLC, for the jail door control system for the Police Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8034 - awarded to Signature Automation, 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 \$189,140.00).

**ASSIGNED ORDINANCE NO. 22-1921**



- Y. ID 22-1925 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 GBGC, LLC, dba Gulf Coast Gunbusters, for the destruction of seized and surrendered firearms per Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) guidelines; providing for the expenditure of funds therefor; and providing an effective date (RFP 8066 - awarded to GBGC, LLC, dba Gulf Coast Gunbusters, for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year term).

**ASSIGNED ORDINANCE NO. 22-1925**

- Z. ID 22-1927 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 Gray Event Management, LLC dba Bad Dawg Tennis, for tennis classes, lessons, leagues, tournaments, and other tennis programs for the Parks and Recreation Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8049 - awarded to Gray Event Management, LLC dba Bad Dawg Tennis, 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 \$1,100,000.00).

**ASSIGNED ORDINANCE NO. 22-1927**

- AA. ID 22-1485 Consider adoption of an ordinance of the City of Denton granting the Denton Main Street Association a noise exception for the Fall Twilight Tunes Series, which will be held on Thursday, October 6, October 13, October 20 and October 27, 2022, from 6:00 p.m. to 7:30 p.m. at Wolff's Park - 108 Industrial Street; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1485**

- AB. ID 22-1813 Consider adoption of an ordinance of the City of Denton granting a noise exception for the Geezerpalooza event, which will be held on Saturday, October 22, 2022, and Sunday, October 23, 2022, at Industrial Street between Hickory Street and Mulberry Street; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1813**

- AC. ID 22-1814 Consider adoption of an ordinance of the City of Denton granting The Village Church Denton a noise exception for the Service in the Parks events, which will be held on Sunday, October 23, 2022, and April 16, 2023, from 10:00 a.m. to 11:00 a.m., at North Lakes Park in Denton, Texas; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1814**

- AD. ID 22-1815 Consider approval of a resolution of the City of Denton authorizing the City Manager or designee to execute an agreement allowing alcoholic beverages at Denton Main Street Association's Fall Twilight Tunes Series, on Thursday, September 29, 2022, Thursday, October 6, 2022, Thursday, October 13, 2022, Thursday, October 20, 2022, and Thursday, October 27, 2022, from 6:00 p.m. to 7:30 p.m. at Wolff's Park; and providing an effective date. The Parks, Recreation, and Beautification Board recommends approval (4-0).

**ASSIGNED RESOLUTION NO. 22-1815**

AE. ID 22-1817 Consider approval of a resolution of the City of Denton authorizing the City Manager, or designee, to execute an agreement allowing the Campus Theatre Concessions, LLC to sell alcoholic beverages at the Denton's Day of the Dead Festival, on Saturday, October 29, 2022, from 11:00 a.m. to 11:00 p.m.; and providing for an effective date.

**ASSIGNED RESOLUTION NO. 22-1817**

AF. ID 22-1818 Consider adoption of an ordinance of the City of Denton granting the Denton Day of the Dead Festival Inc. a noise exception for the Denton's Day of the Dead Festival on Friday, October 28, 2022, Saturday, October 29, 2022, and Sunday, October 30, 2022, at Industrial Street and Hickory Street in Denton, Texas; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1818**

AH. ID 22-2024 Consider adoption of an ordinance of the City of Denton, Texas approving the Denton Firemen's Relief and Retirement Fund actuarial valuation as of December 31, 2021; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-2024**

**ITEM PULLED FOR INDIVIDUAL CONSIDERATION**

AG. ID 22-1821 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an interlocal agreement between the City of Denton, Texas and Denton Independent School District for the joint use of the McMath Middle School Gold Gym and for use of the South Lakes Park football, track, tennis, and softball fields.

**ASSIGNED ORDINANCE NO. 22-1821**

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

Pulled for Individual Consideration by Council Member Maguire.

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

The item was presented and no discussion followed.

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

AYES (5): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, McGee, and Watts

NAYS (0): None

ABSTAINED (2): Council Members Davis and Maguire

**5. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. ID 22-1641 Consider adoption of an ordinance approving an agreement between the City of Denton and the Denton Chamber of Commerce regarding an Economic Development Program; and providing an effective date. The Economic Development Partnership Board recommends approval (8-0).

**ASSIGNED ORDINANCE NO. 22-1641**

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

The item was presented and no discussion followed.

Council Member Watts moved to adopt the item as presented. Motion seconded by Council Member McGee. Motion carried.

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

NAYS (0): None

- B. ID 22-1664 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 Electric Fund of sixty three million dollars, (\$63,000,000) for the purposes of purchasing power, increased outage and property insurance premiums, and debt service; declaring a public purpose; directing the City Secretary attach a copy to the 2021-2022 budget; requiring approval by at least five votes; and providing a severability clause, an open meetings clause, and an effective date. The Public Utilities Board (PUB) recommends approval (5-0).

**ASSIGNED ORDINANCE NO. 22-1664**

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

The item was presented and discussion followed.

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

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

NAYS (0): None

- C. ID 22-1803 Consider adoption of an ordinance of the City Council of the City of Denton, Texas, renaming and reassigning the "Economic Development Investment Fund" to the "Catalyst Fund"; committing certain revenues of the City to the fund; providing a severability clause; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1803**

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

The item was presented and no discussion followed.

Council Member Watts moved to adopt the item as presented. Motion seconded by Council Member McGee. Motion carried.

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

NAYS (0): None

- D. ID 22-1804 Consider adoption of an ordinance of the City Council of the City of Denton, Texas, formalizing the Return on Investment (ROI) payment from the City's Utility Funds to the General Fund; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1804**

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

The item was presented and no discussion followed.

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

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

NAYS (0): None

- E. ID 22-1855 Consider adoption of an ordinance of the City of Denton, Texas, establishing the rates and fees for Solid Waste and Recycling Collection service; providing further information regarding such collection, and establishing indemnity for the City; incorporating and applying sections 26-3, 26-4, 26-5, 26-7, 26-8(A), and 26-9 of article I of chapter 26 of the City of Denton Code of Ordinances; repealing Ordinance No. 21-2114; providing for a repealer clause; providing for a severability clause; and, providing an effective date. The Public Utilities Board (PUB) recommends approval (5-0).

**ASSIGNED ORDINANCE NO. 22-1855**

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

The item was presented and no discussion followed.

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

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

NAYS (0): None

- F. ID 22-1856 Consider adoption of an ordinance of the City of Denton, Texas, establishing the rates and fees for Water and Water service; repealing Ordinance No. 21-2112; providing for a repealer; providing for a severability clause; and, providing an effective date. The Public Utilities Board (PUB) recommends approval (5-0).

**ASSIGNED ORDINANCE NO. 22-1856**

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

The item was presented and no discussion followed.

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

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

NAYS (0): None

- G. ID 22-1857 Consider adoption of an ordinance of the City of Denton, Texas, establishing the rates and fees for Wastewater service; repealing Ordinance No. 21-2113; providing for a repealer; providing for a severability clause; and, providing for an effective date. The Public Utilities Board (PUB) recommends approval (5-0).

**ASSIGNED ORDINANCE NO. 22-1857**

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

The item was presented and no discussion followed.

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

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

NAYS (0): None

- H. ID 22-1858 Consider adoption of an ordinance of the City of Denton, Texas, providing for the schedule of Miscellaneous Fees, Deposits, Billings and Procedures for Administrative Services to City Utilities Customers; superseding all prior ordinances establishing fees in conflict with such schedule; providing for a severability clause; and, providing for an effective date.

**ASSIGNED ORDINANCE NO. 22-1858**

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

The item was presented and no discussion followed.

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

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

NAYS (0): None

- I. ID 22-1966 Consider adoption of an ordinance of the City of Denton adopting a schedule of fees for City owned property and facilities located at the Denton Enterprise Airport; superseding all prior ordinances establishing fees in conflict with such schedule; providing for severability; and declaring an effective date. The Airport Advisory Board (AAB) recommends approval (5-0).

**ASSIGNED ORDINANCE NO. 22-1966**

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

The item was presented and no discussion followed.

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

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

NAYS (0): None

- J. ID 22-1967 Consider adoption of an ordinance adopting a schedule of fees for the Denton Fire Department; superseding all prior ordinances establishing fees in conflict with such schedule; providing severability; providing a repealer; and establishing an effective date.

**ASSIGNED ORDINANCE NO. 22-1967**

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

The item was presented and no discussion followed.

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

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

NAYS (0): None

- K. ID 22-1968 Consider adoption of an ordinance of the City of Denton adopting a schedule of fees for the Denton Public Library; superseding all prior ordinances establishing fees in conflict with such schedule; providing for severability; and providing for an effective date.

**ASSIGNED ORDINANCE NO. 22-1968**

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

The item was presented and no discussion followed.

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

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

NAYS (0): None

- L. ID 22-1969 Consider adoption of an ordinance adopting a schedule of fees for the use of the Denton Police Department Public Safety Training Center, Firearms Range, Officer Off-Duty/Private Event Pay, and Motor Vehicle Escorts for Hire; providing for severability; superseding all prior ordinances establishing fees in conflict with such schedule; and establishing an effective date.

**ASSIGNED ORDINANCE NO. 22-1969**

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

The item was presented and no discussion followed.

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

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

NAYS (0): None

- M. ID 22-1970 Consider adoption of an ordinance of the City of Denton adopting a schedule of fees for cemeteries and fees for use of certain park facilities; and providing for an effective date. The Parks, Recreation and Beautification Board recommends approval (5-0).

**ASSIGNED ORDINANCE NO. 22-1970**

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

The item was presented and discussion followed.

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

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

NAYS (0): None

- N. ID 22-1971 Consider adoption of an ordinance of the City of Denton, Texas, adopting a schedule of fees related to permits issued, and services provided, by the Building Official, including Building Permit Fees, Consumer Health Permit Fees, Fence and Retaining Wall Permit Fees, Mobile Home Moving Fees; Temporary Permit Fees, and Investigation and Administrative Fees; superseding all prior ordinances establishing fees in conflict with such schedule; providing for severability; and establishing an effective date.

**ASSIGNED ORDINANCE NO. 22-1971**

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

Items 5.N (22-1971) and 5.O (22-1972) were collectively read into the record, presented, but voted on individually.

No discussion followed.

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

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

NAYS (0): None

- O. ID 22-1972 Consider adoption of an ordinance of the City of Denton, Texas, adopting a schedule of fees for the Development Services and Engineering Departments as authorized by the Denton Development Code; superseding all prior ordinances establishing fees in conflict with such schedule; providing for severability; and establishing an effective date.

**ASSIGNED ORDINANCE NO. 22-1972**

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

Items 5.N (22-1971) and 5.O (22-1972) were collectively read into the record, presented, but voted on individually.

No discussion followed.

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

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

NAYS (0): None

- P. ID 22-1984 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 One Million Six Hundred Thousand Dollars



(\$1,600,000) for the purpose of funding one time supplemental requests; declaring a public purpose; directing the City Secretary attach a copy to the 2021-2022 Budget; requiring approval by at least five votes; and providing a severability clause; an open meetings clause and an effective date.

**ASSIGNED ORDINANCE NO. 22-1984**

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

The item was presented and no discussion followed.

Council Member Watts moved to adopt the item as presented. Motion seconded by Council Member Byrd. Motion carried.

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

NAYS (0): None

**6. BUDGET ITEMS FOR INDIVIDUAL CONSIDERATION**

NOTE: Action on these items occurred after 6:30 p.m. in accordance with the published public notices.

- A. ID 22-257 Consider adoption of an ordinance of the City of Denton, Texas, adopting the fiscal year 2022-2023 Annual Program of Services (Budget) and the Capital Improvement Program of the City of Denton, Texas, for the fiscal year beginning on October 1, 2022 and ending on September 30, 2023; appropriating funds from available resources; ratifying all prior transfers made under the direction of the City Manager pursuant to Article VIII, Section 8.07 of the City Charter of the City of Denton; requiring City Manager to file a copy of the Budget with the City Secretary, Denton County Clerk and Texas Comptroller, and ensuring the record vote, budget and cover page is posted on the City's website; and declaring an effective date.

**ASSIGNED ORDINANCE NO. 22-257**

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

The item was presented and discussion followed.

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

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

NAYS (0): None

- B. ID 22-258 Consider adoption of an ordinance of the City of Denton, Texas, establishing the tax rate and levying the ad valorem property tax of the City of Denton, Texas, for the year 2022, on all taxable property within the corporate limits of the City on January 1, 2022, and adopting a tax rate of \$0.560682 per \$100 of valuation for 2022; providing revenues for payment of current municipal maintenance and operation expenses and for payment of interest and principal on outstanding City of Denton debt in conformity with the laws of the State of Texas and the ordinances of the City; providing for limited exemptions of certain homesteads; providing for enforcement of collections; providing for a severability clause; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-258**

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

The item was presented and discussion followed.

Citizen comments received are noted on Exhibit A.

Following discussion, Mayor Pro Tem Beck moved the property tax rate be increased by the adoption of a tax rate of \$0.560682, which is effectively a 9.63% percent increase in the tax rate. Motion seconded by Council Member Watts. Motion carried.

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

NAYS (0): None

- C. ID 22-259 Consider adoption of an ordinance of the City of Denton, Texas, approving the 2022 tax rolls of the City of Denton; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-259**

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

The item was not presented and no discussion followed.

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

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

NAYS (0): None

- D. ID 22-260 Consider adoption of an ordinance of the City of Denton, Texas, ratifying the property tax increase reflected in the Fiscal Year 2022-2023 Annual Program of Services (Budget) and the Capital Improvement Program of the City of Denton, Texas for the fiscal year beginning on October 1, 2022, and ending on September 30, 2023; directing the City Secretary to record this ordinance and the vote; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-260**

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

The item was not presented and no discussion followed.

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

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

NAYS (0): None

## **7. PUBLIC HEARINGS**

Note: Action on these items occurred after 6:30 p.m. in accordance with the published public notices.

- A. PD22-0006a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas regarding a change in the zoning district and use classification on approximately 2.407 acres of land from a Mixed-Use Neighborhood (MN) District to a Planned Development (PD) District. The site is generally located at the southeast corner of US 380 and Ector Street in the City of Denton, Denton County, Texas; adopting an amendment to the City's official zoning map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing for severability and an effective date. The Planning and Zoning Commission voted (6-0) to recommend approval of the request. (PD22-0006a, Home Zone, Cameron Robertson)a

### **ASSIGNED ORDINANCE NO. PD22-0006a**

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

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

The item was presented and discussion followed.

The public hearing was opened and citizen comments received are noted on Exhibit A.

With no other callers on queue, the public hearing was closed.

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

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

NAYS (0): None

ABSTAINED (1): Council Member Davis

- B. Z22-0006a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a change in the zoning district and use classification from a Residential 2 (R2) Zoning District to a Light Industrial (LI) Zoning District on approximately 9.56 acres of land, generally located on the northeast corner of US 380 (University Drive) and Thomas J. Egan Road, in the City of Denton, Denton County, Texas; adopting an amendment to the City's official zoning map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted [7-0] to recommend approval of the zoning change request. (Z22-0006a, US 380 & Thomas J Egan Industrial, Ron Menguita)  
**ASSIGNED ORDINANCE NO. Z22-0006a**

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

The item was presented and no discussion followed.

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

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

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

- C. DCA22-0004a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Denton Development Code, specifically amendments related to Section 7.9 - Parking and Loading; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted [5-2] to recommend approval of the amendments. (DCA22-0004a, Parking and Loading, Ron Menguita)  
**AMENDED; ASSIGNED ORDINANCE NO. DCA22-0004a**

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

The item was presented and discussion followed.

The public hearing was opened and citizen comments received are noted on Exhibit A.

With no other callers on queue, the public hearing was closed.

Following discussion, Mayor Hudspeth moved to adopt with the following amendment:

- Add "for indoor and outdoor seating/tasting areas" to FOOD AND BEVEARAGE SERVICES. [Listed under Table 7.9-I: Minimum Required Off-Street Parking]

Motion seconded by Council Member Byrd. Motion carried.

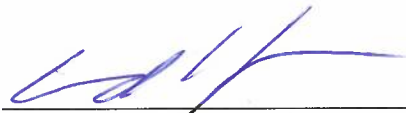
AYES (7): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, Maguire, McGee, and Watts

NAYS (0): None

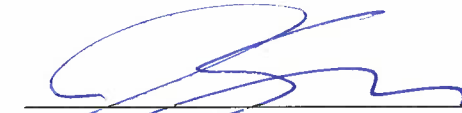
**8. CONCLUDING ITEMS**

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 10:17 p.m.



GERARD HUDSPETH  
MAYOR  
CITY OF DENTON, TEXAS



JESUS SALAZAR  
DEPUTY CITY SECRETARY  
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: October 18, 2022

