

CITY OF DENTON CITY COUNCIL MINUTES  
December 13, 2022

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, December 13, 2022, at 2:00 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, Brandon Chase McGee, and Chris Watts (Virtual)

**ABSENT:** None

**VACANT:** District 4

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:
  - Council Member Davis: 4.Z (22-2487)
  - Mayor Pro Tem Beck: Items 4.H (22-2307), 4.K (22-2490), 4.Z (22-2487), and 4.AG (22-2502)
  - Council Member Watts: Item 4.H (22-2307)
  - Mayor Hudspeth: Item 4.J (22-2416)
- The following item was pulled for Individual Consideration:
  - Staff: 4.H (22-2307)
- The following item was Pulled From Consideration:
  - Staff: 6.A (22-2396)

**3. Work Session Reports**

Note: The items are listed in the order presented/discussed.

- A. ID 22-2576 Hold a discussion and give staff direction regarding Denton County Transit Authority updates to the City Council. [Estimated Presentation/Discussion Time: 30 minutes]

The item was introduced and discussion followed.

Following discussion, City Council consensus was as follows:

- Continue with the presentation by DCTA Primary Representative Alison Maguire as currently scheduled for the January 10, 2023 Regular Meeting and have other DCTA staff present to answer additional questions if needed;
- Schedule an item to discuss the DCTA Policy, priorities, expectations at the February 7, 2023 work session; and
- Staff to report back on the Friday Report on the areas City Council identified as part of their desired areas of discussion with DCTA.

- E. ID 22-2523 Receive a report and hold a discussion with DENCO Area 9-1-1 staff. [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.

- B. ID 22-1167 Receive a report, hold a discussion, and give staff direction regarding Audit Project 030 - Solid Waste Operations: Scale House Management. [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.

- C. ID 22-1166 Receive a report, hold a discussion, and give staff direction regarding Audit Project 009 - Capital Projects Administration: Planning & Design Follow-Up Review and Audit Project 011 - Capital Projects Administration: Construction Follow-Up Review. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

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

- D. ID 22-2427 Receive a report, hold a discussion, and give staff direction regarding the Villas of Piney Creek original development, construction and existing condition of infrastructure regarding the Homeowner's Association request to be dissolved. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was to not explore the dissolution of the Villas of Piney Creek HOA as presented (Neighborhood Meeting, Assessment, Research). First need to have signatures of all property owners within the platted subdivision boundaries, what costs are involved and who is responsible for paying those costs. Staff to return at a future date with an update.

- F. ID 22-1679 Receive a report, hold a discussion, and give staff direction on pending City Council requests for: 1). An interim Informal Staff Report on our goal to Vision Zero. 2). An ordinance preventing people adverse to the City or in active litigation from being nominated to a position serving on boards and commissions. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, results were as follows:

- ID 22-1679 (1) A Work Session to discuss and review an interim Informal Staff Report on our goal to Vision Zero.
  - No consensus for a work session.
- ID 22-1679 (2) A Work Session to discuss and review an ordinance preventing people adverse to the City or in active litigation from being nominated to a position serving on boards and commissions.
  - No consensus for a work session.

The work session ended at 5:17 p.m.

NOTE: There was no closed meeting held.

### **SPECIAL CALLED MEETING**

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Special Called Meeting on Tuesday, December 13, 2022, at 5:47 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, Brandon Chase McGee, and Chris Watts (Virtual)

**ABSENT:** None

**VACANT:** District 4

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.**

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

The Consent Agenda consisted of Items 4.A-AH. During the Work Session held earlier in the day, Item 4.H (22-2307) was pulled for Individual Consideration

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

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

**NAYS (0):** None

**VACANT (1):** District 4

- A. ID 22-2361 Consider approval of a resolution of the City of Denton providing the November 14, 2022 meeting absence of a Public Utilities Board member be excused; and providing an effective date.

**ASSIGNED RESOLUTION NO. 22-2361**

- B. ID 22-2386 Consider approval of a resolution of the City of Denton providing the November 14, 2022 meeting absence of a Public Utilities Board Member be excused; and providing an effective date.

**ASSIGNED RESOLUTION NO. 22-2386**

- C. ID 22-249 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to enter into a Development Agreement between the City of Denton and Forestar (USA) Real Estate Group Inc., for the dedication of Park Land for a City Park and granting of a Public Access Easement for trail at the Eagle Creek Development; authorizing acceptance of land; and providing an effective date. The Parks, Recreation, and Beautification Board recommends approval (5-0).

**ASSIGNED ORDINANCE NO. 22-249**

- D. ID 22-1421 Consider adoption of an ordinance of the City of Denton authorizing the Special Instructor Agreement to be used between the City of Denton Parks and Recreation Department and Special Instructors to provide recreational classes and activities; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1421**

- E. ID 22-1432 Consider adoption of an ordinance of the City of Denton authorizing the Park Usage Agreement to be used between the City of Denton Parks and Recreation Department and individuals to conduct business within City of Denton Parks; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1432**

- F. ID 22-2113 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to enter into a Development Agreement between the City of Denton and CDI Cedar, LLC, a Texas limited liability company, for the conveyance of a Public Access Easement for a pocket park located at 216 W. Mulberry Street to the City; authorizing acceptance of the Public Access Easement; and providing an effective date. The Parks, Recreation, and Beautification Board recommends approval (4-0).

**ASSIGNED ORDINANCE NO. 22-2113**

- G. ID 22-2441 Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or their designee, to sign letters of support to the Texas Commission on the Arts for qualified arts organizations within the Original Denton District cultural arts district; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-2441**

- I. ID 22-2325 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute and deliver to Atmos Energy Corporation a Temporary Construction Easement containing an approximate total of 138,050.00 square feet (3.169 acres) located near Mayhill Road in the City and County of Denton, Texas; providing for severability; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-2325**

- J. ID 22-2416 Consider adoption of an ordinance of the City of Denton, Texas abandoning, relinquishing, and vacating a seven square foot portion of the public utility easement granted to the City of Denton by Edward F. Wolski, M.D. dba M.A. Properties, recorded in Volume 5158 Page 3602, Real Property Records, Denton County, Texas; providing for the quitclaim thereof to Quincy Partners, LLC., a Texas limited liability company; 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. 22-2416**

- K. ID 22-2490 Consider adoption of an ordinance of the City of Denton authorizing the execution of a contract of sale between the City of Denton, as buyer, and Mark Hicks Investments, LLC. (referred to herein as "seller"), for the purchase of approximately 40 acres of land for use as a new Solid Waste Transfer Station, being situated in the M. H. Davis Survey, Abstract No. 377, City of Denton, Denton County, Texas, located on Tom Cole Road, for the purchase price of Four Million Three Hundred Fifty-Six Thousand Dollars and no/100 (\$4,356,000.00); authorizing the expenditure of funds therefor; providing for severability; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-2490**

- L. ID 22-2033 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton Black Chamber of Commerce, Inc., for the 2023 Denton Blues Festival and Young Minority Entrepreneurs Institute Program sponsorship; and providing an effective date. (\$4,000 cash sponsorship and \$23,386.70 in-kind services - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 22-2033**

- M. ID 22-2140 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton Parks Foundation for the 2023 Dog Days of Denton sponsorship; and providing an effective date. (\$10,672.26 in-kind services - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 22-2140**

- N. ID 22-2133 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton Parks Foundation for the 2023 Cinco de Mayo Festival sponsorship; and providing an effective date. (\$26,585.33 in-kind services - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 22-2133**

- O. ID 22-2179 Consider approval of a resolution of the City Council of the City of Denton authorizing and designating representatives of the City to act as custodian of the investment of public funds in the Texas local government investment pool ("TexPool"); delegating authority to invest funds and act as custodian of investments purchased with local investment funds to TexPool; ratifying the agreement between the City of Denton and the Texas Comptroller of Public Accounts entered into on November 6, 2007; providing for a repealer; and providing for an effective date.

**ASSIGNED RESOLUTION NO. 22-2179**

- P. ID 22-2180 Consider approval of a resolution of the City of Denton revising Administrative Policy Number 403.06 "Investment Policy"; and providing for an effective date.

**ASSIGNED RESOLUTION NO. 22-2180**

- Q. ID 22-2181 Consider approval of a resolution of the City of Denton revising Administrative Policy Number 403.07 "Debt Service Management"; and providing for an effective date.  
**ASSIGNED RESOLUTION NO. 22-2181**
- R. ID 22-2409 Consider adoption of an ordinance approving a joint funding agreement ("agreement") for Water Resource Investigations by and between The City of Denton and the United States Geological Survey (USGS) related to continued support of the Hickory Creek Streamflow Station in the amount of \$5,100.00 (agreement number: 23SJFATX161000); authorizing the City Manager to execute and deliver the agreement; authorizing the expenditure of funds therefor; providing an effective date.  
**ASSIGNED ORDINANCE NO. 22-2409**
- S. ID 22-2471 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a fourth amendment to a Professional Services Agreement between the City of Denton and Kimley-Horn and Associates, Inc., amending the contract approved by the City Council on January 14, 2020, in the not-to-exceed amount of \$1,398,600.00; amended by Amendments 1 - 3 approved by Purchasing and City Council; said fourth amendment to provide additional design engineer services and construction administration services in support of the Northwest Booster Pump Station and Water Transmission Main project; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-081 - providing for an additional fourth amendment expenditure amount not-to-exceed \$100,000.00, with the total contract amount not-to-exceed \$1,905,900.00).  
**ASSIGNED ORDINANCE NO. 22-2471**
- T. ID 22-2473 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 Black and Veatch Corporation, to provide detailed design, engineering, and project management for the Denton Energy Center (DEC) Winterization; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7804-007 - Professional Services Agreement for professional services awarded to Black and Veatch Corporation, in the not-to-exceed amount of \$257,000.00).  
**ASSIGNED ORDINANCE NO. 22-2473**
- U. ID 22-2475 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 Schneider Electric Smart Grid Solutions, LLC, for the configuration and implementation of Arc FM Designer XI (DXI) for Denton Municipal Electric (DME); providing for the expenditure of funds therefor; and providing an effective date (RFP 7817 - awarded to Schneider Electric Smart Grid Solutions, 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 \$683,277.00).  
**ASSIGNED ORDINANCE NO. 22-2475**

- V. ID 22-2477 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to utilize a contract through the Lower Colorado River Authority Contract Number 5539, for the purchase of 138kV and 345kV high voltage circuit breakers for Denton Municipal Electric; providing the expenditure of funds therefor; and providing an effective date (File 7995 - awarded to Siemens Energy, Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$2,510,130.00).

**ASSIGNED ORDINANCE NO. 22-2477**

- W. ID 22-2481 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 Weaver Consultants Group, LLC, to provide professional services for the Operations and Maintenance of the Landfill Gas Collection and Control System (GCCS) at the City of Denton Landfill; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7109-029 - Professional Services Agreement for professional services awarded to Weaver Consultants Group, LLC, in the not-to-exceed amount of \$52,200.00).

**ASSIGNED ORDINANCE NO. 22-2481**

- X. ID 22-2483 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, for approval of a pre-qualified professional services list of state certified engineers for substation and transmission line engineering for various projects for Denton Municipal Electric; and providing an effective date (RFQ 8031-1 - for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year term).

**ASSIGNED ORDINANCE NO. 22-2483**

- Y. ID 22-2485 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 Harden Cabinets, LLC, for scrap utility pole disposal for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 8065 - awarded to Harden Cabinets, LLC, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year term).

**ASSIGNED ORDINANCE NO. 22-2485**

- Z. ID 22-2487 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive bids under RFP 8100, for Utility Scale Solar and/or Wind Energy for Denton Municipal Electric; and providing an effective date (File 8100).

**ASSIGNED ORDINANCE NO. 22-2487**



- AA. ID 22-2492 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 Jagoe-Public Company, for additional work to the Hickory Creek Road Widening Project; providing for the expenditure of funds therefor; and providing an effective date (File 6903 - Change Order No. 2 in the not-to-exceed amount of \$390,997.80, for a total contract award aggregated to \$5,879,828.30).

**ASSIGNED ORDINANCE NO. 22-2492**

- AB. ID 22-2493 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 MoboTrex, Inc., for the purchase of traffic hardware and signals, Section A - Signal and Pedestrian Heads and Line 36 of Section C - PTZ 1080P Camera Kit, to be stocked in the City of Denton Warehouse; providing for the expenditure of funds therefor; and providing an effective date (IFB 8090 - awarded to MoboTrex, Inc., for one (1) year, with the option for two (2) additional one (1) year extensions, in the total three (3) year not-to-exceed amount of \$660,000.00).

**ASSIGNED ORDINANCE NO. 22-2493**

- AC. ID 22-2494 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 Consolidated Traffic Controls, Inc., for the purchase of traffic hardware and signals, Section B - Crossing Systems and Section C - Miscellaneous, to be stocked in the City of Denton Warehouse; providing for the expenditure of funds therefor; and providing an effective date (IFB 8090 - awarded to Consolidated Traffic Controls, Inc., for one (1) year, with the option for two (2) additional one (1) year extensions, in the total three (3) year not-to-exceed amount of \$1,350,000.00).

**ASSIGNED ORDINANCE NO. 22-2494**

- AD. ID 22-2498 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 purchase of electric utility transformers for Denton Municipal Electric; and providing an effective date (File 8167 - awarded to Anixter Wesco Distributing, in the not-to-exceed amount of \$560,475.00).

**ASSIGNED ORDINANCE NO. 22-2498**

- AE. ID 22-2500 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 purchase of rebuilt electric utility transformers for Denton Municipal Electric; and providing an effective date (File 8169 - awarded to Solomon Corporation, in the not-to-exceed amount of \$170,700.00).

**ASSIGNED ORDINANCE NO. 22-2500**

- AF. ID 22-2501 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to the Professional Services Agreement between the City of Denton and HR Green, Inc., amending the contract approved by City Council on September 1, 2020, in the not-to-exceed amount of \$4,973,027.00, said first amendment to provide additional review of development construction projects for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7192 - providing for an additional first amendment expenditure amount not-to-exceed \$1,800,000.00, with the total contract amount not-to-exceed \$6,773,027.00).

**ASSIGNED ORDINANCE NO. 22-2501**

- AG. ID 22-2502 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a Professional Services Agreement between the City of Denton and John Hoggard dba Utility Planning Network (UPN), amending the contract approved by the City Council on January 12, 2021, in the not-to-exceed amount of \$200,000.00; said first amendment to provide project management and consulting services for development of a customer relationship management system and 311 contact center implementation for the Customer Service Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7485 - providing for an additional first amendment expenditure amount not-to-exceed \$150,000.00, with the total contract amount not-to-exceed \$350,000.00).

**ASSIGNED ORDINANCE NO. 22-2502**

- AH. ID 22-2522 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, amending the City of Denton Procurement Policy; authorizing the City Manager to administer the policy and adopt procedures to implement the policy; providing a repealer clause and savings clause; providing a severability clause; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-2522**

**ITEM PULLED FOR INDIVIDUAL CONSIDERATION**

- H. ID 22-2307 Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or their designee, to execute a Contract of Sale between the City of Denton, as "Buyer", and Burch Family Farm, LTD (referred to herein as "Seller"), for the purchase of approximately 400 acres of land, more or less, for the purposes of the construction of Wastewater Treatment Facility and other public uses, being located in the J. W. Withers Survey, Abstract No. 1343, in the James Severe Survey, Abstract No. 1164, in the B.B.B. & C.R.R. Company Survey, Abstract No. 196, and in the W. M. Roark Survey, Abstract No. 1087, all located in the City and County of Denton, Texas, for a purchase price of approximately/up to \$7,000,000.00; authorizing the expenditure of funds therefor; providing for severability; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-2307**

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

Pulled for Individual Consideration at Staff's request.

Items 4.H (22-2522) and 5.A (22-2308) were collectively presented and discussed, but voted on individually.

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

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

NAYS (1): Council Member Watts

VACANT (1): District 4

**5. ITEMS FOR INDIVIDUAL CONSIDERATION - CONSIDERATION OF THE USE OF EMINENT DOMAIN TO CONDEMN REAL PROPERTY INTERESTS**

- A. ID 22-2308 Consider adoption of an ordinance of the City of Denton determining the public use, need, and necessity for the acquisition of land rights in approximately 50.415 acres of land for constructing a Waste Water Treatment Facility, generally located along Country Club Road, situated in the James W. Withers Survey Abstract No. 1343, in the Extra Territorial Jurisdiction of the City and County of Denton, Texas, and more particularly described in the Attached Exhibit "A" (collectively, the "Property Interests"); authorizing the City Manager and City Attorney, or their respective designees, to acquire the Property Interests by agreement, if possible, including making all offers required by law; authorizing the use of the power of eminent domain to condemn the property interests if agreements cannot be reached; authorizing the City Attorney, or his designee, to file eminent domain proceedings if necessary; authorizing the expenditure of funding; making findings; providing a savings clause; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-2308**

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

Items 4.H (22-2522) and 5.A (22-2308) were collectively presented and discussed, but voted on individually.

Following discussion, Mayor Pro Tem Beck moved that the City of Denton, after having made the offers required by State Law, use the power of eminent domain, if needed, to acquire approximately 50.415 acres of land, located generally along Country Club Road, situated in the James W. Withers Survey Abstract No. 1343, in the Extra Territorial

Jurisdiction of the City and County of Denton, Texas, and more particularly described in the attached Exhibit "A" to the ordinance now under consideration and on the screen to be displayed to the audience, all of which are for a valid public use necessary to construct a Waste Water Treatment Facility as part of the Waste Water Master Plan, and to serve the public and citizens of the City of Denton.

Each page of Exhibit A of the proposed ordinance was shown on screen prior to a second to the motion being called.

Motion seconded by Council Member Byrd. Motion carried.

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

NAYS (0): None

VACANT (1): District 4

#### **6. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. ID 22-2396 Consider adoption of an ordinance of the City of Denton approving a Development Agreement between the City of Denton and Willowwood Investments relating to a modification of Bonnie Brae Street Phase 3 adjacent to 2315 Willowwood; authorizing City Manager to execute said Development Agreement; and providing an effective date.

**POSTPONED TO JANUARY 10, 2023**

During the Work Session held earlier in the day, Mayor Hudspeth announced the item was Pulled From Consideration at Staff's request and rescheduled to the January 10, 2023 Regular Meeting.

- B. ID 22-2444 Consider approval of a resolution of the City of Denton naming Carroll Trail located on Carroll Blvd.; naming Cross Timbers Park North Trail located in Cross Timbers Park (North); naming Cross Timbers Park South Trail located in Cross Timbers Park (South); naming McKenna Park Trail located in McKenna Park, naming Rayzor Ranch Park Trail located in Rayzor Ranch Park, naming Unicorn Lake Trail located on Unicorn Lake Blvd; naming Wheeler Ridge Park Trail located in Wheeler Ridge Park; and declaring an effective date. The Parks, Recreation, and Beautification Board recommends approval (5-0).

**ASSIGNED RESOLUTION NO. 22-2444**

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

Items 6.B (22-2444), 6.C (22-2445), and 6.D (22-2446) were collectively read into the record, presented, and discussed, but voted on individually.

Following discussion, Mayor Pro Tem Beck 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, Davis, Maguire, McGee, and Watts

NAYS (0): None

VACANT (1): District 4

- C. ID 22-2445 Consider approval of a resolution of the City of Denton naming building located at 3018 N. Bonnie Brae St. to Jane Malone Soccer Center; naming Audra property located at 1602 Audra Ln. to Audra Oaks park; naming Country Club Terrace property located at 5551 Country Club Rd. to Country Club Terrace; naming Laney property located at N. Trinity Rd. to Laney Lake Park; naming Mayhill property located at 2929 Spencer Rd. to Mayhill Preserve; naming tennis center property located at 1117 Riney Rd. to Denton Tennis Center; naming Parkside property located at 4800 block of Biddy Bye Ln. to Biddy Bye Park; naming Prose Prominence property located at 3300 block of Prose Prominence Pkwy. to Cooper Creek Park; naming Sagebrook property located at 6400 block Allred Rd. to Sagebrook Park; naming Villages of Carmel property located at 6000 Edwards Rd. to Villages of Carmel Park; naming Vintage Village property located at Vintage Blvd. to Tamarack Park; and declaring an effective date. The Parks, Recreation, and Beautification Board recommends approval (5-0).

**ASSIGNED RESOLUTION NO. 22-2445**

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

Items 6.B (22-2444), 6.C (22-2445), and 6.D (22-2446) were collectively read into the record, presented, and discussed, but voted on individually.

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 McGee. Motion carried.

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

NAYS (0): None

VACANT (1): District 4

- D. ID 22-2446 Consider approval of a resolution of the City of Denton naming Baseball Field #3 located at Evers Park Rodney Mooneyham Field; and declaring an effective date. The Parks, Recreation, and Beautification Board recommends denial (1-3).

**ASSIGNED RESOLUTION NO. 22-2446**

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

Items 6.B (22-2444), 6.C (22-2445), and 6.D (22-2446) were collectively read into the record, presented, and discussed, but voted on individually.

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.

Following an inquiry and subsequent confirmation that Council Member Davis' motion was to approve the item, Mayor Pro Tem Beck withdrew his second to the motion.

Motion seconded by Council Member Watts. Motion carried.

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

NAYS (0): None

VACANT (1): District 4

- E. ID 22-2479 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 Mountain Cascade of Texas, LLC, for the construction of the Northwest Water Transmission Main Project for the Water/Wastewater Utilities and Capital Projects/Engineering Departments; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7968-002 - awarded to Mountain Cascade of Texas, LLC, in the not-to-exceed amount of \$15,614,291.70).

**ASSIGNED ORDINANCE NO. 22-2479**

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 McGee. Motion carried.

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

NAYS (0): None

VACANT (1): District 4

- F. ID 22-2495 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute Change Order No. 3 to the Owner-Construction Manager Agreement with Thos. S. Byrne, Inc., for the replenishment of Owner's Contingency in the GMP for the renovation of police headquarters and construction of the police substation and firing range; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7249 - CMAR Change Order No. 3 awarded

to Thos S. Byrne, Inc., in the not-to-exceed amount of \$4,831,479.00, for a total contract award aggregated to \$56,870,880.00).

**ASSIGNED ORDINANCE NO. 22-2495**

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 Byrd. Motion carried.

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

NAYS (0): None

VACANT (1): District 4

- G. ID 22-2574 Consider an appointment to City Council Committee: Mobility Committee (ID 22-2436 tabled on the December 6, 2022 Council meeting).

**NOT CONSIDERED**

Mayor Hudspeth announced the item would not be presented/considered as he had no nominee to present. There was no objection voiced by the City Council.

**7. PUBLIC HEARINGS**

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

- A. ID 22-1715 Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Solid Waste and Recycling Criteria Manual; and providing for severability, a savings clause and an effective date.

**ASSIGNED ORDINANCE NO. 22-1715**

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

Items 7.A (22-1715), 7.B (22-1716), 7.C (22-1717), and 7.D (22-1718) were collectively read into the record, presented, not discussed, but voted on individually.

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

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

AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, McGee, and Watts  
NAYS (0): None  
VACANT (1): District 4

- B. ID 22-1716 Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Stormwater Criteria Manual; and providing for severability, a savings clause and an effective date.

**ASSIGNED ORDINANCE NO. 22-1716**

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

Items 7.A (22-1715), 7.B (22-1716), 7.C (22-1717), and 7.D (22-1718) were collectively read into the record, presented, not discussed, but voted on individually.

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

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

AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, McGee, and Watts  
NAYS (0): None  
VACANT (1): District 4

- C. ID 22-1717 Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Transportation Criteria Manual; and providing for severability, a savings clause and an effective date.

**ASSIGNED ORDINANCE NO. 22-1717**

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

Items 7.A (22-1715), 7.B (22-1716), 7.C (22-1717), and 7.D (22-1718) were collectively read into the record, presented, not discussed, but voted on individually.

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



Mayor Pro Tem Beck 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, Davis, McGee, and Watts

NAYS (0): None

VACANT (1): District 4

- D. ID 22-1718 Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Water and Wastewater Criteria Manual; and providing for severability, a savings clause and an effective date.

**ASSIGNED ORDINANCE NO. 22-1718**

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

Items 7.A (22-1715), 7.B (22-1716), 7.C (22-1717), and 7.D (22-1718) were collectively read into the record, presented, not discussed, but voted on individually.

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

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

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

NAYS (0): None

VACANT (1): District 4

- E. ID 22-1988 Hold a public hearing inviting citizens to comment on the HOME-ARP Allocation Plan for the City of Denton.

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

The item was presented and discussion followed.

The public hearing was opened.

During the public hearing, Deputy City Manager David Gaines was called to the podium and expressed his appreciation for having been able to serve the City of Denton. Council Members expressed their appreciation for his service and congratulations in his new position as the City Manager for the City of Addison.


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


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

8. **CONCLUDING ITEMS**

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 7:34 p.m.

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

  
\_\_\_\_\_  
ROSA RIOS  
CITY SECRETARY  
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: January 10, 2023