CITY OF DENTON CITY COUNCIL MINUTES
October 18, 2022

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, October 18 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 City Manager Sara Hensley 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**

Citizen comments received are noted on Exhibit A.

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

- Clarification was requested on the following items:
  - Mayor Pro Tem Beck: Item 3.Z (22-1931)
  - Mayor Pro Tem Beck: Item 3.AC (22-2050)
  - Mayor Pro Tem Beck: Item 3.AE (22-2052)

- The following item was pulled for Individual Consideration:
  - Mayor Pro Tem Beck: Item 3.AS (22-2164)

3. **Work Session Reports**

A. ID 22-1878 Receive a report, hold a discussion, and give staff direction regarding Follow-Up Reviews for the following:
- Audit Project 003 - Procurement Process
- Audit Project 012 - Economic Development: Recruitment & Expansion
- Audit Project 013 - Grants Management

[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 22-1720 Receive a report and hold a discussion regarding the proposed Bell Avenue Bicycle and Pedestrian Corridor for the portion of the roadway through Texas Woman's University from Administration Drive to just south of Chapel Drive. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was to proceed with final survey and design, prepare Right-of-Way Use Agreement with TWU, select a contractor, and initiate construction.

C. ID 22-1282 Receive a report, hold a discussion, and give staff direction regarding electric vehicle charging infrastructure for the City of Denton. *[Council Priority; 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.

D. ID 22-1841 Receive a report, hold a discussion, and give staff direction regarding Speed Limits on Residential Streets. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was to take tactical approach, use data to find issues, and address issues.

E. ID 22-2029 Receive a report, hold a discussion, and give staff direction regarding an update on the Wastewater Master Plan. [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.

F. ID 22-1667 Receive a report, hold a discussion, and give staff direction on pending City Council requests for:
(1) A Work Session to discuss the issuance of an RFP for a downtown parking survey. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was as follows:

- ID 22-1667 (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.
  o Consensus for a future work session.

The work session ended at 5:19 p.m.

CLOSED MEETING

1. The City Council convened into a Closed Meeting at 5:19 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 deliberated

B. ID 22-2184 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 issues associated with the "Application of Denton Municipal Electric to Change Rates for Wholesale Transmission Service" pending before the Public Utility Commission of Texas under Docket No. 52715; where public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and Denton Municipal Electric (DME) under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or otherwise compromise the City's legal position.
DELIBERATED

A. ID 22-2177 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.

The closed meeting started at 5:30 p.m. and ended at 6:13 p.m. No votes or actions were taken during the closed meeting.

REGULAR MEETING

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Regular Meeting on Tuesday, October 18, 2022 at 6:30 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

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

ABSENT: None

Also present were City Manager Sara Hensley 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.

1. PLEDGE OF ALLEGIANCE

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

2. PRESENTATIONS FROM MEMBERS OF THE PUBLIC

A. Review of procedures for addressing the City Council.

B. Reports from members of the public

1) Receive Scheduled Citizen Reports from Members of the Public

a. ID 22-1926 Ms. Martha Henderson, 1917 Piney Creek Blvd., on behalf of Villas of Piney Creek HOA regarding ownership of their streets.
PRESENTED

b. ID 22-2032 Mrs. Julie Morscheck, 1520 Bayberry St., regarding street resurfacing issues on Bayberry Street and related concerns about misuse of taxpayer dollars or fraud committed with American Recovery and Reinvestment Grant money.
PRESENTED

c. ID 22-2084 Mr. George Abney, 1529 Bayberry St., regarding the re-topping of cul-de-sac on Bayberry Street.
PRESENTED

d. ID 22-2132 Mr. Stephen Morscheck, 1520 Bayberry St., regarding City of Denton Microseal project.
PRESENTED

2) Additional Citizen Reports (Open Microphone)

Citizen comments received are noted in Exhibit A.

3. CONSENT AGENDA

The Consent Agenda consisted of Items 4.A-AS. During the Work Session held earlier in the day, Item 4.AS (22-2164) was pulled for Individual Consideration by Mayor Pro Tem Beck.

Mayor Pro Tem Beck moved to adopt the Consent Agenda, now consisting of Items 4.A-AR. 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

A. ID 22-823 Consider approval of the minutes of September 20, 2022 and September 27, 2022 Meetings.
APPROVED

B. ID 22-1391 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Airport Advisory Board, Board of Ethics, Committee on Persons with Disabilities, Community Services Advisory Committee, Public Art Committee, and Zoning Board of Adjustment.
APPROVED

APPOINTMENTS LISTED ON EXHIBIT B

C. ID 22-2047 Consider approval of a resolution of the City of Denton providing the September 26, 2022 meeting absence of a Public Utilities Board member be excused; and providing an effective date.
ASSIGNED RESOLUTION NO. 22-2047

D. ID 22-2063 Consider adoption of an ordinance of the City of Denton, authorizing the execution of a Joint Election Agreement and Contract with Denton County for joint election services for the Denton Special Elections to be held on November 8, 2022, for the proposition of determining whether City Council Member Alison Maguire shall be removed from District 4 Seat of the City Council by Recall and for the proposition of amendment to the Denton Code of Ordinances, creating Chapter 21, Article V to be titled "Marijuana Enforcement", at an estimated cost of $152,269.03; authorizing the expenditure of funds therefor; and providing an effective date.
ASSIGNED ORDINANCE NO. 22-2063

E. ID 22-1569 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Children's Advocacy Center for North Texas, Inc. to provide American Rescue Plan Coronavirus State and Local Fiscal Recovery Funds for The Direct Client Services Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed $50,000.00; and providing an effective date.

ASSIGNED ORDINANCE NO. 22-1569

F. ID 22-1570 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Health Services of North Texas, Inc. to provide American Rescue Plan Coronavirus State and Local Fiscal Recovery Funds for The Poverty Primary Care 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. 22-1570

G. ID 22-1572 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Our Daily Bread, Inc. to provide American Rescue Plan Coronavirus State and Local Fiscal Recovery Funds for Security and Program Services in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed $90,000; and providing an effective date.

ASSIGNED ORDINANCE NO. 22-1572

H. ID 22-1573 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and SPAN, Inc. to provide American Rescue Plan Coronavirus State and Local Fiscal Recovery Funds and General Fund dollars for The Senior Nutrition Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed $26,000.00; and providing an effective date.

ASSIGNED ORDINANCE NO. 22-1573

I. ID 22-1575 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Denton City County Day School to provide Community Development Block Grant Funds for The Preschool Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed $45,000.00; and providing an effective date.

ASSIGNED ORDINANCE NO. 22-1575

J. ID 22-1576 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Denton County Friends of the Family to provide Community Development Block Grant Funds for a Domestic Violence and Sexual Assault Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed $50,000.00; and providing an effective date.
ASSIGNED ORDINANCE NO. 22-1576

K. ID 22-1577 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Denton City County Day School to provide Community Development Block Grant Funds for Public Facility Improvements in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed $27,000.00; and providing an effective date.
ASSIGNED ORDINANCE NO. 22-1577

L. ID 22-1578 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Denton Community Food Center to provide Community Development Block Grant Funds for Public Facility Improvements in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed $138,635.00; and providing an effective date.
ASSIGNED ORDINANCE NO. 22-1578

M. ID 22-1773 Consider approval of a resolution of the City of Denton, Texas, approving the amended Development Fee Grant Program; establishing the amended guidelines for the program and the amended provisions for enforcement thereof; and providing for an effective date.
ASSIGNED RESOLUTION NO. 22-1773

N. ID 22-1712 Consider approval of a resolution of the City Council of the City of Denton extending the civil service line of duty injury leave of absence of Denton Police Officer Urbano Rodriguez for six (6) months at reduced pay; and providing an effective date.
ASSIGNED RESOLUTION NO. 22-1712

O. ID 22-1820 Consider approval of a resolution of the City of Denton adopting Policy No. 107.11 "Paid Parental Leave" and including it in the City of Denton Policies and Procedures; and declaring an effective date.
ASSIGNED RESOLUTION NO. 22-1820

P. ID 22-2007 Consider adoption of an ordinance of the City of Denton approving a Second Amended Employment Agreement for City Auditor, Madison Rorschach under the performance review provision of her employment agreement with the City for an increase in severance pay, salary, and car allowance; authorizing the expenditure of funds; and providing an effective date.
ASSIGNED ORDINANCE NO. 22-2007

Q. ID 22-2009 Consider adoption of an ordinance of the City of Denton authorizing the Mayor to execute a First Amended Employment Agreement with the City Attorney to amend Section 7 entitled Automobile to increase the vehicle allowance amount; providing for the expenditure of funds; and providing an effective date.
ASSIGNED ORDINANCE NO. 22-2009

R. ID 22-1955 Consider adoption of an ordinance of the City of Denton, Texas, authorizing the City Manager to accept the Texas Reads Grant #TXR-23006 for State Fiscal Year (SFY) 2023 (Federal Award Identification No. LS-252486-OLS-22) from the Texas State Library and Archives Commission through the Institute of Museum and Library Services in the amount of $7,252.00, for the period of September 1, 2022 through August 31, 2023; authorizing the City Manager to carry out all duties of the City pursuant to the grant; providing a savings clause; and providing an effective date.
ASSIGNED ORDINANCE NO. 22-1955

S. ID 22-1864 Consider adoption of an ordinance of the City of Denton, Texas abandoning, relinquishing, and vacating a 0.12 acre public drainage easement granted to the City of Denton by Philo Luginbyhl and wife Joann Luginbyhl, recorded in Volume 1534 Page 131, Deed Records of Denton County, Texas; providing for the quitclaim thereof to D.R. Horton-Texas, ltd; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Denton against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Denton; providing for severability and an effective date.
ASSIGNED ORDINANCE NO. 22-1864

T. ID 22-2187 Consider approval of a resolution of the City of Denton consenting to the creation of the Rocky Top Ranch Municipal Utility District of Denton County, encompassing approximately 400.115 acres of land, located within the extraterritorial jurisdiction of the City of Denton, Texas, and consenting to the addition of approximately 352.453 acres of land, located within the Extraterritorial Jurisdiction of the City of Denton, Texas into Rocky Top Ranch Municipal Utility District of Denton County; and providing an effective date.
ASSIGNED RESOLUTION NO. 22-2187

U. ID 22-1985 Consider adoption of an ordinance of the City of Denton establishing classifications and positions in the Denton Fire Department; creating and eliminating certain positions; repealing Ordinance No. 22-957 relating to establishing the classifications and prescribing the number of positions in each classification for the Denton Fire Department; providing repealer, cumulative, and severability clauses; and declaring an effective date.
ASSIGNED ORDINANCE NO. 22-1985

V. ID 22-1994 Consider adoption of an ordinance of the City of Denton, a Texas Home-Rule Municipal Corporation, authorizing the filing of applications with Texas Commission on Environmental Quality ("TCEQ") by the City Manager, or their designee, for and pursuing

general amendment of water rights authorizations, pursuant to Chapter 11 of the Texas Water Code, in Lake Lewisville and Lake Ray Roberts, and additional bed and banks conveyance, diversion and use authority related to discharged water from Denton's Municipal Wastewater Treatment Facilities; providing for an effective date. The Public Utilities Board recommends approval (4-0).

ASSIGNED ORDINANCE NO. 22-1994

W. ID 22-2062 Consider adoption of an ordinance of the City of Denton establishing classifications and positions in the Police Department; creating certain positions; repealing ordinance No. 21-1703 relating to establishing the classifications and prescribing the number of positions in each classification for the Police Department; providing repealer, cumulative, and severability clauses; and declaring an effective date.

ASSIGNED ORDINANCE NO. 22-2062

X. ID 22-2064 Consider adoption of an ordinance of the City of Denton repealing and replacing the entirety of Chapter 30, titled "Flood Prevention and Protection," codified as Subpart B of the City of Denton Code of Ordinances; providing for a penalty in the maximum amount of $500.00 for violations thereof; providing a repealer clause; providing for codification; providing a severability clause; and providing an effective date.

ASSIGNED ORDINANCE NO. 22-2064

Y. ID 22-2123 Consider approval of a resolution of the City of Denton approving the City's Repetitive Loss Area Analysis which provides a mitigation plan for areas that have or are expected to experience repeated losses due to flooding; and declaring an effective date.

ASSIGNED RESOLUTION NO. 22-2123

Z. ID 22-1931 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 Pacheco Koch Consulting Engineers, LLC, for the stabilization of the Cooper Creek streambank within Avondale Park for the Parks and Drainage Departments as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7599-009 - Professional Services Agreement for engineering services awarded to Pacheco Koch Consulting Engineers, LLC, in the not-to-exceed amount of $309,559.00). The Public Utilities Board recommends approval (4 - 0).

ASSIGNED ORDINANCE NO. 22-1931

AA. ID 22-2048 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Kimley-Horn and Associates, Inc., for the development of the One Water Master Plan for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7574-012 - Professional Services Agreement for design services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of $2,000,000.00). The Public Utilities Board recommends approval (4 - 0).

ASSIGNED ORDINANCE NO. 22-2048

AB. ID 22-2049 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 Kinloch Equipment & Supply, Inc., an authorized dealer for Embankscape Equipment LLC, dba RC Mowers, through the Buy Board Cooperative Purchasing Network Contract # 611-20, for the purchase of one (1) 60" RC-Mower for the Solid Waste Department; providing for the expenditure of funds therefor; and providing an effective date (File 8089 - awarded to Kinloch Equipment & Supply, Inc., in the not-to-exceed amount of $64,933.00). The Public Utilities Board recommends approval (4 - 0).

ASSIGNED ORDINANCE NO. 22-2049

AC. ID 22-2050 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 Power Engineers, Inc., to provide professional services to migrate the ESRI Geospatial Network to ESRI Utility Network; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7804-002 - Professional Services Agreement for professional services awarded to Power Engineers, Inc., in the not-to-exceed amount of $1,815,181.00). The Public Utilities Board recommends approval (4 - 0).

ASSIGNED ORDINANCE NO. 22-2050

AD. ID 22-2051 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 SAM-Construction Services, LLC, for construction project management and inspection services for the Hickory Creek Road Phase 3 Project as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7894-001 - professional services agreement for management and inspection services awarded to SAM-Construction Services, LLC, in the not-to-exceed amount of $1,752,010.00).

ASSIGNED ORDINANCE NO. 22-2051

AE. ID 22-2052 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 MasTec North America, Inc., and Durable Specialties, Inc., for traffic signal construction services for the Traffic Operations Department as set forth in the contracts; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8029 - awarded to MasTec North America, Inc., and Durable Specialties, Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of $7,100,000.00).

ASSIGNED ORDINANCE NO. 22-2052

AF. ID 22-2053 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 Taihan Fiberoptics America Inc., for the supply of fiber optic cable for the City of Denton Warehouse; providing for the expenditure of funds therefor; and providing an effective date (IFB 7989-1 - awarded to Taihan Fiberoptics America Inc., for three (3) years, with the

option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of $1,750,000.00).

ASSIGNED ORDINANCE NO. 22-2053

AG. ID 22-2054 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 CTJ Maintenance, Inc., for janitorial services for various City buildings; providing for the expenditure of funds therefor; and providing an effective date (RFP 8032 - awarded to CTJ Maintenance, 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 $5,400,000.00).

ASSIGNED ORDINANCE NO. 22-2054

AH. ID 22-2055 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 5205 Limited Partnership, dba HCI, for cellular DAS, GPS signal repeater systems & cell boosters for Technology Services; providing for the expenditure of funds therefor; and providing an effective date (IFB 8040 - awarded to 5205 Limited Partnership, dba HCI, 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 $500,000.00).

ASSIGNED ORDINANCE NO. 22-2055

AI. ID 22-2056 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 Patel & Patel General Partners dba Deluxe Inn, to provide accommodations for families experiencing homelessness due to the continued economic impact of COVID-19 for the Community Services Division; providing for the expenditure of funds therefor; and providing an effective date (RFP 8068 - awarded to Patel & Patel General Partners dba Deluxe Inn, in the two (2) year not-to-exceed amount of $945,000.00).

ASSIGNED ORDINANCE NO. 22-2056

AJ. ID 22-2057 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 Tiger Corporation, through the Buy Board Cooperative Purchasing Network Contract #611-20, for the manufacture and mounting of one (1) triple flail mower for the City of Denton Airport Department; providing for the expenditure of funds therefor; and providing an effective date (File 8106 - awarded to Tiger Corporation, in the not-to-exceed amount of $90,524.70).

ASSIGNED ORDINANCE NO. 22-2057

AK. ID 22-2059 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 Vermeer Equipment of Texas, LLC, through the Buy Board Cooperative Purchasing Network Contract # 597-19, for the purchase of one (1) trailer-mounted vacuum excavator for the Electric Distribution Department; providing for the expenditure of funds therefor; and

providing an effective date (File 8105 - awarded to Vermeer Equipment of Texas, LLC, in the not-to-exceed amount of $102,412.00). The Public Utilities Board recommends approval (7-0).

ASSIGNED ORDINANCE NO. 22-2059

AL. ID 22-2073 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Kimley-Horn and Associates, Inc., for design services related to the Highway Safety Improvement Program (HSIP) project for the City of Denton as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7292-007 - Professional Services Agreement for design services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of $298,000.00).

ASSIGNED ORDINANCE NO. 22-2073

AM. ID 22-2074 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Burns & McDonnell, Engineering Company Inc., to provide professional services in the capacity of "Owner's Engineer" (OE) and RFP development for an advanced distribution management system (ADMS) to DME Systems Operation Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7804-005 - Professional Services Agreement for professional services awarded to Burns & McDonnell, Engineering Company Inc., in the not-to-exceed amount of $1,522,350.00). The Public Utilities Board recommends approval (7-0).

ASSIGNED ORDINANCE NO. 22-2074

AN. ID 22-2095 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an Interlocal Cooperative Purchasing Program Agreement with NCPA-National Cooperative Purchasing Alliance, under the Texas Government Code Chapters 252, 271, and 791, to authorize City of Denton contracts for the purchase of various goods and services; authorizing the expenditure of funds therefor; and declaring an effective date (File 8084 - award an Interlocal Cooperative Purchasing Agreement with NCPA-National Cooperative Purchasing Alliance).

ASSIGNED ORDINANCE NO. 22-2095

AO. ID 22-2096 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an Interlocal Cooperative Purchasing Program Agreement with 791 Purchasing Cooperative, under the Texas Government Code, Chapters 252, 271, and 791, to authorize City of Denton contracts for the purchase of various goods and services; authorizing the expenditure of funds therefor; and declaring an effective date (File 8121 - award an Interlocal Cooperative Purchasing Agreement with 791 Purchasing Cooperative).

ASSIGNED ORDINANCE NO. 22-2096

AP. ID 22-2114 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 Ceridian HCM, Inc., for Ceridian Check Print & Image and W-2 Print Services, which is the sole provider of this software, in accordance with Texas Local Government Code 252.022, which provides that procurement of commodities and services that are available from one source are exempt from competitive bidding, and if over $50,000, shall be awarded by the governing body; providing for the expenditure of funds therefor; and providing an effective date (File 7882 - awarded to Ceridian HCM, 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 $120,000.00).

ASSIGNED ORDINANCE NO. 22-2114

AQ. ID 22-2115 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 Denton Lawn Sprinkler, Inc., for irrigation services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (IFB-BV 8015 - awarded to Denton Lawn Sprinkler, 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 $2,000,000.00).

ASSIGNED ORDINANCE NO. 22-2115

AR. ID 22-2120 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 AHI Facility Services, Inc., amending the contract approved by City Council on September 19, 2017, in the not-to-exceed amount of $3,425,000.00; said first amendment to continue to provide janitorial services in City of Denton buildings for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 6475 - providing for an additional first amendment expenditure amount not-to-exceed $280,000.00, with the total contract amount not-to-exceed $3,705,000.00, and extending the contract to November 30, 2022).

ASSIGNED ORDINANCE NO. 22-2120

ITEM PULLED FOR INDIVIDUAL CONSIDERATION

AS. ID 22-2164 Consider adoption of an ordinance of the City of Denton, a home-rule municipal corporation, authorizing the City Manager to execute an election option for repayment of $7,923,140.36 owed by ERCOT to Denton Municipal Electric associated with the bankruptcy of Brazos Electric Cooperative, Inc. and providing an effective date.

ASSIGNED ORDINANCE NO. 22-2164

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

Pulled for Individual Consideration by Mayor Pro Tem Beck.

The item was presented and discussion followed.

Following discussion, 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

4. ITEMS FOR INDIVIDUAL CONSIDERATION

A. A22-0002 Consider adoption of an ordinance of the City of Denton, Texas regarding a Municipal Services Agreement, pursuant to Tex. Loc. Gov. Code Sec. 43.0672, between the City of Denton and Harlan Property Inc. for the provision of city services to approximately 82.96 acres of land, generally located on the north side of Barthold Road approximately 1,300 feet west of Interstate 35 (I-35); approving a schedule of annexation; authorizing the City Manager to execute the agreement; and providing an effective date. (A22-0002)
ASSIGNED ORDINANCE NO. A22-0002

The item related to Public Hearing Item 5.B (A22-0002a) and Individual Consideration Item 6.D (A22-0002b) considered later in the day.

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

5. PUBLIC HEARINGS

A. S21-0008a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas regarding a request for a Specific Use Permit (SUP) to allow for an Equipment Sales and Rental use on approximately 5.892 acres of land, generally located north of US 380 (University Drive) and approximately 250 feet east of Spring Valley Drive, in the City of Denton, Denton County, Texas; providing for a penalty in the maximum amount of $2,000.00 for violations thereof; providing for severability; and establishing an effective date. The Planning and Zoning Commission voted [6-0] to recommend approval of the Specific Use Permit request. (S21-0008a, U-Haul of East Denton, Ron Menguita)
ASSIGNED ORDINANCE NO. S21-0008a

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 callers in the queue, the public hearing was closed.

Following discussion, 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

B. A22-0002a Hold a public hearing and consider a petition for voluntary annexation of approximately 82.96 acres of land, generally located on the north side of Barthold Road approximately 1,300 feet west of Interstate 35 (I-35) into the City of Denton, Denton County, Texas. (A22-0002a, Barthold Road Voluntary Annexation, Ron Menguita)

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

The item related to Individual Consideration Item 4.A (A22-0002) considered earlier in the day and Individual Consideration Item 6.D (A22-0002b) considered later in the day.

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.

Note: There was no action taken as the item was only a public hearing.

C. Z22-0003a 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 Suburban Corridor (SC) District to Mixed-Use Neighborhood (MN) District on approximately 2.604 acres of land and from Residential 3 (R3) District to Mixed-Use Neighborhood (MN) District on approximately 0.196 acres of land generally located north of East University Drive (US 380) between Nottingham Drive and Old North 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 [6-0] to recommend approval of the request (Z22-0003a, 380 Multifamily SC to MN, Mia Hines).
PUBLIC HEARING CLOSED: POSTPONED INDEFINATELY

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.

Council Member McGee moved to remand the item to the Planning and Zoning Commission in order to consider a Planned Development District as opposed to Mixed-Use Neighborhood District. The motion was seconded by Council Member Maguire.

Following additional discussion, Council Member McGee withdrew his motion; Council Member Maguire withdrew her second to the motion.

Council Member McGee moved to postpone the item indefinitely. 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

D. Z22-0014a 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 Residential Rural (RR), Residential 4 (R4), and Mixed-Use Neighborhood (MN) Districts to Residential 6 (R6) District on approximately 84.2 acres of land located on the south side of E. McKinney Street, at the intersection of E. McKinney Street and Laney Circle, 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 request. (Z22-0014a, Stella Hills, Angie Manglaris)
ASSIGNED ORDINANCE NO. Z22-0014a

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 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

E. DCA22-0005a 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 the Multifamily Dwelling use and to Table 3.3-A: MN District Dimensional Standards;

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 [6-0] to recommend approval of the amendments. (DCA22-0005a, Multifamily Dwelling, Ron Menguita)

ASSIGNED ORDINANCE NO. DCA22-0005a

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.

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

F. DCA22-0006a 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 Rezoning to a Planned Development (PD) District Procedures; 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 [6-0] to recommend approval of the amendments. (DCA22-0006a, Planned Development Code Amendments, Ron Menguita)

ASSIGNED ORDINANCE NO. DCA22-0006a

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.

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

6. ITEMS FOR INDIVIDUAL CONSIDERATION – CONTINUED

A. ID 22-1924 Consider adoption of an ordinance of the City of Denton to declare the intent to reimburse capital program expenditures of the Electric Utility ($72,961,641), Solid Waste Utility ($16,000,000), Wastewater Utility ($41,198,000), Water Utility ($36,188,000), and General Government ($72,305,000) with Tax-Preferred Obligations (Certificates of Obligation and General Obligation Bonds) with an aggregate maximum principal amount not to exceed $238,652,641; and providing an effective date. The Public Utilities Board recommends approval (7-0).
ASSIGNED ORDINANCE NO. 22-1924

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

The item was presented and discussion followed.

Following discussion, Council Member Maguire 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

B. ID 22-1940 Consider nominations/appointments to the City's Economic Development Partnership Board.
APPROVED

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

The item was presented and discussion followed.

Following discussion, Mayor Pro Tem Beck moved to appoint the nominees as noted on Exhibit B. 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 22-1941 Consider appointments to the Tax Increment Reinvestment Zone Number Two (Westpark TIRZ) Board of Directors, including appointment of a Board Chair.
APPROVED

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

The item was presented and discussion followed.

Following discussion, Mayor Pro Tem Beck moved to appoint the nominees as noted on Exhibit B and appoint Jill Jester as Chair. 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. A22-0002b Conduct the first of two readings of an ordinance of the City of Denton, Texas annexing approximately 82.96 acres of land, generally located on the north side of Barthold Road approximately 1,300 feet west of Interstate 35 (I-35) into the City of Denton, Denton County, Texas; providing for a correction to the city map to include the annexed land; and provide for a savings clause and an effective date. (A22-0002b, Barthold Road Voluntary Annexation, Ron Menguita)

Note: There was no ordinance number assigned as this was the first of two required readings.

The second reading is tentatively scheduled for December 6, 2022.

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

The item related to Individual Consideration Item 4.A (22-0002) and Public Hearing Item 5.B (A22-0002a) considered earlier in the day.

The item was briefly presented and no discussion followed

Staff read the following into the record for the first reading:

"*An ordinance of the City of Denton, Texas Annexing Approximately 82.96 acres of land, generally located on the North side of Barthold Road approximately 1,300 feet West of Interstate 35 (I-35) into the City of Denton, Denton County, Texas; providing for a correction to the City map to include the annexed land; and providing for a savings clause and an effective date.*"

There was no action taken as the item was presented for the purpose of conducting the first reading.

E. ID 22-2058 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 Techline, Inc., for overhead and underground transformers for the Denton Municipal Electric Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8064 - contract for overhead and underground transformers awarded to Techline, Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in the five (5) year not-to-exceed amount of $75,000,000.00). The Public Utilities Board recommends approval (7-0).

ASSIGNED ORDINANCE NO. 22-2058
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 Beck. Motion carried.

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

7. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 10:41 p.m.

GERARD HUDSPETH
MAYOR
CITY OF DENTON, TEXAS

JESUS SALAZAR
DEPUTY CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: November 15, 2022