

CITY OF DENTON CITY COUNCIL MINUTES

February 7, 2023

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, February 7, 2023, at 2:00 p.m. in the Council 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 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: Items 4.F (23-191)
 - Council Member Watts: Item 4.F (23-191)
 - Council Member Davis: Item 4.D (22-2070)
- The following item was pulled for Individual Consideration:
 - Council Member Davis: Item 4.E (22-2432)

3. Recess of the Work Session

The work session was recessed to a Closed Meeting at 2:16 p.m.

CLOSED MEETING

1. The City Council convened into a Closed Meeting at 2:16 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows.

- A. ID 23-234 Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086; Consultation with Attorneys - Under Texas Government Code Section 551.071. Receive information from staff regarding financial matters regarding transmission cost of service (TCOS); discuss, deliberate, and provide direction to staff regarding same. Consultation with City's attorneys regarding legal issues associated the above matter where a 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 Texas Disciplinary Rules of Professional Conduct of State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation.

DELIBERATED

Closed Meeting Items 1.A (23-234) and 1.B (23-234) were simultaneously presented, deliberated, and related in part to Work Session Item 4.A (22-2389) scheduled for discussion later in the day.

- B. ID 23-236 Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086; Consultation with Attorneys - Under Texas Government Code Section 551.071. Receive information from staff regarding financial matters regarding the data center (Core Scientific); discuss, deliberate, and provide direction to staff regarding same. Consultation with City's attorneys regarding legal issues associated the above matter where a 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 Texas Disciplinary Rules of Professional Conduct of State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation.

DELIBERATED

Closed Meeting Items 1.A (23-234) and 1.B (23-234) were simultaneously presented, deliberated, and related in part to Work Session Item 4.A (22-2389) scheduled for discussion later in the day.

The closed meeting started at 2:18 p.m. and ended at 2:36 p.m. No votes or actions were taken during the closed meeting.

WORK SESSION – CONTINUED

Following the completion of the Closed Meeting, the City Council reconvened the Work Session at 2:40 p.m. in the Council Work Session Room to consider the following additional items:

4. Work Session Reports

- A. ID 22-2389 Receive a report, hold a discussion, and give direction regarding the Electric FY 2022-23 Budget and Rates. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

The item related to Closed Meeting Items 1.A (23-234) and 1.B (23-236) deliberated earlier in the day.

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

- B. ID22-2381 Receive a report, hold a discussion, and give staff direction regarding a mid-year budget update. [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. However, City Council accepted Staff's offer for a future work session presentation on Police Department related service areas (crime and related trends) with a low scheduling priority.

- C. ID 23-093 Receive a report, hold a discussion, and give staff direction regarding City Council policy priorities for the Denton County Transit Authority. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was to schedule future discussion, possible policy development in the following areas:

- Geofencing around Carroll Blvd. – more information on the information available with no policy decision at this time;
- No fare structure to increase ridership (synergy among ridership opportunities);
- Integrate a different portfolio of services to maximize usage and minimize expenditures;
- Hot shot service – one or two vehicles available for special transportation needs; and
- Additional routes and service in the industrial area on the West side of town due to problem getting employment in those areas due to limited transportation.

- D. ID 23-311 Receive a report, hold a discussion, and give staff direction regarding the participation of the City of Denton in a Texas Woman's University preschool project targeting low-income households. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was to proceed with Option B: Continue discussions on a potential partnership with TWU that would result in 40 additional preschool spots for City of Denton Residents (estimated City contribution of \$1,500,000).

- E. ID 23-002 Receive a report, hold a discussion, and give staff direction on potential amendments to City of Denton Code of Ordinances Chapter 2 Article XI. Ethics Sec. 2-272 Mandates and Sec. 2-273 Prohibitions. [Estimated Presentation/Discussion Time: 45 minutes]

The item was presented and discussion followed.

Following discussion, there was no direction provided as no City Council consensus was reached for Propositions 12 and 13. The Board of Ethics' Board Packet of Proposed Amendments will, however, be presented to City Council on March 21, 2023.

- F. ID 23-208 Receive a report, hold a discussion, and give staff direction on pending City Council requests for:
(1) A Work Session to prohibit parking on Highland Park Road between North Texas Blvd. and Willowwood St, and to install no parking, towing enforced signs. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, results were as follows:

- ID 23-289 (1) Work session to prohibit parking on Highland Park Road between North Texas Blvd. and Willowwood St, and to install no parking, towing enforced signs.
 - Consensus for a work session on amended request.

The work session ended at 5:10 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, February 7, 2023, 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, 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 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. PROCLAMATIONS/PRESENTATIONS

A. ID 23-247 Mayor's Red Kettle Challenge Award
PRESENTED

3. 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

None

2) Additional Citizen Reports (Open Microphone)

None

4. CONSENT AGENDA

The Consent Agenda consisted of Items 4.A-S. During the Work Session held earlier in the day, Item 4.E (22-2432) was pulled for Individual Consideration by Council Member Davis.

Council Member Davis moved to adopt the Consent Agenda, now consisting of Items 4.A-D and F-S. 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

A. ID 23-022 Consider approval of the minutes of the January 24, 2023 Meeting.
APPROVED

B. ID 23-053 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Airport Advisory Board, Committee on Persons with Disabilities, Historic Landmark Commission, Library Board, Planning and Zoning Commission, and Public Art Committee.

APPROVED

APPOINTMENTS LISTED ON EXHIBIT B

- C. ID 23-086 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute and deliver a lease agreement between the City of Denton, as Landlord, and CDI Hickory, LLC, as Tenant, leasing approximately 1089 square feet of land, located near the southwest corner of East Hickory and Industrial Streets, being situated within the H. Sisco Survey, Abstract Number 1184, City of Denton, Denton County, Texas, for the continued occupancy, use, and maintenance of an outdoor patio; and providing an effective date.

ASSIGNED ORDINANCE NO. 23-086

- D. ID 22-2070 Consider adoption of an ordinance of the City of Denton replacing Chapter 22 of the Code of Ordinances in its entirety and providing for an effective date. Parks, Recreation and Beautification Board recommended (5-0).

ASSIGNED ORDINANCE NO. 22-2070

- F. ID 23-191 Consider adoption of an ordinance considering all matters incident and related to the issuance, sale and delivery of up to \$100,000,000 in principal amount of "City of Denton General Obligation Refunding Bonds"; authorizing the issuance of the Bonds; delegating the authority to certain City officials to execute certain documents relating to the sale of the Bonds; approving and authorizing instruments and procedures relating to said Bonds; enacting other provisions relating to the subject; and providing an effective date.

ASSIGNED ORDINANCE NO. 23-191

- G. ID 23-192 Consider adoption of an ordinance considering all matters incident and related to the issuance, sale and delivery of up to \$300,000,000 in principal amount of "City of Denton Utility System Revenue Refunding Bonds, Series 2023"; authorizing the issuance of the bonds; delegating the authority to certain city officials to execute certain documents relating to the sale of the bonds; approving and authorizing instruments and procedures relating to said bonds; enacting other provisions relating to the subject; and providing an effective date. (The Public Utilities Board recommends approval 5-0)

ASSIGNED ORDINANCE NO. 23-192

- H. ID 23-330 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a sixth amendment to a Professional Services Agreement between the City of Denton and Hazen and Sawyer, P.C., amending the contract approved by City Council on July 21, 2015, in the not-to-exceed amount of \$427,368.00; amended by Amendments 1-5 approved by City Council; said sixth amendment to provide additional engineering services and permitting support for the Hickory Creek Basin Peak Flow Detention Facility and the Hickory Creek Lift Station project; providing for the expenditure of funds therefor; and providing an effective date (File 5768 - providing for an additional sixth amendment expenditure amount not-to-exceed \$164,300.00, with the total contract amount not-to-exceed \$1,578,006.00). The Public Utilities Board recommends approval (5 - 0).

ASSIGNED ORDINANCE NO. 23-330

- I. ID 23-331 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 Solutient GeoSciences, Inc., amending the contract approved by the City Council on January 28, 2020, in the not-to-exceed amount of \$321,415.00; said first amendment to continue to provide hydrogeological and analytical services regarding the City's Landfill monitoring and reporting requirements; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7109-005 - providing for an additional first amendment expenditure amount not-to-exceed \$116,202.00, with the total contract amount not-to-exceed \$437,617.00). The Public Utilities Board recommends approval (5 - 0).

ASSIGNED ORDINANCE NO. 23-331

- J. ID 23-332 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 8182 - awarded to Midwest Electric Transformer Services, Inc., in the not-to-exceed amount of \$535,018.00). The Public Utilities Board recommends approval (5 - 0).

ASSIGNED ORDINANCE NO. 23-332

- K. ID 23-333 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 Romco Equipment Co., LLC, an authorized dealer for Volvo Construction Equipment North America, LLC, through the Sourcewell Cooperative Purchasing Network Contract Number 032119-VCE, for the purchase of one (1) Volvo L180H Wheel Loader for the Beneficial Reuse Department; authorizing the expenditure of funds therefor; and providing an effective date (File 8185 - awarded to Romco Equipment Co., LLC, in the not-to-exceed amount of \$491,511.00). The Public Utilities Board recommends approval (5 - 0).

ASSIGNED ORDINANCE NO. 23-333

- L. ID 23-334 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 Kimley-Horn and Associates, Inc., amending the contract approved by City Council on March 16, 2021, in the not-to-exceed amount of \$215,000.00; said first amendment for professional engineering services related to Ginnings Elementary School and Alexander Elementary School Safe Routes to School Sidewalk Improvements; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-102 - providing for an additional first amendment expenditure amount not-to-exceed \$216,000.00, with the total contract amount not-to-exceed \$431,000.00).

ASSIGNED ORDINANCE NO. 23-334

- M. ID 23-335 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 Kimley-Horn and Associates, Inc., amending the contract approved by City Council on March 16, 2021, in the not-to-exceed amount of \$250,000.00; amended by Amendment 1 approved by City Council; said second amendment to provide additional professional engineering services in support of the State reimbursable Transportation Alternatives Set-Aside (TASA) Program services for Sycamore - Welch Active Transportation Connection Bike Lanes and Shared - Use Path Facilities aka the A-Train to UNT project; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-104 - providing for an additional second amendment expenditure amount not-to-exceed \$132,000.00, with the total contract amount not-to-exceed \$474,000.00).

ASSIGNED ORDINANCE NO. 23-335

- N. ID 23-336 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 Kimley-Horn and Associates, Inc., amending the contract approved by City Council on March 16, 2021, in the not-to-exceed amount of \$150,000.00; amended by Amendment 1 approved by Purchasing; said second amendment for additional professional engineering services in support of the Nette Shultz (formerly Wilson) Elementary School and Pecan Creek Elementary School Safe Routes to Schools Sidewalk Improvements project, as set forth in the amendment; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-105 - providing for an additional second amendment expenditure amount not-to-exceed \$120,000.00, with the total contract amount not-to-exceed \$306,500.00).

ASSIGNED ORDINANCE NO. 23-336

- O. ID 23-337 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to an engagement between the City of Denton and Lloyd Gosselink Rochelle & Townsend, P.C., amending the engagement approved by the City Manager on April 28, 2022, in the not-to-exceed amount of \$99,500.00; said first amendment to provide additional legal services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (File 8006 - providing for an additional first amendment expenditure amount not-to-exceed \$100,500.00, with the total contract amount not-to-exceed \$200,000.00).

ASSIGNED ORDINANCE NO. 23-337

- P. ID 23-338 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal cooperation, authorizing the City Manager to execute a contract with Whirlix Design, Inc., through the Buy Board Cooperative Purchasing Network Contract # 679-22, for the construction of the Sequoia Park Playground for the Parks and Recreation Department; providing expenditure of funds therefor; and providing an effective date (File 8161 - awarded to Whirlix Design, Inc., in the not-to-exceed amount of \$179,832.85).

ASSIGNED ORDINANCE NO. 23-338

- Q. ID 23-339 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 Burleson, under the Texas Government Code Section 791.001, to authorize City of Burleson and the 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 8166 - award an Interlocal Cooperative Purchasing Agreement with the City of Burleson).

ASSIGNED ORDINANCE NO. 23-339

- R. ID 23-340 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 Lowe's Home Centers, LLC, through the Omnia Partners Cooperative Purchasing Network Contract # R192006, for procurement fulfillment of Maintenance, Repair and Operations (MRO) Supplies and Related Services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (File 8184 - awarded to Lowe's Home Centers, LLC, in the five (5) year not-to-exceed amount of \$1,000,000.00).

ASSIGNED ORDINANCE NO. 23-340

- S. ID 23-393 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to an engagement between the City of Denton and Lloyd Gosselink Rochelle & Townsend, P.C., amending the engagement approved by the City Attorney on July 11, 2022, in the not-to-exceed amount of \$49,500.00; said first amendment to provide additional legal services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (File 8113 - providing for an additional first amendment expenditure amount not-to-exceed \$250,500.00, with the total contract amount not-to-exceed \$300,000.00).

ASSIGNED ORDINANCE NO. 23-393

ITEM PULLED FOR INDIVIDUAL CONSIDERATION

- E. ID 22-2432 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a Letter of Agreement between the City of Denton Parks and Recreation Department and Denton Independent School District to offer adult education and literacy classes at City of Denton Recreation Centers; authorizing the City Manager, or her designee, to perform all obligations of the City under the agreement; and providing an effective date.

ASSIGNED ORDINANCE NO. 22-2432

Pulled for Individual Consideration by Council Member Davis.

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

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

The item was not presented and no discussion followed.

Council Member McGee 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, McGee, and Watts

NAYS (0): None

ABSTENTIONS (1): Council Member Davis

VACANT (1): District 4

5. PUBLIC HEARINGS

- A. Z22-0005a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding an initial zoning district and use classification of Light Industrial (LI) Zoning District on approximately 82.96 acres of land, generally located on the north side of Barthold Road approximately 1,300 feet west of Interstate 35 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. Motion for approval by Commissioner Smith and second by Commissioner Villarreal. (Z22-0005a, Zoning to Light Industrial - Barthold Road, Ron Mengueta)

ASSIGNED ORDINANCE NO. Z22-0005a

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 citizen comments received are noted on Exhibit A.

With no other callers on 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. S22-0009a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a Specific Use Permit for a Multifamily Dwelling Use on approximately 16 acres of land, generally located between North Loop 288 and Mayhill Road, approximately 1,090 feet north of East McKinney Street, in the City of Denton, Denton County, Texas; adopting an amendment to the City's Official Zoning Map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing for

severability and an effective date. The Planning and Zoning Commission voted [6-1] to recommend approval of the request. Motion for approval by Commissioner Smith and second by Commissioner Anderson. (S22-0009a, Forest Crossing Phase 2, Julie Wyatt)

ASSIGNED ORDINANCE NO. S22-0009a

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

The item was presented and discussion followed.

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

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

Following discussion, Mayor Hudspeth moved to adopt 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. PDA22-0004a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, amending the Detailed Plan for 7.2 acres of land in Sections J & K of The Preserve at Pecan Creek (PD - 132), generally located at the southwest corner of Lakeview Boulevard and Edwards 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 (6-1) to recommend approval the request. Motion for approval by Commissioner Anderson and second by Commissioner Pruett. (PDA22-0004a, Preserve at Pecan Creek J & K Amendment, Julie Wyatt)

ASSIGNED ORDINANCE NO. PDA22-0004a

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

The item was presented and discussion followed.

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

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

Following discussion, Mayor 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

- D. Z22-0015a 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) to Residential 1 (R1) District on approximately 4.18 acres of land generally located approximately 2,862 feet north of the Swisher Road and Edwards Road intersection, 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. Motion for approval by Commissioner Smith and second by Commissioner Anderson. (Z22-0015a, AFCM Swisher Rezoning, Ashley Ekstedt).

ASSIGNED ORDINANCE NO. Z22-0015a

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

NAYS (0): None

VACANT (1): District 4

- E. PDA22-0006b Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, amending the Detailed Plan for 7.12 acres of land in Planned Development 12 (PD-12), generally located on the southbound service road of I-35E, approximately 4,900 feet south of State School 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 the request. Motion for approval by Commissioner Smith and second by Commissioner Cole. (PDA22-0006b, Automotive Expansion, Julie Wyatt)

ASSIGNED ORDINANCE NO. PDA22-0006b

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 citizen comments received are noted on Exhibit A.

Following discussion, Council Member Davis 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

6. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 23-088 Consider adoption of an ordinance of the City of Denton ordering an election for Districts 1, 2, 3 and 4 to be held on May 6, 2023, and, if required, a runoff election to be held on June 10, 2023; prescribing the time, manner, and conduct of the election in accordance with a Joint Election Agreement and Contract for election services with the Elections Administrator of Denton County; and providing an effective date.

ASSIGNED ORDINANCE NO. 23-088

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

The item was presented and discussion followed.

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

- B. ID 23-318 Receive the certification from the City Secretary regarding the petition for the recall of District 3 Council Member Jesse Davis.

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

The item was presented and no discussion followed.

No City Council action was required.

- C. ID 23-322 Consider adoption of an ordinance ordering a recall election to be held in the City of Denton on May 6, 2023 for the purpose of determining whether City Council Member Jesse Davis shall be removed from District 3 seat of the City Council by recall; prescribing the time, manner, and conduct of the election in accordance with an Election Agreement and Contract for election services with the Election Administrator of Denton County; and providing an effective date.

ASSIGNED ORDINANCE NO. 23-322

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

The item was presented and discussion followed.

Citizen comments received are noted on Exhibit A.

Following discussion, Mayor Pro Tem Beck moved 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

7. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 8:41 p.m.



GERARD HUDSPETH
MAYOR
CITY OF DENTON, TEXAS



ROSA RIOS
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON:

