

## CITY OF DENTON CITY COUNCIL MINUTES

March 21, 2023

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, March 7, 2023, at 12:00 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, and Chris Watts

**ABSENT:** Council Member Brandon Chase McGee

**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:
  - Council Member Watts: Item 4.O (23-586)
  - Mayor Pro Tem Beck: Item 4.P (23-587)

- Pulled For Individual Consideration:
  - None

#### **3. Work Session Reports**

- A. ID 22-2443 Receive a report, hold a discussion, and give staff direction regarding Audit Project 031 - Recreation Facility Operations. [Estimated Presentation/Discussion Time: 15 minutes]

The item was not presented and postponed to April 4, 2023.

- B. ID 23-148 Receive a report, hold a discussion, and give staff direction regarding Audit Project 019 - Municipal Court Payments: Follow-Up Review. [Estimated Presentation/Discussion Time: 15 minutes]

The item was not presented and postponed to April 4, 2023.

- C. ID 23-147 Receive a report, hold a discussion, and give staff direction regarding proposals from the Board of Ethics to amend the Ethics Ordinance and Board of Ethics' Rules of Procedure. [Estimated Presentation/Discussion Time: 60 minutes]

The item was not presented and postponed to April 4, 2023.

The work session ended at 12:04 p.m.

### **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, March 21, 2023, at 12:04 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, and Chris Watts

**ABSENT:** Council Member Brandon Chase McGee

**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.**

### **4. CONSENT AGENDA**

The Consent Agenda consisted of Items 4.A-R. During the Work Session held earlier in the day, no items were pulled for Individual Consideration.

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

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

**NAYS (0):** None

**ABSENT (1):** Council Member McGee

**VACANT (1):** District 4

- A. ID 23-026 Consider approval of the minutes of the March 7, 2023 Meeting.

**APPROVED**

- B. ID 23-056 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Zoning Board of Adjustment.

**APPROVED**

**APPOINTMENT LISTED ON EXHIBIT A**

- C. ID 23-506 Consider approval of a resolution of the City of Denton providing the February 25, 2023 meeting absence of a Community Services Advisory Committee Member be excused; and providing an effective date.

**ASSIGNED RESOLUTION NO. 23-506**

- D. ID 23-399 Consider adoption of an ordinance of the City of Denton approving and authorizing the City Manager to execute an interlocal cooperation agreement with the City of Lewisville, Texas, for the transfer to the Lewisville Police Department its share (\$20,551.00) of the proceeds of the U.S. Department of Justice - Office of Justice Programs - Edward Byrne Justice Assistance Grant (JAG Grant), in the form of a TruNarc hand-held narcotic analyzer, kits, and warranty; and declaring an effective date.

**ASSIGNED ORDINANCE NO. 23-399**

- E. ID 23-528 Consider approval of a resolution of the City of Denton ratifying the submission of an application to the Federal Emergency Management Agency (FEMA) 2022 Staffing for Adequate Fire and Emergency Response (SAFER) grant in the amount of \$2,178,000 to fund the salaries and benefits of six full-time employees to staff an aerial truck; and providing an effective date.

**ASSIGNED RESOLUTION NO. 23-528**

- F. ID 23-554 Consider approval of a resolution of the City of Denton approving the Art and Cultural Relief Grant program; and providing an effective date.

**ASSIGNED RESOLUTION NO. 23-554**

- G. ID 23-529 Consider approval of a resolution of the City of Denton ratifying the submission of an application to the State of Texas, Office of the Governor, 2023 State Homeland Security Program (SHSP) grant program funded through the US Department of Homeland Security in the amount of \$100,000 for a chemical detector; and providing an effective date.

**ASSIGNED RESOLUTION NO. 23-529**

- H. ID 23-458 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 Crawfish Boil on Saturday, March 25, 2023, from 2 p.m. to 8 p.m., at 985 S Interstate 35; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-458**

- I. ID 23-578 Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or designee, to execute a Letter Donation Agreement and accept the gift and dedication of a fee simple interest in approximately 3.7928 acres of land located in the Thomas Toby Survey, Abstract No. 1285, and being a portion of that certain Section 3, Tract Five; City and County of Denton, Texas; and providing for a severability and an effective date.

**ASSIGNED ORDINANCE NO. 23-578**

- J. ID 23-516 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 Fannin Tree Farm Sales, LLC., for the purchase and installation of trees within parks, medians, right of ways, public buildings, and other City locations for the Parks and Recreation Department; providing for the expenditure of funds therefor; and providing an effective date (IFB-BV 8136 - awarded to Fannin Tree Farm Sales, 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 \$1,701,000.00).

**ASSIGNED ORDINANCE NO. 23-516**

- K. ID 23-582 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 & Veatch Corporation, for Advanced Metering Infrastructure Deployment Program Management - Proof of Concept for the Water Metering Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7574-023 - Professional Services Agreement for planning services awarded to Black & Veatch Corporation, in the not-to-exceed amount of \$185,687.00). The Public Utilities Board recommends approval (7 - 0).

**ASSIGNED ORDINANCE NO. 23-582**

- L. ID 23-583 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 Our Daily Bread, Inc., for the provision and supervision of temporary labor for the Solid Waste and Recycling Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7988 -awarded to Our Daily Bread, 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 \$1,040,803.00). The Public Utilities Board recommends approval (7 - 0).

**ASSIGNED ORDINANCE NO. 23-583**

- M. ID 23-584 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive statements of qualifications under RFQ 8061 for the Asset Management Vision for the Water Utilities Department; and providing an effective date (RFQ 8061). The Public Utilities Board recommends approval (7 - 0).

**ASSIGNED ORDINANCE NO. 23-584**

- N. ID 23-585 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 Andritz Separation Inc., for the purchase of one (1) refurbished belt press as a replacement at the Pecan Creek Water Reclamation Plant for the Water Reclamation Department, which is the sole provider of this commodity, 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 8180 - awarded to Andritz Separation Inc., in the not-to-exceed amount of \$278,500.00). The Public Utilities Board recommends approval (7 - 0).

**ASSIGNED ORDINANCE NO. 23-585**

- O. ID 23-586 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 Patel & Patel General Partners dba Deluxe Inn, amending the contract approved by the City Council on December 7, 2021, in the not-to-exceed amount of \$1,000,000.00; said first amendment to continue to provide accommodations for persons experiencing homelessness during the declared disaster related to COVID-19 for the Community Development Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7829 - providing for an additional first amendment expenditure amount not-to-exceed \$250,000.00, with the total contract amount not-to-exceed \$1,250,000.00).

**ASSIGNED ORDINANCE NO. 23-586**

- P. ID 23-587 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive proposals under RFP 8117 for the Transitional Housing Project for the Community Development Department; and providing an effective date (RFP 8117).

**ASSIGNED ORDINANCE NO. 23-587**

- Q. ID 23-588 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 Fun Abounds, Inc., through the Buy Board Cooperative Purchasing Network Contract # 679-22, for the construction of the McKenna Park Improvements for the Parks and Recreation Department; providing for the expenditure of funds therefor; and providing an effective date (File 8183 - awarded to Fun Abounds, Inc., in the not-to-exceed amount of \$167,806.00).

**ASSIGNED ORDINANCE NO. 23-588**

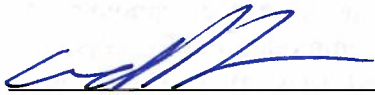
- R. ID 23-589 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Anixter Inc., for concrete street lights and concrete aggregate poles for the Denton Municipal Electric Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 8191 - awarded to Anixter Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) years not-to-exceed amount of \$1,125,000.00). The Public Utilities Board recommends approval (7 - 0).

**ASSIGNED ORDINANCE NO. 23-589**

**5. CONCLUDING ITEMS**

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 12:05 p.m.



GERARD HUDSPETH  
MAYOR  
CITY OF DENTON, TEXAS



ROSA RIOS  
CITY SECRETARY  
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: April 4, 2023

EXHIBIT A  
March 21, 2023

**Agenda Item 4.B (ID 23-056)**

BOARD/COMMITTEE/COMMISSION	COUNCIL PLACE	NOMINATING CCM	MEMBER NAME	NEW TERM	STATUS & QUALIFICATION OR PREFERENCE, IF ANY
Zoning Board of Adjustment	7	Hudspeth	Byron Woods	UNEXPIRED September 1, 2021 through August 31, 2023	New

