

CITY OF DENTON CITY COUNCIL MINUTES

November 15, 2022

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, November 15, 2022, at 4:02 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 Brian Beck and Council Members Vicki Byrd (Virtual), 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

None

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

- Clarification was requested on the following items:
 - Mayor Pro Tem Beck: Item 3.C (22-2230)
 - Mayor Pro Tem Beck: Item 3.D (22-2231)
 - Mayor Pro Tem Beck: Item 3.AC (22-2283)
 - Mayor Pro Tem Beck: Item 3.AJ (22-2292)
 - Mayor Pro Tem Beck: Item 3.AO (22-2298)
- The following items were pulled for Individual Consideration:
 - None

3. Work Session Reports

- A. ID 22-1719 Receive a report, hold a discussion, and give staff direction regarding the updates to the Roadway Impact Fees. [Estimated Presentation/Discussion Time: 45 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was to come back on December 6, 2022 to go over the final report and look at options discussed. Staff reported the need for a series of meetings in December 2022 and January 2023 for actual public hearing adoption.

The work session was recessed for a short break at 5:22 p.m. and reconvened at 5:34 p.m.

- B. ID 22-1677 Receive a report, hold a discussion, and give staff direction on the development of a Comprehensive Diversion Ordinance for the City of Denton. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was to proceed as presented with the exception that Northlakes should not be closed immediately, have alternate recycling options and possibly provide for an alternate site.

The work session ended at 6:21 p.m.

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, November 15, 2022, at 6:31 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT IN PERSON: Mayor Gerard Hudspeth, Mayor Pro Tem Brian Beck and Council Members Vicki Byrd (Virtual), 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 22-2306 Ms. Martha Henderson following up on behalf of Villas of Piney Creek HOA regarding ownership of their streets.

CANCELLED

- b. ID 22-2326 Mr. Stephen Dillenburg regarding representation and fraud

NOT PRESENTED

- c. ID 22-2368 Mr. Max Folmar, 1412 Fox Hollow St., regarding Go Zone and Bus Transportation Systems.

PRESENTED

2) Additional Citizen Reports (Open Microphone)

Citizen comments received are noted in Exhibit A.

3. **CONSENT AGENDA**

During the Work Session held earlier in the day, no items were pulled for Individual Consideration.

Mayor Pro Tem Beck moved to adopt the Consent Agenda 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

- A. ID 22-826 Consider approval of the minutes of October 18, 2022 (Joint Council/Planning & Zoning Special Called), October 18, 2022 (Regular), and October 25, 2022 Meetings.

APPROVED

- B. ID 22-1394 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Airport Advisory Board, Animal Shelter Advisory Committee, Board of Ethics, Committee on Persons with Disabilities, Community Services Advisory Committee, Denton Police Department Chief of Police Advisory Board, Health & Building Standards

Commission, Historic Landmark Commission, Internal Audit Advisory Committee, Library Board, Parks, Recreation & Beautification Board, Planning & Zoning Commission, Public Art Committee, Public Utilities Board, Sustainability Framework Advisory Committee, Traffic Safety Commission, and Zoning Board of Adjustment.

APPROVED

APPOINTMENTS LISTED ON EXHIBIT B

- C. ID 22-2330 Consider approval of a resolution of the City of Denton removing a member of the Committee on Persons with Disabilities; and providing an effective date.

ASSIGNED RESOLUTION NO. 22-2330

Removal of Member Matthew Granados approved.

- D. ID 22-2331 Consider approval of a resolution of the City of Denton removing a member of the Committee on Persons with Disabilities; and providing an effective date.

ASSIGNED RESOLUTION NO. 22-2331

Removal of Member Beth Haswell-Kirkby approved.

- E. ID 22-2216 Consider adoption of an ordinance of the City of Denton granting the TW Restaurant Holder, LLC dba Hooters of Denton, a noise exception for the Hooters Fall Festival Chili Cook-Off on Saturday, November 19, 2022, from 2 p.m. to 10 p.m., at 985 S Interstate 35; and providing an effective date.

ASSIGNED ORDINANCE NO. 22-2216

- F. ID 22-2235 Consider adoption of an ordinance of the City of Denton granting the Denton Holiday Lighting Festival Association, a noise exception for the Denton Holiday Lighting on Friday, December 2, 2022, from 6 p.m. to 9 p.m., at the Downtown Square and surrounding streets; and providing an effective date. The Parks, Recreation, and Beautification Board recommends approval (4-0).

ASSIGNED ORDINANCE NO. 22-2235

- G. ID 22-2353 Consider adoption of an ordinance of the City of Denton, Texas approving an Assignment of Airport Leases from Sykes-Vaughan Investments, LLC to Sheltair Aviation Denton, LLC of Airport Leases covering property located at 4700 Spartan Drive, 4780 Spartan Drive, 4849 Spartan Drive, 4700 John Carrell, 4790 John Carrell, 4600 Spartan Drive, 4850 Spartan Drive, 5007 Airport Road, 5077 Sabre Drive, and 5050 Warbird Drive, Denton, Texas at the Denton Enterprise Airport; authorizing the City Manager to execute the Assignment of Airport Leases and related Ground Lessor Estoppel and Consent Agreement; and providing an effective date. Airport Advisory Board recommends approval (6-0).

ASSIGNED ORDINANCE NO. 22-2353

- H. ID 22-1760 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute contracts regarding partner agency program services for in house library services and outreach programming for the Denton Public Library; and providing an effective date.

ASSIGNED ORDINANCE NO. 22-1760

- I. ID 22-2008 Consider adoption of an ordinance of the City of Denton approving a one time lump sum merit payment for Municipal Court Presiding Judge Tyler Atkinson (Presiding Judge); approve a Third Amended Compensation Agreement for the Presiding Judge under

the review provision of his current agreement with the City; amending the current agreement to authorize the Presiding Judge to perform magistrate duties for Denton County and to provide for an increase in severance pay, salary, and car allowance; authorizing the expenditure of funds; and providing an effective date.

ASSIGNED ORDINANCE NO. 22-2008

- J. ID 22-2327 Consider adoption of an ordinance of the City of Denton appointing Tyler Atkinson as Presiding Judge for the City of Denton Municipal Court of Record; establishing a two-year term of office for the Presiding Judge commencing on the 1st day of October 2022 and extending through the 30th day of September 2024; providing severability and repealer clauses; and declaring an effective date.

ASSIGNED ORDINANCE NO. 22-2327

- K. ID 22-2391 Consider adoption of an ordinance approving the Standard Utility Agreements ("Agreements") by and between the City of Denton and the Texas Department of Transportation ("TxDOT"), for the reimbursement of design, property acquisition and related services, construction, inspection and project management costs associated with the adjustment, removal, and/or relocation of both Water and Wastewater Utilities along I-35E from Mayhill to Loop 288 more specifically called the I-35E/Mayhill Utility Relocations Project, within the County and City of Denton, Texas; authorizing the City Manager, or their designee, to execute and deliver the Agreements; 1) Standard Utility Agreement -Utility ID No. U00008008 for Water Utility Relocation efforts in the amount of \$15,407,417.25 and 2) Standard Utility Agreement - Utility ID No. U00011546 for Wastewater Utility Relocation efforts in the amount of \$1,624,824.00; providing for the expenditure of funds therefor; and providing an effective date.

ASSIGNED ORDINANCE NO. 22-2391

- L. ID 22-2028 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton Main Street Association for the 2023 Arts & Autos Extravaganza sponsorship; and providing an effective date. (\$2,500 cash sponsorship and \$6,776.72 in-kind services - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 22-2028

- M. ID 22-2034 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton Black Film Festival Institute for the 2023 Denton Black Film Festival sponsorship; and providing an effective date. (\$10,000 cash sponsorship and \$7,176.77 in-kind services - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 22-2034

- N. ID 22-2035 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton Festival Foundation, Inc., for the 2022 Denton Arts and Jazz Festival sponsorship; and providing an effective date. (\$15,000 cash

sponsorship and \$202,857.52 in-kind services - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 22-2035

- O. ID 22-2036 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Greater Denton Arts Council, Inc., for the Community Art Grants Program sponsorship; and providing an effective date. (\$6,000 cash sponsorship - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 22-2036

- P. ID 22-2039 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and North Texas State Fair Association, Inc., for the 2023 North Texas Fair and Rodeo Kids Zone sponsorship; and providing an effective date. (\$3,000 cash sponsorship and \$9,360.54 in-kind services - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 22-2039

- Q. ID 22-2040 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Texas Filmmakers Corporation for the Thin Line Fest 2023 sponsorship; and providing an effective date. (\$10,000 cash sponsorship - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 22-2040

- R. ID 22-2041 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and the Texas Veterans Hall of Fame for the 2022 Honor Veterans Day sponsorship; and providing an effective date. (\$3,000 cash sponsorship - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 22-2041

- S. ID 22-2137 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton's Day of the Dead Festival for the 2022 Day of the Dead Festival sponsorship; and providing an effective date. (\$6,631.89 in-kind services - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 22-2137

- T. ID 22-2138 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton Holiday Festival Association, Inc. for the 2022 Denton Holiday Lighting Festival sponsorship; and providing an effective date. (\$2,000 cash sponsorship and \$41,222.25 in-kind services - Community Partnership Committee recommends approval 3-0)

ASSIGNED ORDINANCE NO. 22-2138

- U. ID 22-2141 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Tejas Storytelling Association for the 2023 Tejas Storytelling Festival sponsorship; and providing an effective date. (\$10,157.42 in-kind services - Community Partnership Committee recommends approval 3-0)
ASSIGNED ORDINANCE NO. 22-2141
- V. ID 22-2143 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and United Way of Denton County for the 2022 Pride and Class Truck Parade sponsorship; and providing an effective date. (\$4,113.55 in-kind services - Community Partnership Committee recommends approval 3-0)
ASSIGNED ORDINANCE NO. 22-2143
- W. ID 22-2173 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton Main Street Association for the 2022 Fall Twilight Tunes sponsorship; and providing an effective date. (\$500 cash sponsorship and \$3,278.49 in-kind services - Community Partnership Committee recommends approval 3-0)
ASSIGNED ORDINANCE NO. 22-2173
- X. ID 22-2191 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and American Legion Post 71; providing for the expenditure of council contingency funds; and providing an effective date. (\$370 - Community Partnership Committee recommends approval 3-0).
ASSIGNED ORDINANCE NO. 22-2191
- Y. ID 22-2260 Consider approval of a resolution of the City of Denton ratifying the submission of an application to the Texas Parks and Wildlife Department (TPWD) Community Outdoor Outreach Program 2023 in the amount of \$67,385 for equipment and training costs to create a Trail Tour Program; and providing an effective date.
ASSIGNED RESOLUTION NO. 22-2260
- Z. ID 22-2265 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a second amendment to a Professional Services Agreement between the City of Denton and Freese and Nichols, Inc., amending the contract approved by City Council on September 22, 2020, in the not-to-exceed amount of \$1,472,700.00; amended by Amendment 1 approved by City Council; said second amendment to provide additional professional, construction, and bid phase services for the Lake Ray Roberts Regulatory and Performance Upgrade Project; providing for the expenditure of funds therefor; and providing an effective date (File 6590-093 - providing for an additional second amendment expenditure amount not-to-exceed \$1,470,477.00, with the total contract amount not-to-exceed \$3,606,487.00).
ASSIGNED ORDINANCE NO. 22-2265
- AA. ID 22-2280 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 2 to the contract

between the City of Denton and Mountain Cascade of Texas, LLC, for the construction of the North South Phase III 42-inch Water Transmission Line Project for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (IFB 7200-1- Change Order No. 2 in the not-to-exceed amount of \$220,574.60, for a total contract award aggregated to \$4,439,953.34).

ASSIGNED ORDINANCE NO. 22-2280

- AB. ID 22-2281 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 Wesco Distribution, Inc., amending the contract approved by the City Council on December 1, 2020, in the not-to-exceed amount of \$600,000.00; said first amendment to provide for additional concrete streetlight poles for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (File 7488 - providing for an additional first amendment expenditure amount not-to-exceed \$150,000.00, with the total contract amount not-to-exceed \$750,000.00).

ASSIGNED ORDINANCE NO. 22-2281

- AC. ID 22-2283 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, ratifying the expenditure of funds by the City Manager for the emergency repairs to the DEC starting air compressor that sustained catastrophic failure, and for equipment rental while awaiting replacement; and providing an effective date (File 8086 - awarded to MS AIR, Inc., and Texas First Rentals, Inc., in the not-to-exceed amount of \$225,384.48).

ASSIGNED ORDINANCE NO. 22-2283

- AD. ID 22-2284 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 CBS Mechanical Services, Inc., dba CMS Mechanical Services, Inc., amending the contract approved by the City Council on November 5, 2019, in the not-to-exceed amount of \$2,500,000.00; said first amendment to continue to provide HVAC repairs, replacement, and preventive maintenance in City of Denton buildings for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 7127 - providing for an additional first amendment expenditure amount not-to-exceed \$625,000.00, with the total contract amount not-to-exceed \$3,125,000.00).

ASSIGNED ORDINANCE NO. 22-2284

- AE. ID 22-2285 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 C&G Electric, Inc., amending the contract approved by the City Council on June 22, 2021, in the not-to-exceed amount of \$500,000.00; said first amendment to continue to provide electrical repairs, replacement, and installation in City of Denton buildings for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7658 - providing for an additional first amendment expenditure amount not-to-exceed \$125,000.00, with the total contract amount not-to-exceed \$625,000.00).

ASSIGNED ORDINANCE NO. 22-2285

- AF. ID 22-2286 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 Agreement with the City of Allen, under the Texas Government Code, Section 791.001, to authorize the City of Allen and City of Denton to utilize each entities' solicited contracts for the purchasing of various goods and services; authorizing the expenditure of funds therefor; and declaring an effective date (File 7977 - award an Interlocal Cooperative Purchasing Agreement with the City of Allen).

ASSIGNED ORDINANCE NO. 22-2286

- AG. ID 22-2289 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 Modern Geosciences, LLC, for gas well inspection services for the Environmental Services and Sustainability Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8101 - awarded to Modern Geosciences, LLC, for three (3) year, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$1,375,000.00).

ASSIGNED ORDINANCE NO. 22-2289

- AH. ID 22-2290 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 Vigilant Solutions, LLC, through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program Contract Number EF04-21, for the purchase of the Motorola Vigilant Solutions IDP (Investigative Data Platform) for the Police Department; providing for the expenditure of funds therefor; and providing an effective date (File 8123 - awarded to Vigilant Solutions, LLC, in the five (5) year not-to-exceed amount of \$113,900.00).

ASSIGNED ORDINANCE NO. 22-2290

- AI. ID 22-2291 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 Presidio Networked Solutions Group, LLC, through The Interlocal Purchasing System (TIPS) Cooperative Program Contract #21050301, for the acquisition of Freshservice, an Information Technology Service Management (ITSM) solution to centrally track technology

assets, licenses, and support service tickets for the Technology Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 8124 - awarded to Presidio Networked Solutions Group, 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 in the amount of \$500,000.00).

ASSIGNED ORDINANCE NO. 22-2291

- AJ. ID 22-2292 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 GTS Technology Solutions, Inc., through the Department of Information Resources (DIR) Cooperative Purchasing Network Contract No. DIR-CPO-4526, for Information Technology (IT) Staff Augmentation Services for the Technology Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 8127 - awarded to GTS Technology Solutions, 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 \$2,200,000.00).

ASSIGNED ORDINANCE NO. 22-2292

- AK. ID 22-2293 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 Midwest Tape, LLC, for the purchase of streaming digital content through the Hoopla service for the Library, 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 8135 - awarded to Midwest Tape, LLC, in the five (5) year not-to-exceed amount of \$484,000.00).

ASSIGNED ORDINANCE NO. 22-2293

- AL. ID 22-2294 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 Public Insight Sector, Inc., through the Department of Information Resources (DIR) Cooperative Purchasing Network Contract No. DIR-TSO-4341, for the purchase of SPIDR Tech Notification System for calls for service and incident notifications for the Police Department; providing for the expenditure of funds therefor; and providing an effective date (File 8139 - awarded to Public Insight Sector, 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 \$174,341.00).

ASSIGNED ORDINANCE NO. 22-2294

- AM. ID 22-2295 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 Axon Enterprise, Inc., through the Sourcewell Cooperative Purchasing Network Contract Number 010720, for the purchase of an Axon Interview Room System for the Police Substation and Headquarters including cameras, software, peripherals, warranty, maintenance, and

installation services for the Police Department; authorizing the expenditure of funds therefor; and providing an effective date (File 8140 - awarded to Axon Enterprise, Inc., in the five (5) year not-to-exceed amount of \$351,000.00).

ASSIGNED ORDINANCE NO. 22-2295

AN. ID 22-2297 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 Quorum Architects, Inc., for professional design services for the Solid Waste Fleet Maintenance Shop for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7818-004 - awarded to Quorum Architects, Inc., in the not-to-exceed amount of \$663,800.00).

ASSIGNED ORDINANCE NO. 22-2297

AO. ID 22-2298 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 J&B Five Point Construction, LLC, for directional boring services for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 8054 - awarded to J&B Five Point Construction, 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 \$12,000,000.00).

ASSIGNED ORDINANCE NO. 22-2298

AP. ID 22-2303 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 Halff Associates, Inc., for the design of the Westgate Drive Reconstruction Project for the Capital Improvements Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7599-011 - Professional Services Agreement for design services awarded to Halff Associates, Inc., in the not-to-exceed amount of \$1,144,280.00).

ASSIGNED ORDINANCE NO. 22-2303

AQ. ID 22-2305 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 Environmental Systems Research Institute, Inc., for an Enterprise Geographic Information System (GIS) Solution for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 8069 - awarded to Environmental Systems Research Institute, Inc., in the three (3) year not-to-exceed amount of \$565,500.00).

ASSIGNED ORDINANCE NO. 22-2305

AR. ID 22-2310 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 Bond Equipment Company, Inc., through the Buy Board Cooperative Purchasing Network Contract # 601-19, for the purchase of Crane Carrier Refuse Trucks for the Solid Waste

Department; providing for the expenditure of funds therefor; and providing an effective date (File 8152 - awarded to Bond Equipment Company, Inc., in the two (2) year not-to-exceed amount of \$2,420,000.00).

ASSIGNED ORDINANCE NO. 22-2310

- AS. ID 22-2311 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 Tyler Technologies, Inc., through the Sourcewell Cooperative Purchasing Network Contract Number 090320-TTI, for the purchase of Public Safety's Brazos eCitation system including equipment, software, peripherals, warranty, interface, professional service, maintenance, and repair for the Police Department; providing for the expenditure of funds therefor; and providing an effective date (File 8142 - awarded to Tyler Technologies, Inc., in the five (5) year not-to-exceed amount of \$680,724.00).

ASSIGNED ORDINANCE NO. 22-2311

- AT. ID 22-2315 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 Starboard Consulting, LLC, for hosting, implementing, and integrating Maximo Software Suite for Utilities (MSSU) for Denton Municipal Electric (DME); providing for the expenditure of funds therefor; and providing an effective date (RFP 7817 - awarded to Starboard Consulting, 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 \$3,300,000.00).

ASSIGNED ORDINANCE NO. 22-2315

4. ITEM FOR INDIVIDUAL CONSIDERATION

- A. A22-0001 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 IR2 Holdings LLC for the provision of city services to approximately 18.60 acres of land, generally located approximately 500 feet north of US 380 (University Drive) and east of Thomas J. Egan Road; approving a schedule of annexation; authorizing the City Manager to execute the agreement; and providing an effective date. (A22-0001, 380 and Thomas J Egan, Ron Menguita)

ASSIGNED ORDINANCE NO. A22-0001

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

The item related to Public Hearing Item 5.A (A22-0001a) and Individual Consideration Item 6.A (A22-0001b) considered later in the day.

The item was presented and no discussion followed.

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

5. PUBLIC HEARINGS

- A. A22-0001a Hold a public hearing and consider a petition for voluntary annexation of approximately 18.60 acres of land, generally located approximately 500 feet north of US 380 (University Drive) and east of Thomas J. Egan Road into the City of Denton, Denton County, Texas. (A22-0001a, 380 and Thomas J Egan, Ron Menguita)

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

The item related to Individual Consideration Item 4.A (A22-0001) considered earlier in the day and Individual Consideration Item 6.A (A22-0001b) 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.

- B. Z22-0011b Hold a public hearing and consider approval of an ordinance of the City of Denton, Texas regarding a change in the zoning district and use classification from a Mixed-Use Residential (MR) Zoning District to a Light Industrial (LI) Zoning District on approximately 53.681 acres of land, generally located south of Barthold Road, north of FM 1173, approximately 712 feet west of the intersection of FM 1173 and North I-35E, 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 establishing an effective date. The Planning and Zoning Commission voted [7-0] to recommend approval of the request. Motion for approval by Vice-Chair Smith and second by Commissioner McDade. (Z22-0011b, Deeper Life Bible Church Industrial, Sean Jacobson) The Planning and Zoning Commission voted [7-0] to recommend approval of the request. Motion for approval by Vice-Chair Smith and second by Commissioner McDade. (Z22-0011b, Deeper Life Bible Church Industrial, Sean Jacobson)

ASSIGNED ORDINANCE NO. Z22-0011b

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, 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

- C. S21-0006b Hold a public hearing and consider approval of an ordinance of the City of Denton, Texas, approving a Specific Use Permit to allow for a Multi-family Dwelling Use on approximately 53.407 acres of land, generally located at the southeast corner of the intersection of Locust Street and Loop 288, 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 establishing an effective date. The Planning and Zoning Commission voted [6-0] to recommend approval of the request. Motion for approval by Vice-Chair Smith and second by Commissioner Anderson. (S21-0006b, Landmark Multifamily, Sean Jacobson)

ASSIGNED ORDINANCE NO. S21-0006b

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, Council Member Watts moved to adopt the item as presented under the recommendation of the Planning and Zoning Commission and Staff. 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

6. ITEMS FOR INDIVIDUAL CONSIDERATION - CONTINUED

- A. A22-0001b Conduct the first of two readings of an ordinance of the City of Denton, Texas annexing approximately 18.60 acres of land, generally located approximately 500 feet north of US 380 (University Drive) and east of Thomas J. Egan Road 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. (A22-0001b, 380 and Thomas J Egan, 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 January 10, 2023.

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

The item related to Individual Consideration Item 4.A (A22-0001) and Public Hearing Item 5.A (A22-0001a) considered earlier in the day.

The item was 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 18.60 acres of land, generally located approximately 500 feet north of US 380 (University Drive) and east of Thomas J. Egan Road 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.

- B. ID 22-2208 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 Materials Management Fund of six hundred fifty thousand dollars (\$650,000) for the purpose of funding inventory for Denton Municipal Electric and to accommodate supply chain and demand challenges; 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. 22-2208

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 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. ID 22-2282 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Construction Manager at Risk contract with McCarthy Building Companies, Inc., for construction phase services for Southeast Denton Package B Improvements for the Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7714 - awarded to McCarthy Building Companies, Inc., in the not-to-exceed amount of \$21,582,378).

ASSIGNED ORDINANCE NO. 22-2282

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 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

- D. ID 22-2288 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 United Healthcare Services, Inc., to provide Administrative Services Only (ASO) for Medical and Prescription Services for the City of Denton's self-funded health plans; providing for the expenditure of funds therefor; and providing an effective date of January 1, 2023 (RFP 7978 -awarded to United Healthcare Services, 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 \$4,300,000.00).

ASSIGNED ORDINANCE NO. 22-2288

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 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

- E. ID 22-2313 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute two Guaranteed Maximum Price (GMP) Amendments to the Construction Manager at Risk Contract with CORE Construction Services of Texas, Inc., amending the contract approved by the City Council on June 28, 2022, in the not-to-exceed amount of \$25,000.00; said GMP amendments for construction services for Fire Station No. 9 for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7967 - CMAR Guaranteed maximum price amendments awarded to CORE Construction Services of Texas, Inc, in the first GMP amendment amount of \$4,550,786.00 and the second GMP amendment amount of \$7,503,562 for a total not-to-exceed amount to \$12,079,348.00).

ASSIGNED ORDINANCE NO. 22-2313

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

The item was presented and no discussion followed.

Following commentary, 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

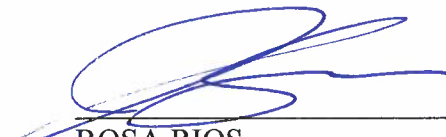
7. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 8:12 p.m.



GERARD HUDSPETH
MAYOR
CITY OF DENTON, TEXAS



FOR ROSA RIOS
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: December 6, 2022

